

**NOTICE OF SETTLEMENT AGREEMENT
AND
NOTICE OF A SETTLEMENT AGREEMENT APPROVAL
HEARING IN THE CLASS ACTION AGAINST COLACEM
CANADA INC.**

**DID YOU RESIDE IN THE MUNICIPALITIES OF GRENVILLE-SUR-LA-ROUGE
OR HARRINGTON BETWEEN JUNE 8, 2008 AND JANUARY 29, 2015?**

If so, a class action might affect your legal rights.

In 2011, a motion to authorize the bringing of a class action was filed by the Plaintiff, Lydia Kennedy, in the Superior Court of Québec against the Defendant, Colacem Canada Inc. (“Colacem”), based *inter alia* on neighbourhood disturbances.

This class action was authorized on January 29, 2015.

On September 19, 2018, a settlement agreement was reached between the Plaintiff and Colacem (the “Agreement”). The Agreement constitutes a compromise of disputed claims and Colacem has denied and continues to deny any misconduct or liability of any kind in relation to the exercise of this class action. According to the Agreement, an amount of \$1.3 million will be paid to resolve Class Members’ claims (the “Settlement Amount”). Colacem will also pay the costs of disbursements incurred up to an amount of 135 000\$ and the costs related to the distribution of the Settlement Amount.

WHAT IS THIS CLASS ACTION ABOUT?

This class action is based on allegations *inter alia* of neighbourhood annoyances related to the alleged issuance of dust, noise and odors.

These allegations are vigorously contested.

AM I A CLASS MEMBER?

Class definition

This action was authorized on behalf of the following Class :

"All natural persons who are residing or have resided full or part time between June 8, 2008 and January 29, 2015 in the following zone: either the municipality of Grenville-sur-la-Rouge or the municipality of Harrington, in Quebec, AND within a five (5) kilometre radius of the Colacem Canada Inc. cement production plant, located on Kilmar Road in Grenville-sur-la-Rouge, Quebec.

AND

All legal persons who are or have been, between June 8, 2008 and January 29, 2015, owners or lessees of a piece of land, an immovable or a business located in this same zone. To qualify, a legal person must not, between June 8, 2010 and June 8, 2011, have had under its direction or control more than 50 persons bound to it by contract and must not be dealing at arm's length with Mrs. Lydia Kennedy, class representative."

(the « Class Members »).

Opt-out right

Following authorization, Class Members had the opportunity to opt-out of the class action and were advised that no further right to opt-out would be provided to them.

If you opted-out of the class action, you will not be eligible to participate in the Agreement and you will not receive any of the Settlement Amount.

If you did not opt-out of the class action, and if the Agreement is approved by the Court, you may be eligible to participate in the Agreement and receive a portion of the Settlement Amount.

WHAT ARE THE NEXT STEPS?

Information meeting on the Agreement

On **Sunday, October 14, 2018**, an information meeting on the Agreement will take place at **Harrington Golden Age Center (HGAC), located at 259, Harrington Road, Grenville-sur-la-Rouge at 1:00 P.M.** At this meeting, the Class Counsel (defined below) will be available to answer any questions you may have.

The Settlement and Distribution Protocol Approval Hearing

A Settlement Approval Hearing is scheduled to be heard on **January 28, 2019**, at **9:30 A.M.**, in **room 1.156** of the Montréal Courthouse, located at 1, Notre-Dame Est Street, Montréal, Québec, H2Y 1B6 (the "Settlement Approval Hearing").

At the Settlement Approval Hearing, the Court will determinate if the Agreement is in the best interests of the Class Members.

If the Court approves the Agreement, it will also be asked, during the Settlement Approval Hearing, to approve a Distribution Protocol. The Distribution Protocol describes how the Settlement Amount will be distributed to Class Members.

A copy of the proposed Agreement and Distribution Protocol are available at <https://www.siskinds.com/colacem-canada/>.

CAN I ADDRESS THE COURT REGARDING THE AGREEMENT?

If you would like to submit comments on or to object to the proposed Agreement and/or Distribution Protocol, you must send your written submissions to Class Counsel at the email or mailing address provided below so that they are received on or before January 14, 2019.

You can also attend the Settlement Approval Hearing.

All written submissions received by Class Counsel before January 14, 2019 will be taken into account at the Settlement Approval Hearing.

You do not have to deliver a written submission or attend the Settlement Approval Hearing in order to take part in the Agreement.

WHO ARE THE LAWYERS REPRESENTING THE CLASS AND HOW ARE THEY PAID?

The law firm Siskinds Desmeules is Class Counsel in this class action.

In addition to seeking the Court's approval of the Agreement and Distribution Protocol, Class Counsel will also be seeking the Court's approval of their

legal fees and applicable taxes. Approved fees will be paid directly from the Settlement Amount.

The fees of the Claims Administrator for implementing and administering the Agreement as well as the costs of notifying Class Members of the Agreement and its approval will be paid by Colacem in addition to the Settlement Amount.

Colacem has also undertaken, as part of the Agreement, to pay an additional amount of \$135 000 to cover the disbursements incurred by Class Counsel in the course of litigating the class action.

Class Members will not be asked to pay out-of-pocket for legal costs arising from the class action.

WHERE CAN I GET MORE INFORMATION?

For more information and/or to view copies of the proposed Agreement and Distribution Protocol, visit www.siskinds.com/colacem-canada/ or contact Class Counsel:

Siskinds, Desmeules, Avocats

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You can also consult the Registry of class actions :

<http://www.tribunaux.qc.ca/>

or the Canadian class actions database :

www.cbaapp.org/ClassAction/Search.aspx

**PUBLICATION OF THIS NOTICE HAS BEEN APPROVED AND ORDERED BY
THE SUPERIOR COURT OF QUÉBEC**