

## Schedule "A"

### NOTICE OF CERTIFICATION

The Supreme Court of British Columbia has certified a class action for people who had their privacy breached when Candy Elaine Rheume ("Ms. Rheume") an employee of the Insurance Corporation of British Columbia ("ICBC"), accessed personal information by searching the vehicle license plates of vehicles which were at or near the Justice Institute of British Columbia in New Westminster in 2010 and 2011. You have been identified as one of the people whose privacy was breached.

#### Who are the Class Members?

The class consists of:

1. The 78 individuals who have been identified by ICBC as having their personal information accessed for non-business purposes by Ms. Rheume and the family members and other residents at the residences of the 78 individual who have been identified by ICBC as having their personal information accessed for non-business purposes by Ms. Rheume (the "Class Members").
2. There will be a sub-class of the Class Members who resided at premises that received property damage caused by the third party attacks.

#### What the Class Action is About

The nature of the claim asserted by the plaintiff on behalf of the Class Members is pursuant to the *Privacy Act*, R.S.B.C. 1996, c.373. It is alleged that ICBC is responsible to pay compensation to individuals whose privacy was breached due to the Employee accessing without authority or claim of right the personal information of individuals from ICBC's data banks between January 1, 2010 and December 31, 2012, as more specifically detailed in the 2<sup>nd</sup> Further Amended Notice of Civil Claim filed in the court registry.

In this class proceeding, the plaintiff is seeking damages pursuant to the *Privacy Act*, on behalf of all the Class Members. If this class proceeding succeeds, the Class Members may recover money damages which will be distributed in the fashion to be determined by the court, subject to a determination of any issues individual to individual class members.

The court has not yet made any findings as to the merits of this lawsuit. ICBC denies the allegations made in this lawsuit.

The representative plaintiff is Ufuk Ari. The law firm representing the class is Collette Parsons Harris ("Class Counsel").

### **How Do I Participate?**

If you fall within the definition of the class you do not need to do anything to participate, you are automatically included in the class action. If you do not want to be part of this lawsuit you must opt out of the class by completing the Opt-Out Form attached to this notice and return it to Collette Parsons Harris on or before 90 days from the date the Class are notified. Class Members are deemed to be notified 5 days after the date of mailing this notice. If you are a Class Member and do not exclude yourself by that date you will be included in this lawsuit and will be bound by the court's judgment on the common issues, whether favorable or not.

### **How Will the Case Proceed?**

The class action has two stages. The first stage is the resolution of the common issues. A list of the common issues is available from Collette Parsons Harris and can be found on their website: <http://colletteparsons.com>.

If these common issues are resolved in favor of the class, at the second stage the court will determine what further steps class members need to take to determine if they are entitled to recover damages, and in what amount.

### **Who are the Lawyers for the Class and How do I Find out More?**

The lawyers for the class are Collette Parsons Harris ("Class Counsel"). Class Members who wish to know the status of the class action or to review background information on the case should monitor Collette Parsons Harris' website: <http://colletteparsons.com>.

The representative plaintiff will instruct the lawyers for the class during the common issues stage. The lawyers must act in the interests of all Class Members. If any Class Members wish to participate on their own behalf at the common issues stage of the proceeding, they must apply to the British Columbia Supreme Court.

### **What are the financial consequences?**

Class Members will be entitled to the benefit of a successful judgment on the common issues. If the action is not successful on the common issues, no Class Member will be responsible for legal fees or costs.

If the class is successful at the common issues trial individual Class Members must prove their own personal claims for damages. Class Members may be responsible for the costs of proving their own individual claims, and may wish to hire a lawyer to assist with these further proceedings. Class Counsel is available to be hired by Class Members on a contingency basis, or class members may hire another lawyer of their own choosing.

### **Do I Need to Pay Anything?**

The representative plaintiff has entered into a fee agreement providing that Class Counsel's legal fee for work on the common issues will be 35% of the amounts Class Members recover plus applicable taxes, disbursements and interest. If the class action does not succeed, Class Members are not responsible for any legal fees or disbursements. The fee agreement must be approved by the court.

### **For More Information**

Visit <http://colletteparsons.com> or contact Collette Parsons Harris at 604-662-7777 or by email to [info@cphlaw.ca](mailto:info@cphlaw.ca).

Mailing Address:

Collette Parsons Harris  
1750-700 West Georgia Street  
PO Box 10090  
Vancouver, B.C.  
V7Y 1B6