

QUEBEC REGULAR SKILLED WORKER IMMIGRATION PROGRAM – CLASS ACTION SETTLEMENT

NOTICE OF SETTLEMENT APPROVAL HEARING

Read this notice carefully as it may affect your legal rights.

You are receiving this notice because you may be eligible for compensation, as explained below.

Please note that many people who are receiving this notice may not be eligible for compensation because they do not meet the class definitions described below.

WHICH CLASS MEMBERS ARE ELIGIBLE FOR COMPENSATION?

This notice is intended for persons who filed an application with the Quebec Minister of Immigration, Diversity and Inclusion for a Quebec Selection Certificate (“**CSQ**”) in the Regular Skilled Worker programme and who fulfill the following conditions:

- a) **Group 1:** Individuals whose CSQ Applications were filed between February 1, 2012 and May 31, 2013; whose CSQ Application contained an immigration form A-1520-AA or A-1520-AF indicating that their CSQ application would be processed in accordance with the regulations in force at the time of filing with the MIDI or the language "Your application for a selection certificate will be processed based on the regulations in effect when it was submitted"; and whose CSQ Application was refused subsequent to the entry into force of the selection grid on August 1st, 2013.
- b) **Group 2:** Individuals whose application for a CSQ was filed before February 1st, 2012 or between June 1st, 2013 and July 7th, 2013; and whose CSQ application was refused subsequent to the entry into force of the selection grid on August 1st, 2013.
- c) **Group 3:** Individuals whose application for a CSQ was filed between July 8th, 2013 and March 8th, 2017; and whose CSQ application was refused subsequent to the entry into force of the selection grid on March 8th, 2017.

(the “**Eligible Class Members**”).

PURPOSE OF THIS NOTICE:

On February 19, 2018, the Superior Court of Quebec (the “**Court**”) authorized a class action against the Minister of Immigration, Diversity and Inclusion (the “**Minister**”) and the Government of Québec (collectively, the “**Defendants**”). The authorized action alleges that the Defendants were unjustly enriched, committed a fault, and acted in bad faith by refusing to offer to reimburse the application fees paid Class Members whose CSQ applications were doomed to failure as a result of the application of amendments to the

*Regulation respecting the weighting applicable to the selection of foreign nationals, CQLR c. I-0.2, r. 2 (the “**Weighting Regulation**”).*

A Settlement Agreement has been reached between the Plaintiffs and the Defendants. The Settlement Agreement is not an admission of liability on the part of the Defendants.

Pursuant to the Settlement Agreement, each Eligible Class Member (defined above) is entitled to receive compensation as follows:

- a) Group 1: 50% of the fees paid by a member of group 1 to submit his or her CSQ Application;
- b) Group 2: 25% of the fees paid by a member of group 2 to submit his or her CSQ Application; and
- c) Group 3: 25% of the fees paid by a member of group 3 to submit his or her CSQ Application.

Group membership will be closed on the date of the Approval Order, the hearing of which is scheduled for **June 19, 2019**.

APPROVAL HEARING:

On **June 19, 2019** the Court will hear an Application for Approval of the Settlement Agreement and an Application to Approve Class Counsel’s Fees (the “**Applications for Approval**”). The hearing will take place at the **Montreal Courthouse** located at **1, rue Notre-Dame East**, in **Montreal, H2Y 1B6** starting at **9:30 am**.

At this hearing, the Court will determine whether the Settlement Agreement is fair and reasonable and in the best interests of the Class Members.

At the same hearing, counsel for the Applicant will ask the Court to approve the payment of \$650,000 for its fees and \$7,500 for its expenses, plus applicable taxes. **Such fees and expenses will not be deducted from any compensation given to Class Members.**

OPPOSING THE APPLICATIONS FOR APPROVAL

If you approve of this Settlement Agreement **you have nothing to do at this time.**

If you wish to comment on the Settlement Agreement or make an objection to the Applications for Approval at the hearing, you can communicate your reasons for contesting in writing by replying to this email by **May 19, 2019**, at the latest.

You may also attend the hearing whether or not you make a formal objection in writing, and you may address the Court with your concerns.

RELEASE OF CLAIMS AND EFFECT ON OTHER PROCEEDINGS

If the Settlement Agreement receives the Court's approval, you will be bound by the terms of the Settlement Agreement if you are a class member, unless you have already opted out of the authorized class. This means that you will not be able to bring any other claim or legal proceedings against the Minister of Immigration, Diversity and Inclusion in relation to the matters alleged in these proceedings.

ADDITIONAL INFORMATION AND QUESTIONS

The complete versions of the Settlement Agreement and the Applications for Approval can be found at www.imk.ca.

For any questions concerning the Settlement Agreement and the Applications for Approval, please communicate with the Plaintiffs' counsel:

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Please be advised that the present notice only contains a summary of the Applications for Approval. In case of conflict between this notice and the applications, the Applications for Approval will govern.

**THIS NOTICE WAS AUTHORIZED BY THE HONOURABLE PEPITA CAPRIOLO,
J.C.S.**