

ONTARIO CORRECTIONS STAFFING-RELATED LOCKDOWNS CLASS ACTIONS: NOTICE OF SETTLEMENT APPROVAL HEARING

Please read this notice carefully. Your legal rights may be affected.

This notice is for all Class Members in the Lapple and Dadzie Actions. You may benefit from a proposed Settlement that was reached in two class action lawsuits against Ontario and Canada (the “Defendants”). These lawsuits allege that the Defendants improperly subjected inmates and immigration detainees to chronic staffing-related lockdowns, constituting systemic negligence and breaches of sections 7 and 12 of the *Canadian Charter of Rights and Freedoms*. The Defendants deny those allegations, and the Court did not decide who was right. The Parties have instead decided to settle the lawsuits.

Class Action	Class Members
<i>Lapple et al v His Majesty the King in right of the Province of Ontario</i> , Court File No. CV-16-558633-00CP (Inmates)	All current and former inmates of Ontario correctional institutions as defined in the <i>Ministry of Correctional Services Act</i> (other than the Elgin-Middlesex Detention Centre, the Ontario Correctional Institute, or the St Lawrence Valley Correctional and Treatment Centre) between May 30, 2009 and November 27, 2017 , including those held pending trial or other court appearance.
<i>Dadzie et al v His Majesty the King in right of Ontario et al</i> , Court File No. CV-16-558376-00CP. (Immigration Detainees)	All persons detained under the <i>Immigration and Refugee Protection Act</i> at Ontario correctional institutions as defined in the <i>Ministry of Correctional Services Act</i> (other than the Elgin-Middlesex Detention Centre, the Ontario Correctional Institute, or the St Lawrence Valley Correctional and Treatment Centre) between May 30, 2009 and November 27, 2017 (solely with respect to their detention under the <i>Immigration and Refugee Protection Act</i>).

Une version française de cet avis est disponible sur le site web (ONTJailStaffLockdowns.ca) ou par courriel (info@ONTJailStaffLockdowns.ca).

Potential Settlement Benefits

The Defendants, while not admitting liability, have agreed to a Settlement regarding these two class action lawsuits which would, if approved, provide an all-inclusive Settlement Fund of \$59 million to pay eligible Class Members’ Claims as well as certain fees and expenses. Class Counsel will be seeking approval of Honoraria of up to \$15,000 for each Representative Plaintiff

and Class Counsel Fees in the amount of \$17,700,000 plus HST and disbursements, which will be deducted from the Settlement Fund.

If approved, the proposed Settlement will provide compensation to Class Members who experienced 16 or more staffing-related lockdowns, calculated in accordance with the Settlement Agreement:

- Between August 15, 2014 and November 27, 2017, for current or former inmates; or
- Between August 11, 2014 and November 27, 2017, for current or former immigration detainees.

Depending on the number of staffing-related lockdowns and the nature of harm suffered, eligible Claimants could receive between \$2,000 and \$68,000 (subject to a *pro rata* reduction, if necessary).

Class Members who experienced 16 or more staffing-related lockdowns between May 30, 2009 and August 14, 2014 (for current and former inmates), or between May 30, 2009 and August 10, 2014 (for current or former immigration detainees), may still be eligible for compensation if they can show that they were legally incapable of starting a lawsuit during that time or, in limited circumstances, may be eligible to receive limited compensation from an Exceptional Circumstances Fund of \$2 million. For further information concerning the Exceptional Circumstances Fund, you can review the Exceptional Circumstances Protocol which is available on the Administrator's website: ONTJailStaffLockdowns.ca.

Settlement Approval Hearing

The proposed Settlement must be approved by the Court to become effective. Class Counsel Fees and the Honoraria for the Representative Plaintiffs may also be approved at the Settlement Approval Hearing. The Court will decide whether or not to approve the proposed Settlement, Class Counsel Fees and/or Honoraria on **Wednesday, October 22, 2025** at 10:00am EST virtually over Zoom and in person at the Ontario Superior Court of Justice, 330 University Ave, Toronto, ON, M5G 1R7. When available, a Zoom link for virtual attendance at the Settlement Approval Hearing will be posted on ONTJailStaffLockdowns.ca.

