

**TO ALL MEMBERS OF LONG LAKE #58 FIRST NATION:
LONG LAKE #58 TOXIC MOULD CLASS ACTION CERTIFIED**

You are receiving this notification because you are a member of Long Lake #58 First Nation and may meet the class definition in a certified class action. For more information about this class action please see the following website: <https://www.turanlawoffice.com/#classactions>.

Summary

The Ontario Superior Court of Justice has allowed a class action lawsuit to proceed which may make it possible for you to obtain money for you and your family. The Lawsuit alleges that the defendant, the Government of Canada, as represented by the Attorney General of Canada (“Canada”), was negligent in its relocation of the residents of Long Lake #58 on the Long Lake #58 Reserve (the “Reserve”), the site selection for the replacement housing, and in overseeing the design and construction of housing on the Reserve between the late 1960s and early 1980s. As a consequence of this negligence, the representative plaintiff Mr. Narcise Kakegabon alleges that the Reserve housing became infested with toxic mould, leading to the 2001 evacuation of several homes on the Reserve.

The law firm of Turan Law Office P.C. has recently been approved by the Court replacing Kim Orr Barristers to act as Class Counsel for the Class Members.

For more information about how this Lawsuit may affect your legal rights please visit either the website listed above in this notice or please contact Ceyda Turan, David Kalmakoff or Leslie Ross by telephone at (416) 672-0455 or by e-mail at classaction@turanlawoffice.com or by regular mail at:

Leslie Ross
439 University Ave., Suite 1900,
Toronto, Ontario, M5G 1Y8

This Notice explains:

1. The Lawsuit
2. Who is included in the Lawsuit?
3. What do I have to do to participate in the Lawsuit?
4. What if I don't want to participate in the Lawsuit?
5. Do I need to pay anything to participate in the Lawsuit?
6. Will Class Members receive any money for participating?
7. Can I participate personally in the Lawsuit?
8. Where can I get more information about the Lawsuit?

1. The Lawsuit

Mr. Kakegabon has sued the Attorney General of Canada for damages allegedly caused by the infestation of several homes on the Reserve with toxic mould discovered in or about 2000. Mr. Kakegabon's claim alleges that, among other things, Canada was negligent in overseeing the relocation of the Reserve's population to new housing between the late 1960s and early 1980s, the site selection for the new housing, and in constructing or overseeing the design and construction of that housing. The Lawsuit claims that certain members of Long Lake #58 First Nation were injured, suffered property damage, or were inconvenienced due to exposure to toxic mould.

The Lawsuit seeks a declaration that Canada was negligent and seeks damages for the Class Members.

2. Who is included in the Lawsuit?

By order of the Ontario Superior Court of Justice, the following people are "Class Members":

1. Those members of Long Lake #58 First Nation who resided on the Reserve any time between January, 2001 and February 2, 2004; and

2. Those other members of Long Lake #58 First Nation, including minors, who suffered loss of guidance, care and companionship of any of their family members who were members and resided on the Reserve any time between January, 2001 and February 2, 2004, or who incurred out of pocket expenses for the benefit of or to visit any of the said family members or who provided nursing, housekeeping or other services for any of the said family members as a result of toxic mould on the Reserve at any time between January, 2001 and February 2, 2004.

3. What do I have to do to participate in the Lawsuit?

You do not have to do anything to participate in this Lawsuit right now. Class Members are automatically included in the Lawsuit, unless they choose to opt-out of the proceeding as further described in section 3 below. If you fall within the Class definition described above, you are a Class Member and are automatically included in the action.

4. What if I don't want to participate in the Lawsuit?

If you don't want to be part of the Lawsuit you must send a signed letter to Class Counsel at the address specified below confirming that you do not want to be a part of the Lawsuit.

The deadline for opting out is April 30, 2024.

By opting out of the Lawsuit, you are confirming that you do not wish to participate in this Lawsuit and you will be excluded from any settlement or any damages that may be awarded by the Court. Class Counsel may contact you during the opt-out process in order to confirm the information in your request to opt out.

Please note that whether you choose to remain a Class Member in this Lawsuit or opt out of it, Turan Law Office will treat your identity as confidential and will not share your personal information or your participation in this proceeding with anyone without your consent.

5. Do I need to pay anything to participate in the Lawsuit?

There is no cost to you to participate in the Lawsuit.

Class Counsel will be paid legal fees only if the Lawsuit is successful. If the Lawsuit is successful, legal fees and disbursements incurred by the lawyers for the Class Members will be deducted from the total amounts recovered on behalf of the Class Members. The amount of such legal fees and disbursements will have to be approved by the Court prior to being paid, following notice to the Class Members of the fees sought by Class Counsel and submissions from both parties and interested Class Members.

If the Lawsuit is unsuccessful, Mr. Kakegabon may be responsible for any adverse costs award made by the Court, however, you and other Class Members will have no financial obligations in respect of the Lawsuit.

6. Will Class Members receive any money for participating?

In the event that Mr. Kakegabon is successful at the common issues trial, or any subsequent appeal, and the Court awards damages to the Class as a whole, the Court may establish a process, including individual hearings, to review the amount of damages each individual Class Member may claim and to assess the amount of damages each individual Class Member may be entitled to receive.

If the Lawsuit is not successful at the common issues trial, or any subsequent appeal, the Class Members will not be awarded damages and you will not receive any money. Whether or not the Lawsuit is successful, all Class Members who do not opt out of the Lawsuit will be bound by the judgment of the Court. This means, for example, that after this Lawsuit is over, you could not start your own lawsuit for the same claim.

7. Can I participate personally in the Lawsuit?

If you wish to participate personally in the Lawsuit, please contact Class Counsel or you may apply directly to the Court for permission to do so.

8. Where can I get more information about the Lawsuit?

The Court filings in this Lawsuit are available for inspection at the office of the Superior Court of Justice, Courthouse, 393 University Ave., Toronto, Ontario, Court File No.: 02-CV-224460 CP, or <https://www.turanlawoffice.com/#classactions>.