

NOTICE OF DISCONTINUANCE OF ETHICON CLASS ACTION – PHYSIOMESH FOR HERNIA REPAIR

Please Read This Notice Carefully. It May Affect Your Legal Rights.

By Orders of the Ontario Superior Court of Justice and the Québec Superior Court, all persons resident in Canada who have been implanted with an Ethicon PHYSIOMESH hernia mesh product are advised that:

In February 2017, a proposed class proceeding was commenced in Ontario alleging that Ethicon's PHYSIOMESH products, intended to treat hernia repair, were negligently designed, manufactured, and distributed. The plaintiffs allege that this resulted in increased complications as compared to other treatment options.

In June 2017, a proposed class proceeding for all persons resident in Québec was also commenced in Québec with similar allegations. Other class proceedings making similar allegations were also commenced in British Columbia and Saskatchewan.

Ethicon denies these allegations.

Although Ethicon denies liability, the parties and their counsel have reached an agreement in principle to resolve all known claims. Ethicon will continue to consider the settlement of individual claims of which it is given notice by Siskinds and Siskinds, Desmeules until March 26, 2024 ("the Settlement Program Period"). On this basis, Siskinds filed motion materials with the Ontario Superior Court of Justice to obtain approval of the discontinuance. The discontinuance was approved by the Court, and it will be filed and take effect on April 12, 2024.

The discontinuance relates to the Ethicon PHYSIOMESH hernia mesh class action only. It does not relate to claims against various other manufacturers of hernia mesh products.

Siskinds, Desmeules has filed similar motion materials with the Québec Superior Court for the Québec action and the discontinuance was approved. Orders to discontinue, dismiss or permanently stay the proposed class proceedings against Ethicon in British Columbia and Saskatchewan will also be sought.

YOU SHOULD TAKE NOTICE THAT THE limitation period for bringing a claim, if there is any time left within it, will recommence when the notice of discontinuance is filed with the Ontario Superior Court of Justice on April 12, 2024. On the expiry of the limitation period in Ontario and elsewhere a right to sue may be extinguished.

TAKE NOTICE THAT because the limitation period for bringing a claim will recommence with the filing of the notice of discontinuance, if you wish to pursue a court claim against Ethicon in relation to a PHYSIOMESH product, you should issue a Notice of Action or Statement of Claim, if you have not already done so, before April 12, 2024.

Siskinds and Siskinds, Desmeules will answer questions about the discontinuance, the recommencement of the running of the limitation period, or about pursuing a claim against Ethicon during the settlement program period at no charge. Please contact counsel at:

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It is recommended that you obtain legal advice from Siskinds, Siskinds, Desmeules or a lawyer of your choice. For updated information with respect to the discontinuance or about making a claim, please consult www.siskinds.com/PHYSIOMESH.

If you do not know what type of hernia mesh you were implanted with, you can retrieve your medical records, which will typically note the brand of mesh used. If you need help retrieving your records, Siskinds or Siskinds, Desmeules can assist.

**PUBLICATION OF THIS NOTICE HAS BEEN AUTHORIZED BY THE ONTARIO
SUPERIOR COURT OF JUSTICE AND THE QUÉBEC SUPERIOR COURT**