Your Legal Rights and Options

- If you **support** the proposed Settlement, Class Counsel Fees, and Honoraria, you do not have to do anything at this time. If the Court approves the Settlement and you are eligible, you will be able to submit a Claim for compensation. Check the Administrator's website (ONTJailStaffLockdowns.ca) regularly after the Settlement Approval Hearing to see if the Settlement has been approved. A further notice will be published there if the proposed Settlement is approved, letting you know how to make a Claim and the deadline for doing so. You can also provide your email address to the Administrator or Class Counsel to be notified by email if the Settlement is approved.
- To **object** to the proposed Settlement, Class Counsel Fees, and/or Honoraria, you must submit a signed and completed Objection Form to the Administrator on or before October 14, 2025. A copy of the Objection Form can be obtained from

ONTJailStaffLockdowns.ca or by reaching out to the Administrator at the telephone number or email address below.

For specific information on how to submit an Objection Form, or to obtain more information, please contact the Administrator:

Ontario Corrections Staffing-Related Lockdowns Class Actions Administrator

c/o Deloitte LLP

PO Box 7545 STN Adelaide

Toronto, ON M5C 0C4

Toll-Free Telephone: 1-844-742-0825

Email: info@ONTJailStaffLockdowns.ca

Website: ONTJailStaffLockdowns.ca

Your legal rights and options – **and the deadlines to exercise them** – are explained in more detail in this notice. Please read this notice carefully.

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The Actions

1. What are these lawsuits about?

These lawsuits allege that Ontario and Canada improperly subjected inmates and immigration detainees to chronic staffing-related lockdowns. The lawsuits allege that such lockdowns constitute systemic negligence and breach inmates' and immigration detainees' rights under sections 7 and 12 of the *Canadian Charter of Rights and Freedoms* (the right to life, liberty and security of the person and the right not to be subjected to any cruel and unusual treatment or punishment). Ontario and Canada deny these allegations. The Court did not decide who was right. The Parties have instead decided to settle the lawsuits.

2. Who is a Class Member?

The Class in the **Lapple Action** (the “**Lapple Class**” or “**Lapple Class Members**”) is:

- (a) all current and former inmates of correctional institutions as defined in the *Ministry of Correctional Services Act*, RSO 1990, c M.22 (“Correctional Institutions”) **between May 30, 2009 and November 27, 2017** who are or were remanded, except the Excluded Lapple Persons; and
- (b) all current and former inmates of the Correctional Institutions **between May 30, 2009 and November 27, 2017** who are or were serving a sentence at a Correctional Institution or who have violated parole and are or were imprisoned at a Correctional Institution as a result, except the Excluded Lapple Persons.

“**Excluded Lapple Persons**” are:

- all inmates detained only in accordance with the *Immigration and Refugee Protection Act*, SC 2001, c 27; and
- all inmates of the Elgin-Middlesex Detention Centre, the Ontario Correctional Institute and the St Lawrence Valley Correctional and Treatment Centre (solely with respect to their incarceration at those Correctional Institutions).

The Class in the **Dadzie Action** (the “**Dadzie Class**” or “**Dadzie Class Members**”) is:

all persons detained under Division 6 of the *Immigration and Refugee Protection Act*, SC 2001, c 27 at Ontario correctional institutions as defined in the *Ministry of Correctional Services Act*, RSO 1990, c M.22 (“Correctional Institutions”) **between May 30, 2009 and November 27, 2017** (solely with respect to their detention under Division 6 of the *Immigration and Refugee Protection Act*), except the Excluded Dadzie Persons.

“**Excluded Dadzie Persons**” are all persons who were detained at the Elgin-Middlesex Detention Centre, the Ontario Correctional Institute and the St Lawrence Valley Correctional and

Treatment Centre (solely with respect to their detention under the *Immigration and Refugee Protection Act* at those Correctional Institutions).

