
NOTICE OF APPROVAL OF THE SETTLEMENT AGREEMENT

Please read this notice carefully as it may affect your rights.

This notice is aimed at anyone in Quebec who purchased and/or consumed Recalled Products offered by Adonis in the spring of 2018.

IMPORTANT DEADLINE	
Claim Deadline — for Class Members who wish to make a claim for compensation in accordance with the Settlement Agreement. See page 5 for more details.	DECEMBER 21st, 2021

“Recalled Products” means :

- The 1 kg Montana brand frozen strawberries from Egypt, sold in all Adonis establishments until April 20, 2018 with the code number 6222000401487;
- The 1L and 500ml bottled strawberry and banana “Jus d’Adonis”, sold in all Adonis establishments until April 13, 2018;
- The 1L and 500ml bottled "Douceur aux fraises" smoothies, sold in all Adonis establishments until April 13, 2018; and
- The large and medium "Adonis", "Monsieur Twister" and "Saveur d’été" cocktails served in plastic glasses, sold in all Adonis establishments until April 13, 2018;

1. PURPOSE OF THIS NOTICE

The purpose of this notice is to inform you that the Superior Court of Quebec approved, on June 23rd, 2021, the Settlement Agreement that the parties reached to terminate their ongoing class action, and recognized it as fair, reasonable and in the best interest of Class Members.

2. PURPOSE OF THE CLASS ACTION

The Plaintiff alleged that the Defendants had been negligent in the manufacture and/or distribution of the Recalled Products, which caused damages to the Class Members. This allegation was, however, not proven in Court and is contested by the Defendants.

The purpose of this class action was to obtain compensation for all people in Quebec who :

- 1) contracted Hepatitis A by consuming contaminated Recalled Products;
- 2) were vaccinated against Hepatitis A following their consumption of Recalled Products;
- 3) purchased Recalled Products; and/or
- 4) are successors, beneficiaries, heirs, family members or dependents of an individual who contracted Hepatitis A by consuming contaminated Recalled Products.

Symptoms associated with Hepatitis A may include fever, loss of appetite, stomach pain, jaundice, dark urine, and fatigue.

3. OVERVIEW OF THE SETTLEMENT AGREEMENT

Without admission of liability, the Defendants agree to pay the sum of \$775,000 to resolve the following claims arising from the sale of the Recalled Products :

- 1) economic loss suffered by Class Members as a result of the purchase of Recalled Products;
- 2) damages relating to the need to be vaccinated against Hepatitis A following the consumption of Recalled Products; and
- 3) bodily injury suffered by Class Members who contracted Hepatitis A following the consumption of Recalled Products, and by extension, damages caused to members of their family.

In return for the Settlement Amount, the Defendants will be acquitted by the Class Members and the class action will be settled. The Settlement Agreement constitutes a compromise intended to resolve disputed claims, and is not an admission of liability, wrongdoing or fault on the part of the Defendants who have denied, and continue to deny, the allegations made against them.

4. DISTRIBUTION OF THE SETTLEMENT AMOUNT

The Court also approved a protocol (hereinafter the “**Distribution Protocol**”) detailing the method of distribution to Class Members of the Settlement Amount and related interest, from which are subtracted the fees and disbursements of the Class Counsel to the amount approved by the Court. A copy of the Distribution Protocol can be viewed at <https://lambertavocatinc.com/class-action-adonis/>.

The Settlement Amount will be paid to 4 categories of Claimants:

Category 1 : Class Members who purchased Recalled Products and who suffered an economic loss (i.e., purchase price reimbursement claims);

Category 2 : Class Members who consumed Recalled Products and who had to be vaccinated against Hepatitis A as a result;

Category 3 : Class Members who contracted Hepatitis A following their consumption of Recalled Products; and

Category 4 : family members of Class Members who contracted Hepatitis A following their consumption of Recalled Products;

If there are not enough funds to satisfy all claims in their entirety, all claims will be reduced proportionately (i.e., based on the value of each claim compared to the total value of all claims).

Category 1: Claims for Economic Loss

You are eligible for settlement benefits for economic loss (i.e., a reimbursement claim) if :

- you reside in Quebec; and
- you purchased Recalled Products for which you have not yet been refunded.

