

NOTICE OF AUTHORIZATION

QUEBEC PARAQUAT CLASS ACTION

To any person in Quebec who has been diagnosed with Parkinson’s disease after having been exposed, repeatedly, through inhalation, oral ingestion, or dermal contact, to Gramoxone®, or other non-domestic herbicides containing paraquat, or who is the spouse, father, mother, brother, sister, or caregiver of such a person.

Please read this notice carefully. A class action may affect your rights.

Your rights may be affected by a class action that has been authorized against Syngenta AG, Syngenta International Crop Protection AG, Syngenta Crop Protection LLC, and Syngenta Canada inc. (the “defendants”).

The class action includes all persons in Quebec who have been diagnosed with Parkinson’s disease after having been exposed, repeatedly, through inhalation, oral ingestion, or dermal contact to one of the defendants’ non-domestic use herbicides with the active ingredient paraquat (whose most widely used formulation is Gramoxone®), since their respective dates of introduction on the Canadian market (“subclass 1”), as well as the father, mother, spouse, brother, sister, or caregiver of a person from the subclass 1, and who suffers or has suffered damages from the fact that this person has developed Parkinson’s disease (the “subclass 2”), hereinafter together the “Class”.

The Court has not yet decided whether the defendants are liable, and the allegations made against the defendants have not yet been proven. The defendants are contesting the merits of the class action and argue, among other things, that the use of non-domestic herbicides containing paraquat does not increase the risk of developing Parkinson’s disease.

If you are a Class member and money or benefits are obtained because of the class action, you will be advised how to claim your share. No amount of money is available at this time and there is no guarantee that money will eventually be available. However, your rights are affected, and you must choose an option now.

YOUR OPTIONS AT THIS TIME	
DO NOTHING	<p>Remain a member of the class action and await the outcome thereof. You will take part in the sharing of money and benefits, if any.</p> <p>By doing nothing, you retain the possibility of obtaining money or other benefits that could be awarded following a trial or an out-of-court settlement. However, by doing so, you waive any rights that you may have to institute a personal action based on the same allegations as those raised in this class action. You will also be bound by any adverse judgment, if any.</p>

<p>OPT OUT</p>	<p>Opt out (exclude yourself) from this class action. You will not take part in the sharing of money or benefits, if any, but you will retain the right to bring a personal action.</p> <p>If you opt out of the class action and money or other benefits are subsequently granted, you will have no right to any share of said money or other benefits. Should you wish, you may institute an action in your own name based on the same allegations as those raised in this class action, at your own cost.</p> <p>To opt out, you must act before June 26, 2023.</p>
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Your options are explained in greater detail in this notice.

GENERAL INFORMATION

The Honourable Martin F. Sheehan, Justice of the Superior Court of Quebec, is responsible for the supervision of this class action known under the name of *Jean-François Lebeau et Andrée Tremblay v. Syngenta AG et als.*, Court file no 750-06-000007-218, in the district of Saint-Hyacinthe.

The people who brought this action, Jean-François Lebeau et Andrée Tremblay (the “plaintiffs”), are the authorized representatives of the Class. They are acting on their behalf and on behalf of all the other Class members.

Syngenta AG, Syngenta International Crop Protection AG, Syngenta Crop Protection LLC, and Syngenta Canada inc. are the defendants in this action.

A) What is the purpose of this class action?

This class action is one of manufacturer’s liability, since it is based on allegations regarding the safety defect of the non-domestic use herbicides of the defendants containing paraquat, considering the absence of indications as to the increased risk of developing Parkinson’s disease following repeated exposition, through inhalation, oral ingestion, or dermal contact.

B) Why is this notice being published?

This action was authorized to proceed as a class action. If you meet the definition of the Class, you have certain rights and certain options that you should consider regarding the possibility of opting out of the class action before the Court decides whether the allegations made against the defendants are valid. This notice explains these aspects and the procedure to follow to exercise your rights.

C) What is a class action?

In a class action, one or more persons, called “representative(s)”, institute an action in their own name and on behalf of other persons with similar claims. Persons with similar claims are part of the “Class” and are “Class members”.

The Court attempts to resolve as many of the issues in dispute as possible in a single trial on “common issues”, involving all Class members (individual issues may remain following the outcome of the trial on the common issues).

AUTHORIZED CLASS ACTION

A) What is the definition of the authorized Class?

You are a Class member if you fall within the following court-authorized class definition:

Subclass 1:

All natural persons in Québec who have been diagnosed with Parkinson’s disease after having been exposed, repeatedly, through inhalation, oral ingestion, or dermal contact, to one of the Defendants' non-domestic use herbicides with the active ingredient paraquat (whose most widely used formulation is Gramoxone®), since their respective dates of introduction to the Canadian market. The targeted herbicides are:

Products :		Type of use at the time of the most recent registration	Since:
Gramoxone®	liquid herbicide with wetting agent	Restricted	July 1, 1963
Sweep herbicide sans-labour/ Sweep no-till herbicide		Commercial	July 1, 1979
Paraquat technique /Paraquat Technical	technical quality asset	Concentrated	September 19, 1989
Paraquat dichloride	manufacturing concentrate	Concentrated	March 25, 1991
Gramoxone®	PDQ liquid non-selective herbicide	Commercial	April 7, 1998
Gramoxone®	200 SL	Restricted	June 22, 2018

And

Subclass 2:

All natural persons in Québec who is the spouse, parent, child, sibling, or caregiver of a person in subclass 1 and who suffers or suffered damages from that person developing Parkinson's disease.