3. Which correctional institutions are involved in the proposed Settlement?

The proposed Settlement involves the following Correctional Institutions:

- Algoma Treatment and Remand Centre,
- Brantford Jail,
- Brockville Jail,
- Central East Correctional Centre,
- Central North Correctional Centre,
- Chatham Jail (closed 2014),
- Fort Frances Jail,
- Hamilton-Wentworth Detention Centre,
- Kenora Jail,
- Maplehurst Correctional Complex,
- Mimico Correctional Complex (closed 2011),
- Monteith Correctional Complex,
- Niagara Detention Centre,
- North Bay Jail,
- Ottawa-Carleton Detention Centre,
- Owen Sound Jail (closed 2011),
- Quinte Detention Centre,
- Sarnia Jail,
- South West Detention Centre (opened 2014),
- Stratford Jail,
- Sudbury Jail,
- Thunder Bay Correctional Centre,
- Thunder Bay Jail,
- Toronto East Detention Centre,
- Toronto Jail (closed 2014),
- Toronto South Detention Centre (opened 2014),
- Toronto West Detention Centre (closed 2014),
- Vanier Centre for Women,
- Walkerton Jail (closed 2011), and
- Windsor Jail (closed 2014).

The Notice

4. What is the purpose of this notice?

The purpose of this notice is:

- (a) to advise you that the Parties have reached a proposed Settlement, and that the proposed Settlement will be considered by the Court at the Settlement Approval Hearing on

Wednesday, October 22, 2025 at 10:00am EST (virtually over Zoom and in person at the Ontario Superior Court of Justice in Toronto, ON), where the Court will decide whether or not to approve the proposed Settlement; and

- (b) to advise you that you have the right to review the Settlement Agreement in advance and provide your objections to it for the Court's consideration at the Settlement Approval Hearing, if:
 - (i) you have NOT opted yourself out (excluded yourself) from the lawsuits; and
 - (ii) you submit a signed and completed Objection Form to the Administrator on or before October 14, 2025.

If you support the Settlement and want to participate in it, you are not required to do anything until after the proposed Settlement is approved. Check the Administrator's website (ONTJailStaffLockdowns.ca) regularly after the Settlement Approval Hearing to see if the Settlement has been approved. A further notice will be published there if the proposed Settlement is approved, letting you know how to make a Claim and the deadline for doing so. You can also provide your email address to the Administrator or Class Counsel to be notified by email if the Settlement is approved.

5. Why is there a Settlement?

The Parties believe that the proposed Settlement provides Class Members with reasonable compensation in exchange for releasing the Defendants from liability. The proposed Settlement does not mean that the Defendants did anything wrong, and the Court will not decide who was right.

The Proposed Settlement

6. What does the proposed Settlement provide? How much money can I claim under the proposed Settlement?

Under the proposed Settlement, if approved, the Defendants will pay \$59 million. This amount includes payments to compensate successful Claimants, as well as certain fees and expenses associated with the proposed Settlement, including Honoraria of up to \$15,000 for each Representative Plaintiff, if approved by the Court, Class Counsel Fees in the amount approved by the Court (Class Counsel are requesting \$17,700,000 in legal fees plus HST and disbursements), the Class Proceedings Fund Levy (the Class Proceedings Fund is the entity that provided funding so that this litigation could be pursued), and Administration Costs.

