

Schedule “A” Notice of Settlement Approval Hearing

PHASE I SETTLEMENT APPROVAL HEARING NOTICE MATERIALS

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

To all individuals who were sexually abused by Ralph Rowe between 1975 and 1987 within the geographic boundaries of the Anglican Diocese of Keewatin and have not previously settled or otherwise released claims against the Synod of the Diocese of Keewatin and Scouts Canada:

Please read this notice carefully.

The Court authorized this notice. This is not a solicitation from a lawyer.

A class action lawsuit regarding sexual abuse perpetrated by Ralph Rowe was previously certified by the Ontario Superior Court of Justice.

The parties have agreed to a settlement to make compensation available to Class Members who were sexually abused by Ralph Rowe between 1975 and 1987 within the geographic boundaries of the Diocese of Keewatin. This settlement is conditional on the approval of the Court.

A hearing to determine if the proposed settlement is fair, reasonable and in the best interests of the Class Members is scheduled to take place on October 27, 2023.

What does the proposed settlement provide?

If approved by the Court, the settlement will provide financial compensation to eligible Class Members who satisfy the requirements of the claims process.

If the Court approves the proposed settlement, you may make a claim for financial compensation. To do so, you will have to complete a **Claim Form** and send it to the claims administrator during the claims period. More information on how to make a claim will be available if the proposed settlement is approved.

What are your legal rights and options?

1. Do nothing	If you support the settlement agreement, you do not have to do anything right now. If the settlement is approved, there will be a further notice, and you will then have a chance to submit your claim for payment under the settlement.
2. Object to the proposed settlement or legal fees	If you object to the settlement and/or legal fees, you can complete an Objection Form to explain why you object. This form will include your name, address, and the reasons why you do not support the settlement. The Objection Form can be found at www.ralphroweclassaction.ca . If you wish to register as an objector, mail this Form to the RCQ Claims Administrator, P.O. Box 3355, London, ON N6A 4K3. It must be received or postmarked no later than September 29, 2023. This form will be provided to the Court and you do not need to attend the hearing.
3. Participate at the settlement hearing	You can attend the Approval Hearing to participate in the proceeding to express your support or to voice your objection to the proposed settlement. The Court will decide if you will be permitted to make oral submissions at the time of the hearing. However, in order to be eligible to participate, you are asked to complete and submit an Objection Form by no later than September 29, 2023 setting out your reasons for objecting to the proposed settlement.

What kind of compensation am I eligible for?

The settlement provides for a settlement fund of \$13.25 million.

The amount for each individual Class Member could be up to \$350,000 total, depending on the circumstances of abuse, the extent of the harm suffered, the process chosen by the Class Member, and how many people make a claim. This includes compensation of up to \$140,000 through a simplified process (without any cross-examination), as well as up to a further \$210,000, if sought by the Class Member and depending on the extent of the harm. This is described further below.

Schedule A

Level	Categories of Sexual Assault	Compensation Amount
1	Fondling or kissing, touching, Rowe exposing himself	\$30,000.00
2	Simulated intercourse, masturbation, repeated fondling under clothing	\$60,000.00
3	Oral sex, digital penetration, attempted penetration, repeated masturbation	\$110,000.00
4	One or more incidents of anal penetration, repeated incidents of oral sex	\$140,000.00

If a Class Member chooses to make a claim under Schedule A only, the Class Member will not be cross-examined by a lawyer representing the Defendants.

If a Class Member is eligible for Level 3 or Level 4 compensation under Schedule A, the Class Member may also claim under Schedule B.

Money awarded in a Schedule B claim is in addition to an amount awarded under Schedule A. For example, if a Class Member is approved for Level 3 under Schedule A and is awarded \$120,000 under Schedule B, the Class Member will be paid up to \$230,000 (\$110,000 + \$120,000).

