

NOTICE OF CERTIFICATION OF WESTERN HOCKEY LEAGUE CLASS ACTION

PLEASE READ THIS NOTICE CAREFULLY AS IT MAY AFFECT YOUR LEGAL RIGHTS

The representative Plaintiffs, Travis McEvoy and Kyle O'Connor, are former players with the Western Hockey League ("WHL"). They have sued the Canadian Hockey League ("CHL"), the WHL, and the owners of the Canadian WHL clubs,¹ alleging that the Class Members are employees of their clubs and/or of the WHL and CHL, and are therefore entitled to employment benefits including minimum wage and overtime pay. This lawsuit was certified to proceed as a Class Action by the Alberta Court of Queen's Bench (the "Court") on June 15, 2017 and the class of people the lawsuit covered was expanded by a Court order on January 22, 2020. There has been no determination by the Alberta Courts regarding the merits of the Plaintiffs' claims, which are disputed by the Defendants. The Alberta courts have concluded that the claim cannot proceed against the U.S. WHL clubs.²

You are receiving this notice because you may be included in the expanded class ordered on January 22, 2020. You are now able to choose whether you wish to opt out of this Class Action. If you opt out, you will be unable to receive any benefits from a settlement that has been reached between the parties (subject to approval by the Court). Details of the Settlement are contained in the notice of settlement and fee approval hearing you have, or will, also receive. If you wish to opt out of this Class Action and receive nothing from the Settlement, if it is approved, you can opt out by following the steps listed below.

You are a Class Member if:

- **you were a player for a team located in British Columbia at some point between October 30, 2012 and February 15, 2016, or you were a player under the age of 19 on October 30, 2012; or**
- **you were a player for a team located in Alberta at some point between October 30, 2012 and January 1, 2020, or you were a player under the age of 18 on October 30, 2012; or**
- **you were a player for a team located in Manitoba at some point between October 30, 2012 and December 15, 2017, or you were a player under the age of 18 on October 30, 2012; or**
- **you were a player for a team located in Saskatchewan at some point between October 30, 2012 and April 29, 2014, or you were a player under the age of 18 on October 30, 2012.**

If you fall within one or more of these definitions, you will be included in the Class Action unless you choose to opt out of the Class Action by following the steps listed below.

WHAT IS THE CLASS ACTION LAWSUIT ABOUT?

The Plaintiffs' lawsuit asked the Court to declare that the Class Members are, or were, employees of the Canadian WHL clubs. The Defendants do not agree with the Plaintiffs that there is an employment relationship between major junior hockey league players and their teams. As a result of the Settlement, the Plaintiffs will be asking the Court to approve the Settlement. The Settlement is not an admission of liability.

A copy of the Fresh as Amended Statement of Claim, a list of the common issues, and other materials filed to date by the Plaintiffs, can be viewed at www.CHLclassaction.com.

Copies of the Statements of Defence, as well as other materials filed to date by the Defendants and the Plaintiffs, can be viewed at www.CHLdefence.com.

Copies of the Settlement documents, including information on the monetary compensation that could become available to some Class Members under the terms of the Settlement, can be viewed at www.CHLClassAction.com and www.CHLDefence.com.

¹ The Brandon Wheat Kings, the Swift Current Broncos, the Regina Pats, the Moose Jaw Warriors, the Saskatoon Blades, the Prince Albert Raiders, the Lethbridge Hurricanes, the Medicine Hat Tigers, the Calgary Hitmen, the Edmonton Oil Kings, the Red Deer Rebels, the Kootenay Ice, the Kamloops Blazers, the Vancouver Giants, the Prince George Cougars, the Victoria Royals, and the Kelowna Rockets.

² The Tri-City Americans, the Spokane Chiefs, the Seattle Thunderbirds, the Portland Winterhawks, and the Everett Silvertips.

WHAT ARE MY OPTIONS?

You do not have to do anything to participate in the Class Action. If you are a Class Member based on the definition above, you are automatically included in the Class Action and you will be bound by a proposed settlement if the Settlement is approved by the court, unless you choose to opt out by following the steps listed below.

If you do not want to be part of the Class Action lawsuit, you must complete and send a copy of the Opt-Out Form to CHLClassAction@ricepoint.com, the administrator appointed by the Court to receive the forms and collect the opt-out information, by **September 10, 2020**. A copy of the Opt-Out Form can be found at www.CHLClassAction.com. If you submit a completed Opt-Out Form by the deadline, you will not be a Class Member and you will not be eligible to participate in any settlement approved by the Court.

WHAT HAPPENS NEXT?

The Plaintiffs are going to court to seek approval of the Settlement of the Class Action. You have, or will, receive a separate notice detailing the Settlement. If the Settlement is not approved, this case will proceed toward a common issues trial.

WHAT ARE THE FINANCIAL CONSEQUENCES OF THE CLASS ACTION?

There is no cost to you to participate in the Class Action.

You will need to pay legal fees only if the Class Action settlement is approved. The legal fees will be paid directly from that compensation. You will not need to pay any legal fees out of your own pocket. Any fee paid to the lawyers must be approved by the Court as being fair and reasonable. Any settlement must also be approved by the Court as being fair, reasonable, and in the best interests of the Class Members.

The representative Plaintiffs have entered into a fee agreement with Class Counsel. The fee agreements provide for Class Counsel to request fees of 25–30 percent of any amounts recovered, plus applicable taxes and disbursements. There is a Court-approved third-party funding agreement with Bridgepoint Financial Services. The third-party funding agreement provides for Bridgepoint Financial Services to recover the funds it has advanced to Class Counsel for disbursements, together with interest and a percentage of the amounts recovered, estimated to be in the range of 5–10 percent of the amounts recovered.

FOR FURTHER INFORMATION

For questions regarding this notice or the Class Action, please contact Class Counsel as follows:

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THIS NOTICE HAS BEEN AUTHORIZED BY THE ALBERTA COURT OF QUEEN'S BENCH.