If approved, the proposed Settlement will provide the following types of compensation to Eligible Claimants:

Who is Eligible	How Amount Is Determined	Possible Award Amount

Basic Recovery Award		
All Eligible Claimants (those who experienced 16 or more staffing-related lockdowns, calculated in accordance with the Compensation Protocol)	Determined by the Administrator through the use of the Basic Recovery Grid, based on the total number of staffing-related lockdowns that the Claimant experienced, calculated in accordance with the Compensation Protocol	\$2,000 to \$28,000*
Differential Impact Award		
Eligible Claimants who have at least one mental health alert or suicide alert in their OTIS record that does not post-date the last staffing-related lockdown that they experienced	Determined by the Administrator through the use of the Enhanced Recovery Grid, based on the total number of staffing-related lockdowns that the Claimant experienced, calculated in accordance with the Compensation Protocol	\$3,000 to \$15,000*
Serious Harm Award – Level One		
Eligible Claimants who experienced, within 120 days of a staffing-related lockdown, substantial degradation in an existing Mental Disorder, development of a new Mental Disorder, or self-injurious behaviour (not including body modification or protest actions, such as hunger strikes), or, during a staffing-related lockdown, violence causing serious physical injuries requiring medical attention.	Determined by the Adjudicator on a paper record, which will include the Claimant's written statement and supporting documents	\$20,000*
Serious Harm Award – Level Two		
Eligible Claimants who experienced either a documented suicide attempt during or within 120 days of a staffing-related lockdown, or violence causing permanent impairment during a staffing-related lockdown	Determined by the Adjudicator on a paper record, which will include the Claimant's written statement and supporting documents	\$40,000*

* All awards will be subject to *pro rata* reductions, if necessary.

Eligible Claimants who qualify may receive either a Differential Impact Award or a single Serious Harm Award (either at Level One or Level Two), but not both.

For a Serious Harm Award, “**Mental Disorder**” means the diagnosis by a medical doctor, psychologist, or nurse practitioner (or the identification by a social worker, counsellor, therapist or registered nurse of a diagnosis by a medical doctor, psychologist or nurse practitioner) of the existence of one of the following disorders, as defined in the relevant *Diagnostics and Statistics Manual of Mental Disorders*, either the Fourth Edition (“DSM-4”) or Fifth Edition (“DSM-5”): schizophrenia (all sub-types), delusional disorder, schizophreniform disorder, schizoaffective disorder, brief psychotic disorder, substance-induced psychotic disorder (excluding intoxications and withdrawal), psychotic disorder not otherwise specified, major depressive disorders, bipolar disorder I, bipolar disorder II, neurocognitive disorders and/or delirium, dementia and amnestic and other cognitive disorders, post-traumatic stress disorder, obsessive compulsive disorder, or borderline personality disorder, and excludes substance-use disorder.

Some Class Members may be eligible for additional compensation from the Exceptional Circumstances Fund, assessed by the Administrator in accordance with the Exceptional Circumstances Protocol.

Participating in the Proposed Settlement

If you wish to make a Claim, you are not required to do anything until after the Settlement is approved. Check the Administrator’s website (ONTJailStaffLockdowns.ca) or Class Counsel’s websites regularly after the Settlement Approval Hearing to see if the Settlement has been approved. You can also provide your email address to the Administrator or Class Counsel to be notified by email if the Settlement is approved.

7. Will I be eligible for compensation?

No compensation is available at this time. Before any compensation will become available, the proposed Settlement must be approved by the Court.

If the Settlement is approved, Class Members will have 12 months to make a Claim by submitting a Claim Form, from the date that Notice of Settlement Approval is provided.

You will **not** be eligible if you previously and validly opted yourself out (excluded yourself), in writing, from the Lapple Action and/or Dadzie Action (as applicable to you).

If the Settlement is approved, Class Members **who experienced 16 or more staffing-related lockdowns** (calculated in accordance with the Compensation Protocol) at an Ontario Correctional Institution within the following periods may be entitled to compensation if they submit a valid and timely Claim that is approved pursuant to the Compensation Protocol:

- for Lapple Class Members (current or former inmates): between August 15, 2014 and November 27, 2017; and
- for Dadzie Class Members (current or former immigration detainees): between August 11, 2014 and November 27, 2017.

If the Settlement is approved, Class Members who experienced staffing-related lockdowns before these periods, but after May 30, 2009, may still be eligible for compensation if they were

legally incapable of starting a lawsuit during that time or, in limited circumstances, from the Exceptional Circumstances Fund of \$2 million.