Schedule B

Level	Harms and Effects Caused by the Sexual Assault	Compensation Amount
A	<p>As a result of the sexual assault that is the subject of this proceeding:</p> <ol style="list-style-type: none"> 1. the Claimant suffers or suffered from significant and lasting physical or psychological harm, including but not limited to a medically documented moderate mental disorder requiring medical treatment (whether or not received); or 2. the Claimant has experienced a history of unemployability or under employability cumulatively in excess of one year; or 3. the Claimant has experienced two or more of the following: <ol style="list-style-type: none"> (a) suicide attempts; (b) chronic abuse of alcohol and/or drugs; (c) extended periods of homelessness; and, (d) incarceration. 	Up to \$120,000.00
B	<p>As a result of the sexual assault that is the subject of this proceeding:</p> <ol style="list-style-type: none"> 1. the Claimant suffers or suffered from significant and lasting physical or psychological harm, including but not limited to a medically documented severe mental disorder requiring hospitalization; or 2. the Claimant has experienced a history of unemployability or under employability cumulatively in excess of three years. 	Up to \$210,000.00

If a Class Member chooses to claim under Schedule B, the Class Member may be cross-examined by a lawyer representing the Defendants.

If the total compensation approved for Class Members and other deductions from the settlement fund exceed the settlement fund, then payments to Class Members for approved claims will be reduced on a *pro rata* (proportionately equal) basis.

Any eligible Class Member who makes a claim and believe that they will require counselling for stress or anxiety arising from participating in the claims process will be able to have up to \$1500 in counselling fees reimbursed. If the Class Member's claim is ultimately approved, the value of these fees will be deducted from their award.

WHAT THIS NOTICE EXPLAINS

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BASIC INFORMATION

What is a class action?

In a class action, one or more people called “**Representative Plaintiffs**” sue on behalf of people who have similar claims. All of the people who have similar claims are called a “**Class**” or “**Class Members.**” The court resolves the issues for everyone affected, except for those who excluded themselves from the lawsuit by opting out. In this action, the Representative Plaintiff is Alvin McKay. He has been prosecuting this action on behalf of the Class and providing instructions to Class Counsel.

What is this class action about?

This class action is about sexual abuse committed by Ralph Rowe within the geographic boundaries of the Diocese of Keewatin between 1975 and 1987.

Why is there a proposed settlement?

By agreeing to the proposed settlement, the Representative Plaintiff, Class Members, and the Defendants avoid the costs and risks of proceeding further with litigation. In particular, if approved by the Court, the proposed settlement agreement will provide financial compensation for eligible Class Members.

The Representative Plaintiff and the lawyers representing the Representative Plaintiff believe that the proposed settlement is in the best interests of all Class Members.

WHO IS INCLUDED IN THE LAWSUIT AND PROPOSED SETTLEMENT?

Who is included in the proposed settlement?

The proposed settlement includes all individuals who were sexually abused by Ralph Rowe between 1975 and 1987 within the geographic boundaries of the Diocese of Keewatin and have not previously settled or otherwise released claims against the Synod of the Diocese of Keewatin and Scouts Canada.

The proposed settlement also includes the parents of individuals who were sexually abused by Ralph Rowe between 1975 and 1987 within the geographic boundaries of the Diocese of Keewatin and have not previously settled or otherwise released claims against the Synod of the Diocese of Keewatin and Scouts Canada.

What if I’m not sure whether I’m included in the lawsuit or proposed settlement?

There are people who can help you understand your legal rights and next steps. If you are not sure whether you may be included in the proposed settlement, you may call the law firm representing the Class Members, Koskie Minsky:

Koskie Minsky
900-20 Queen Street West
Toronto, ON M5H 3R3
Tel: 1-888-353-6661
Email: ralphroweclassaction@kmlaw.ca

WHAT ARE THE BENEFITS OF THE PROPOSED SETTLEMENT?

What does the proposed settlement provide?

If approved, the settlement provides financial compensation for eligible Class Members who meet the requirements of the claims process by submitting a completed Claim Form and supporting documentation where required.

The settlement provides a fund of money that Class Members can make a claim against. The amount of compensation you may receive is dependent on the specifics of your claim and how many people make a claim. As set out above, the settlement grid provides that you may be entitled to up to \$350,000, depending on the circumstances.

More details are in a document called the proposed settlement agreement, which is available at www.ralphrowecllassaction.ca.

How will the lawyers be paid?

