

WESTERN USA PLUS FLIGHT PASSES

NOTICE OF SETTLEMENT APPROVAL FOR AIR CANADA CLASS ACTION

IF YOU PURCHASED A MISPRICED FLIGHT PASS FROM AIR CANADA ON AUGUST 25-26, 2015, YOU MAY BE AFFECTED BY A PROPOSED CLASS ACTION SETTLEMENT

NOTICE OF PROPOSED SETTLEMENT

This Notice advises you of a proposed settlement of a class action brought in Quebec, on behalf of all 1273 individuals who bought the Western USA Plus Flight Pass from Air Canada on August 25-26, 2015 at the posted price of approximately \$900 (the "Flight Pass"). The Court file is *Hurst v. Air Canada*, Quebec Superior Court File No. 500-06-000756-151 (District of Montreal).

WHAT IS THE CLASS ACTION ABOUT?

The plaintiff alleges that Air Canada has violated the *Consumer Protection Act* and/or breached their contract with Class Members when Air Canada cancelled Flight Passes that had been purchased on August 25-26, 2015 at a mistaken price. The court has made no findings on the merits of the allegations.

WHO IS INCLUDED IN THE SETTLEMENT CLASS?

All 1273 persons who between August 25, 2015 and August 28, 2015 (1) purchased, received, and/or acquired a Flight Pass from Air Canada's internet website, which consisted of credits for ten business class one-way flights in the Western USA and/or Canada; and (2) had their Flight Pass delivered to their Air Canada internet website account and subsequently removed from their internet website account by Air Canada

IS THE SETTLEMENT IN EFFECT?

No. Any settlement must first be approved by the Superior Court of Quebec before it takes legal effect.

WHEN IS THE APPROVAL HEARING?

The approval hearing will be held on October 28, 2019 at 9:30 a.m., at the Montréal Courthouse, Québec, in room 2.08.

WHAT CAN I RECEIVE FROM THE SETTLEMENT?

Air Canada will automatically issue to each class member a credit of approximately \$500 in the form of an Air Canada eCoupon that can be used to purchase Air Canada flights or ancillary services. The credits must be used within twelve (12) months.

WHAT ARE MY OPTIONS?

1. If you **want to participate in the settlement** and receive the benefits, no action is required on your part. You will then be bound by the terms of the legal release contained in the settlement agreement.
2. If you wish to **object to the terms of this proposed settlement**, you can write to Class Counsel by October 15, 2019 in accordance with the steps as further detailed in the long-form notice. Please note that the Court **cannot** change the settlement terms. Any objections will be used by the Court to consider whether to approve the settlement or not.

WHO REPRESENTS THE CLASS MEMBERS?

The Plaintiff and Class Members are represented by:

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WILL I BE CHARGED FOR LEGAL FEES?

No, there is no further deductions from the approximately \$500 credit that will be issued to Class Members. Class Members are also not required to pay additional moneys for legal fees and expenses.

Subject to court approval, Class Counsel's legal fees, legal expenses and settlement administration costs in the amount of \$377,900 will be paid by Air Canada and will be deducted from the settlement funds prior to issuing the \$500 credit to each Class Member.

THIS NOTICE IS JUST A SUMMARY. If there is any discrepancy between this notice and the settlement agreement, the settlement agreement shall prevail. Go to <http://evolinklaw.com/air-canada-flight-pass-national-class-action/> for further information and to review the proposed settlement agreement.