8. How will I make a Claim?

The claims process has not yet begun. If the proposed Settlement is approved by the Court at the Settlement Approval Hearing to be held on October 22, 2025, you will be able to make a Claim by filling out the Claim Form (and Statute-Barred Claim Form, if applicable) and submitting it to the Administrator, by mail or email, on or before the deadline to submit a Claim (which will be 12 months from the date of publication of the Notice of Settlement Approval).

If the Court approves the proposed Settlement, you will be able to contact the Administrator by mail (PO Box 7545 STN Adelaide, Toronto, ON M5C 0C4), email (info@ONTJailStaffLockdowns.ca), or toll-free telephone (1-844-742-0825) to request a copy of the Claim Form or obtain a copy from ONTJailStaffLockdowns.ca.

The Lawyers Representing the Class

9. Do I have a lawyer in this case?

The law firms representing the Class are listed below.

Lapple Class (Current and Former Inmates)	Dadzie Class (Current and Former Immigration Detainees)
Koskie Minsky LLP Email: ontarioprison@kmlaw.ca Toll-Free Telephone: 1-866-777-6339 McKenzie Lake Lawyers LLP Email: ont.detention.centres@mckenzielake.com Toll-Free Telephone: 1-855-772-3556 Champ & Associates Email: lockdownclass@champlaw.ca Toll-Free Telephone: 1-833-333-6608	Koskie Minsky LLP Email: idclassaction@kmlaw.ca Toll-Free Telephone: 1-866-777-6309 Henein Hutchison Robitaille LLP Email: idclassaction@hhllp.ca Toll-Free Telephone: 1-855-525-3403

You will not be charged for contacting these lawyers with questions about the proposed Settlement. If you want to be represented by your own lawyer, you may hire one at your own expense.

10. How will the lawyers representing the Class be paid?

At the Settlement Approval Hearing, Class Counsel will ask the Court for approval of the payment of their legal fees and other expenses, which will be deducted from the \$59 million Settlement Fund. Class Counsel will request legal fees in the amount of \$17,700,000 plus HST and disbursements. It will be up to the Court to approve or determine the amount that Class

Counsel will receive from the \$59 million Settlement Fund. The Court may award less than the amount requested by Class Counsel.

Objecting to the Settlement, Class Counsel Fees, and/or Honoraria

You can tell the Court that you do not agree with the proposed Settlement or some part of it, the requested Honoraria, and/or the requested Class Counsel Fees.

11. How do I tell the Court if I do not like the proposed Settlement or the requested Class Counsel Fees and/or Honoraria?

If you are a Class Member, you can object to the proposed Settlement if you do not like any part of it. You can give the Court reasons why you think the Court should not approve the proposed Settlement. The Court will consider your views.

You can also object to the requested Honoraria and/or the requested Class Counsel Fees.

If you want to object to the proposed Settlement, the requested Honoraria, and/or the requested Class Counsel Fees, you must submit a signed and completed Objection Form to the Administrator **on or before October 14, 2025**. You may also appear at the Settlement Approval Hearing, either personally or through your own legal counsel, at your own expense.

To object, you must submit a signed and completed Objection Form to the Administrator by mail (PO Box 7545 STN Adelaide, Toronto, ON M5C 0C4) or email (info@ONTJailStaffLockdowns.ca), on or before **October 14, 2025**. Be sure to include the following information:

- (a) your full name, mailing address, telephone number, and email address (if available);
- (b) information necessary to confirm that you meet the criteria for membership in the Lapple Class or Dadzie Class or both;
- (c) a written statement of all factual and legal grounds for the objection accompanied by any legal support for such objection;
- (d) copies of any papers, briefs, or other documents upon which the objection is based;
- (e) a statement setting out whether you intend to appear at the Settlement Approval Hearing; and
- (f) a statement setting out whether you intend to appear at the Settlement Approval Hearing through counsel, and if so, identifying any counsel representing you who intends to appear at the Settlement Approval Hearing.