Settlement amounts payable to Class Members with Claims for Economic Loss will be distributed as follows :

- Class Members with proof of purchase will receive compensation equal to the purchase price of the Recalled Products declared in their Claim Form, if corroborated with proof of purchase;
- Class Members who do not have proof of purchase will receive compensation equal to the amount of their declared purchases, up to a maximum of \$10.

Category 2 : Claims for Vaccination

You are eligible for settlement benefits for vaccination if :

- you reside in Quebec;
- you consumed Recalled Products, and
- you were vaccinated against Hepatitis A following consumption of the Recalled Products.

Settlement amounts payable to Class Members with Claims for Vaccination will be distributed as follows :

- Class Members with proof of vaccination and who have not yet received reimbursement for their vaccination costs will receive reimbursement for the amount paid for the vaccination, in addition to an amount of \$150;
- Class Members with proof of vaccination but who have already received reimbursement for their vaccination costs will only receive an amount of \$150.

Category 3: Claims for Bodily Injury

You are eligible for settlement benefits for bodily injury if :

- you reside in Quebec;
- you consumed Recalled Products and were ill or suffered any other bodily injury as a result; and
- you have exhibited symptoms of an Hepatitis A infection and/or have received an Hepatitis A diagnosis within three (3) months preceding or following the recall date of the Recalled Products, as supported by your Canadian medical records.

Settlement amounts to Class Members with Claims for Bodily Injury will be distributed based on :

- 1) the quality of the evidence provided by the Class Member to justify their claim; and
- 2) the seriousness of the damages suffered by the Class Member.

We invite you to consult Annex A of the Distribution Protocol for more information.

Category 4 : Claims for Family Members

You are eligible for settlement benefits for family members if :

- you reside in Quebec;
- you are the spouse, child, grandchild, parent, grandparent, brother or sister of a Class Member who is entitled to compensation for bodily injury; and
- you live at the same address as that person.

Settlement amounts payable to Class Members with Claims for Family Members will be distributed based on :

- 1) the quality of the evidence provided by the affected family member;
- 2) the seriousness of the damages suffered by the affected family member; and
- 3) the relationship of the Class Member with the affected family member.

We invite you to consult Annex A of the Distribution Protocol for more information.

5. SUBMIT A CLAIM

To be eligible for compensation under the Settlement Agreement, Class Members must submit a duly completed Claim Form, along with the required supporting documents, no later than on **December 21st, 2021** (deadline subject to a subsequent court order). Claims filed after the deadline will not lead to compensation.

Claims must be filed by following the online claiming process detailed at : <https://lambertavocatinc.com/class-action-adonis/>. If you wish to file a claim but do not have an Internet access, please contact the Claims Administrator at (450) 983-4031. Class Members may be assisted by the Class Counsel or another attorney of their choice to complete their claim, in which case these Class Members will be solely responsible for the legal costs arising from such additional individual services.

6. REMAINING FUNDS FOLLOWING THE PAYMENT OF CLAIMS

If funds remain following the payment of all valid claims, the excess of the Settlement Amount will be given to Moisson Montreal. The Act respecting the Fonds d'aide aux actions collectives, CQRL, c. F-3.2.0.1.1, will apply to the amount of the balance, if any, attributable to the Class Members.

7. CLASS COUNSEL AND FEES

The Class Counsel is the law firm Lambert Avocat Inc. Class Members will not have to pay the Class Counsel Fees or Disbursements themselves, as these are covered by the Settlement Amount.

The Court approved Class Counsel Fees in the amount of \$185 381.76, plus applicable taxes, as well as disbursements in the amount of \$1857.10.

8. ADDITIONAL INFORMATION

For more information regarding this class action as well as to consult the Settlement Agreement and the Distribution Protocol :

- <https://lambertavocatinc.com/class-action-adonis/>
- (450) 983-4031

You may also contact the Class Counsel free of charge to discuss this class action, ask your questions or obtain a copy of any aforementioned document.

Lambert Avocat Inc.

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In the event of any discrepancy between this notice and the Settlement Agreement, the Settlement Agreement shall prevail.

The publication of this notice has been authorized by the Superior Court of Quebec.