

NOTICE OF CLASS ACTION SETTLEMENT APPROVAL HEARING

*Martell and Perrier v. The Attorney General of Nova Scotia and
Atlantic Provinces Special Education Authority*

Supreme Court of Nova Scotia, Hfx. No. 447198

PLEASE NOTE: There is an ASL Video that signs this notice.
You can watch this video at www.NSDeafSchoolsClassAction.com

NOTICE OF PROPOSED SETTLEMENT

The Plaintiffs filed this class action against the Attorney General of Nova Scotia (the “Province”) and the Atlantic Provinces Special Education Authority (“APSEA”) (the Province and APSEA are the “Defendants”). It claims the Defendants were negligent in operating, supervising and managing the School for the Deaf in Halifax, Nova Scotia and the Interprovincial School for the Education of the Deaf in Amherst, Nova Scotia (the “Schools”). A proposed settlement has been reached. If the Court approves the settlement at the hearing on November 28, 2025, eligible Class Members can apply for benefits under the settlement.

The Court must decide that the settlement is fair, reasonable and in the best interests of Class Members. The hearing of the motion to approve the Settlement Agreement is on **November 28, 2025**, at 9:30 a.m. at The Halifax Law Courts, 1815 Upper Water Street in Halifax, Nova Scotia. **Interpreters will be there.** On that same date, the Court will also decide whether to approve the payment of the legal fee and reimbursement of expenses to Class Counsel.

WHAT ARE THE TERMS OF THE PROPOSED SETTLEMENT?

The Defendants have agreed to pay up to a total of \$36,235,702 to directly compensate eligible Class Members, plus designated other amounts to pay for collective indirect benefits (\$3,000,000), the costs of administering the settlement (\$2,500,000), payments of honoraria of \$15,000 each to the two Representative Plaintiffs, and the Class Counsel legal fee and expenses.

Informational videos with interpreters are on the settlement website: www.NSDeafSchoolsClassAction.com. Please visit the website for more information. More information about the processes and deadlines will be available through videos on the website if the settlement is approved.

If the settlement is approved, eligible Class Members can apply for two types of payment:

1. **Systemic Harms Payment (SHP):** This provides compensation for harmful experiences commonly suffered by Class Members at the Schools, like being punished for using sign language, called hurtful names, hit, or punished harshly. The payment amount depends on how long a student attended the School(s) and whether they were a Residential Student, Day Student, and/or Vocational Student (Vocational time is only compensated if the student attended first as a Residential or Day Student).

2. **Independent Assessment Process Payment (IAP Payment):** This provides compensation for physical and sexual abuse suffered at the School(s) for harms beyond those compensated for by the Systemic Harms Payment. There are two payment levels. The first level is between \$90,000 and \$100,000. The second level is between \$140,000 and \$150,000. The amount awarded will depend on the severity of the abuse and harm.

To get one or both of these payments, Eligible Class Members must submit a Claim Form to the Administrator before the Claim Deadline. The Claim Form will become available if the settlement is approved. The Claim Deadline will be decided at a later date.

If an eligible Class Member applies for an IAP Payment on the Claim Form, the Class Member will also have a virtual or in-person meeting with an independent Claim Evaluator. **More information about the processes and deadlines will be available on the website if the settlement is approved.**

COLLECTIVE REDRESS FUND

The Defendants have agreed to pay \$3,000,000 towards the “Collective Redress Fund”. This money will pay for meetings where Class Members can voluntarily choose to share their experiences at the Schools. The Collective Redress Fund will also pay for support services for the Deaf and hard of hearing communities, called “Collective Redress Initiatives”. These initiatives will be chosen with the help of experts.

WHO CAN GET MONEY UNDER THE SETTLEMENT?

A **Class Member** is any former student who attended and/or resided at one or both of the Schools between 1913 and 1995. Some people are **not included** in the settlement:

- (a) those who only attended the vocational training program at the Amherst School and never attended the academic program as a Residential or Day Student;
- (b) those who opted out of the class action before May 1, 2019.

If the settlement is approved, Class Members who were **alive on or after January 31, 2019**, may apply for compensation. If a Class Member died before January 31, 2019, they are not eligible for compensation.

For Class Members who **died on or after January 31, 2019**, their relatives/estate may apply for half (50%) of the Systemic Harms Payment only.

If a Class Member **does not want** to participate in the settlement, they do not need to do anything. Not submitting a claim means they will not receive any compensation.

WHO ARE THE LAWYERS FOR THE PLAINTIFFS AND CLASS?

The law firm of Wagners represents the Plaintiffs and all Class Members as “Class Counsel” in this action.

When they took on this class action, Class Counsel agreed to only be paid if there was a settlement or judgment in favour of the Class. Since the action started in 2016, Class Counsel has been paid no money. Now that a settlement has been reached, if the settlement is approved, Class Counsel will ask the Court to also approve payment for their work on this case.

WHAT ARE THE LEGAL FEES?

Wagners will ask the Court to approve its legal fee of \$12,529,710.60 (30% of the settlement amount) plus tax, plus reimbursement of expenses paid by them to advance the action. Class Members will not personally have to pay for the legal fees. These legal fees do not impact the amount of money Class Members will get under the settlement.

HOW WILL CLASS MEMBERS KNOW IF THE SETTLEMENT IS APPROVED?

If the Settlement Agreement is approved, the Administrator will send out a notice to Class Members they have contact information for. Class Members will also be indirectly notified through digital ads and newspapers. The notice will tell Class Members where to find the Claim Forms and when the Claim Deadline is. There will be instructional videos on the settlement website explaining this information.

WHAT IF YOU DO NOT AGREE WITH THE SETTLEMENT OR LEGAL FEE?

If you do not agree with the proposed settlement or the legal fee for Class Counsel, you can object. The Court will consider your views. To object before the hearing, you must send a written objection by mail or email or signed video by email to the Administrator, Verita Global, by November 18, 2025, at:

NS Deaf Schools Class Action Administrator
c/o Verita Global
P.O. Box 3355
London, ON N6A 4K3
Phone: 1-888-999-9616
Email: info@NSDeafSchoolsClassAction.com
Website URL: www.NSDeafSchoolsClassAction.com

Your objection must include:

1. Your full name, mailing address, and email;
2. A short explanation of why you do not agree with the settlement or legal fee;
3. A statement that you believe you are a Class Member, and why you believe this; and
4. Whether you plan to attend the approval hearing.

You may also attend court on November 28, 2025, in person and, if the Court allows, you may have a chance to communicate your objection. **Interpreters will be there.**

DO CLASS MEMBERS HAVE TO ATTEND THE HEARING?

No. However, if you do attend, interpreters will be there.

WHERE CLASS MEMBERS CAN GET MORE INFORMATION

For more information, please visit the website to view informational videos:
www.NSDeafSchoolsClassAction.com.

If you have questions, you can contact Verita, the Administrator, at:

NS Deaf Schools Class Action Administrator
c/o Verita Global
P.O. Box 3355
London, ON N6A 4K3
Phone: 1-888-999-9616
Email: info@NSDeafSchoolsClassAction.com
Website URL: www.NSDeafSchoolsClassAction.com

Or you can contact Class Counsel at:

Wagners
1869 Upper Water Street
Suite PH 301, Pontac House
Historic Properties
Halifax, NS B3J 1S9
Telephone: 902-425-7331 / 1-866-455-1355
Email: classaction@wagners.co

Verita and Wagners are available to take calls through Video Relay Service (VRS) and Teletypewriter (TTY).

This notice has been approved by the Supreme Court of Nova Scotia.

DO NOT CONTACT THE COURT ABOUT THIS NOTICE.