A copy of the Objection Form can be obtained from ONTJailStaffLockdowns.ca or by reaching out to the Administrator (email: info@ONTJailStaffLockdowns.ca; toll-free telephone: 1-844-742-0825).

The Settlement Approval Hearing

The Court will hold a hearing to decide whether to approve the proposed Settlement and the requested Honoraria and Class Counsel Fees. You may attend and you may ask to speak, subject to the requirements above, but you don't have to.

At the Settlement Approval Hearing, the Court will consider whether the proposed Settlement is fair, reasonable, and in the best interests of the Class. If there are objections, the Court will consider them. The Court will listen to people who have asked to speak at the Settlement Approval Hearing. The Court will also decide how much Class Counsel should be paid from the Settlement and whether to approve the Honoraria of up to \$15,000 for each Representative Plaintiff. The Court will make its decision after the Settlement Approval Hearing. We do not know how long this decision will take.

12. When and where will the Court decide whether to approve the proposed Settlement?

The Settlement Approval Hearing will take place on **Wednesday, October 22, 2025** at 10:00am EST in person at the Ontario Superior Court of Justice, 330 University Ave, Toronto, ON M5G 1R7 and virtually over Zoom.

The Zoom link for virtual attendance at the Settlement Approval Hearing will be available from the Administrator (email: info@ONTJailStaffLockdowns.ca; toll-free telephone: 1-844-742-0825), or by visiting the settlement website at ONTJailStaffLockdowns.ca closer to the hearing.

Please note that the Settlement Approval Hearing may be rescheduled without further notice to you. It is recommended that you periodically check ONTJailStaffLockdowns.ca for updated information.

13. Do I have to come to the Settlement Approval Hearing?

No, you do not need to attend the Settlement Approval Hearing, but you are welcome to attend at your own expense.

Class Members do not need to appear at the Settlement Approval Hearing, or take any other action, to indicate their approval of the proposed Settlement. Class Counsel will answer any questions that the Court may have.

If you submit a signed and completed Objection Form to the Administrator, you do not need to appear at the Settlement Approval Hearing to talk about it. As long as you submitted your signed and completed Objection Form on time, the Court will consider it. You may also choose to attend or pay your own lawyer to attend.

Getting More Information

14. Are there more details about the Settlement?

This notice summarizes the proposed Settlement. More details are in the Settlement Agreement and its schedules, which you can view at ONTJailStaffLockdowns.ca.

Neither the Parties nor their lawyers make any representation regarding the tax effects, if any, of receiving any benefits under the proposed Settlement. Consult your tax advisor for any tax questions you may have.

The court offices will be unable to answer any questions about the matters in this notice. If you have any questions regarding the proposed Settlement or about the class action lawsuits in general, more information is available at ONTJailStaffLockdowns.ca or by reaching out to the Administrator at the contact information below. Please do not contact the court offices.

Ontario Corrections Staffing-Related Lockdowns Class Actions Administrator

c/o Deloitte LLP
PO Box 7545 STN Adelaide
Toronto, ON M5C 0C4
Toll-Free Telephone: 1-844-742-0825
Email: info@ONTJailStaffLockdowns.ca
Website: ONTJailStaffLockdowns.ca

15. How do I get more information?

The court offices will be unable to answer any questions about the matters in this notice. If you have any questions regarding the proposed Settlement or about the class action lawsuits in general, more information is available at ONTJailStaffLockdowns.ca or by reaching out to the Administrator at the following contact information:

Ontario Corrections Staffing-Related Lockdowns Class Actions Administrator

c/o Deloitte LLP
PO Box 7545 STN Adelaide
Toronto, ON M5C 0C4
Toll-Free Telephone: 1-844-742-0825
Email: info@ONTJailStaffLockdowns.ca

You may also contact Class Counsel directly at the contact information listed under question 9.