The lawyers who are representing the Representative Plaintiff took on this lawsuit on a contingency basis, meaning that no fees have been charged at any stage of the lawsuit. The lawyers will not be paid until the Court declares that the proposed legal fees are fair and reasonable.

The retainer agreement between the Representative Plaintiff and the lawyers states that the lawyers may be paid up to 33.3% of the settlement proceeds plus repayment of reasonable disbursements and applicable tax.

At the hearing to approve the settlement, the lawyers will ask the Court to approve a fee percentage that will not be more than 33.3%, payable out of the settlement fund. The Court will consider whether the amount requested by the lawyers is fair and reasonable, and will decide the value of fees and disbursements to award.

WHO ARE THE LAWYERS REPRESENTING ME?

Who are the lawyers for the Representative Plaintiff and Class Members?

The lawyers for the Representative Plaintiff and Class Members are Koskie Minsky LLP of Toronto, Ontario.

You are welcome to seek legal advice from these lawyers concerning the settlement and your claim at any time and **at no cost to you**. If you want to be represented by or receive advice from another lawyer, you may hire one at your own expense to appear in court for you.

WHAT ARE MY LEGAL OPTIONS?

How do I tell the Court if I object to the proposed settlement?

If you object to the settlement for any reason, there are two ways to voice your opinion:

1. Object to the proposed settlement	<p>If you do not wish to attend the hearing, but you would like to object to the settlement or legal fees, you can also complete an Objection Form. This form will include:</p> <ul style="list-style-type: none">• Your name, address, and telephone number;• A statement saying that you object to the proposed settlement;• The reasons you object to the proposed settlement, along with any supporting materials; and• Your signature. <p>The Objection Form can be found at www.ralphroweclaimaction.ca. If you wish to register as an objector, mail this Form to the RCQ Claims Administrator, P.O. Box 3355, London, ON N6A 4K3. It must be received or postmarked no later than September 29, 2023.</p>
2. Participate at the settlement hearing	<p>You can attend the Approval Hearing to participate in the proceeding and voice your support for or objection to the proposed settlement. The Court will decide if you will be permitted to speak at the hearing. If you would like to voice your objection at the hearing, you are asked to complete and submit an Objection Form by September 29, 2023 setting out your reasons for objecting to the proposed settlement. If you would like to voice your support for the settlement at the hearing, you do not need to fill out any forms in advance.</p>

WHAT ARE THE DETAILS OF THE APPROVAL HEARING?

The Court will hold a hearing to decide whether to approve the proposed settlement and the lawyers' request for legal fees, disbursements and taxes (the "Approval Hearing").

When and where will the Court decide whether to approve the proposed settlement?

The Approval Hearing will take place on October 27, 2023 at the Thunder Bay Courthouse in Thunder Bay, Ontario.

The hearing date may be moved to different dates or times without additional notice. Please check <https://kmlaw.ca/cases/victims-ralph-rowe/> or call 1-888-353-6661 in advance to get details about the hearing.

At the hearing, the Court will consider whether the proposed settlement is fair, reasonable, and in the best interests of the Class.

After the hearing, the Court will decide whether to approve the proposed settlement and the lawyers' legal fees. We do not know how long the Court will take to make its decision.

Do I have to attend the hearing?

No. The lawyers representing the Representative Plaintiff will answer questions from the Court. However, you or your own lawyer are welcome to participate at your own expense. If you submit an Objection Form on time, the Court will consider it and you do not have to come to the Court to talk about it. You may also have your own lawyer attend at your own expense, but it is not necessary.

What if I do nothing?

If you do nothing, the Approval Hearing will proceed, and the Court will consider whether the proposed settlement is fair, reasonable, and in the best interests of the Class.

If the settlement is approved, there will be a further notice, and you will then have a chance to submit your claim for payment under the settlement.

GETTING MORE INFORMATION**How do I get more information?**

This notice summarizes the proposed settlement. More details are in the settlement agreement. You can get a copy of the agreement at www.ralphroweclassaction.ca.

You may also seek legal advice from the lawyers representing the Class Members concerning the proposed settlement and your claim at no cost to you. You can send your questions to Koskie Minsky.

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