If you are a member of the Class and have exercised an individual action having the same subject as the present class action, you will be deemed to have “excluded” yourself from this class action, unless you discontinue your individual action before the opt-out deadline, on **June 26, 2023**.

B) What are the issues that will be addressed collectively?

In its July 27, 2022 judgment, the Court identified the principal factual and legal issues to be addressed collectively in this class action as follows:

- 1) Does the product listed in the definition of subclass 1 (hereinafter collectively referred to as “Gramoxone®”) (and their active ingredient, paraquat) increase the risk of developing Parkinson’s disease for people who have been exposed to it, repeatedly, through inhalation, oral ingestion, or dermal contact?
 - a. Is the risk increased when products are used as directed?
 - b. What is the impact of the instructions given on the defendants’ liability, if any?
- 2) If the answer to question 1 is yes, did the defendants fail to adequately, sufficiently, and timely inform class members of this danger, namely the increase of risk of developing Parkinson’s disease, or how to protect themselves from it?
 - a. Can class members rely on the presumption of product liability to establish causation?
 - b. Did the defendants know, or should they have known the risks of developing Parkinson’s disease associated with the repeated exposure, through inhalation, oral ingestion, or dermal contact to Gramoxone® (and its active ingredient, paraquat)?
- 3) Did the defendants otherwise commit any wrongdoing for which they are civilly liable, notably:
 - a. by failing to conduct adequate testing and studies, notably on the increase of risk of developing Parkinson’s disease because of repeated exposure, through inhalation, oral ingestion, or dermal contact to Gramoxone® (and its active ingredient, paraquat), both before and after its introduction into the Canadian market ?
 - b. by concealing and/or manipulating the data they had, notably on the increase of risk of developing Parkinson’s disease because of repeated exposure, through inhalation, oral ingestion, or dermal contact to Gramoxone® (and its active ingredient, paraquat)?
 - c. by misleading, including denying the increase of risk of developing Parkinson’s disease following the repeated exposure, through or inhalation, oral ingestion, or dermal contact to Gramoxone® (and its active ingredient, paraquat), by

discrediting studies on this subject and/or by advocating, on the contrary, the safety of this herbicide?

- 4) Are class members entitled to claim damages for personal injury, pain and suffering and material damages?
- 5) Are subclass 1 members entitled to claim punitive damages under section 49 of the *Charter of Human Rights and Freedoms*?

C) What are the conclusions sought by the plaintiffs in this class action?

The class action seeks to obtain monetary damages from the defendants to compensate the Class members for the bodily, material, and moral damages suffered and allegedly resulting from Parkinson's disease developed following exposure to the defendants' non-domestic herbicides containing paraquat.

More specifically, in its July 27, 2022 judgment, the Court identified the conclusions sought as follows:

GRANT the application of the plaintiffs;

GRANT the class action of the plaintiffs on behalf of all Class members;

CONDEMN the defendants solidarily to pay to each member of the class a sum to be determined in compensation of the bodily, material, and moral damages suffered and which they will continue to suffer;

CONDEMN the defendants solidarily to pay to each of the members of the class a sum to be determined as punitive damages;

ORDER individual recovery of Class members' claims in accordance with sections 599 to 601 C.C.P., unless there is evidence on the merits permitting to order collective recovery;

ALL with legal interest and the additional indemnity provided for in article 1619 of the *Civil Code of Quebec* and with all legal costs including expert fees and all costs of publication of notices to members.

D) Is money being offered at this moment?

No. The Court has not yet decided if the defendants are liable and no out-of-court settlement has been reached between the parties. The defendants deny the allegations made against them in this action.

There can be no assurance that plaintiffs will receive any financial compensation or other benefits on behalf of the Class because of this action.

If plaintiffs are awarded money or benefits following a trial or out-of-court settlement, you will be notified and told how to apply for a share of them or be told what other options are available to you.

You may have to prove your individual claim and possibly pay the costs of doing so. At that time, you may choose to retain the Class counsel to assist you or any other lawyer of your choice.

CLASS COUNSEL

A) Who represents the Class in this class action?

The plaintiffs are represented by the law firm Siskinds Desmeules Avocats, s.e.n.c.r.l. ("Class counsel") in this class action. Class counsel therefore represent the interests of the plaintiffs as well as the members of the Class. The contact information for Class counsel is as follows:

Siskinds Desmeules Avocats, s.e.n.c.r.l.
43, de Buade Street, office 320
Québec (Québec) G1R 4A2
Tél. : (418) 694-2009, toll free 1 (877) 735-3842
Fax : (418) 694-0281
Email : recours@siskinds.com

B) Can I retain my own lawyer or intervene in the class action?

If you wish to intervene in this class action, you will need to obtain leave of the Court, which will only be permitted if it is deemed by the Court to be in the best interests of the Class. If you intervene or retain another lawyer to intervene, you will be responsible for any fees or costs that may be assessed by that lawyer.

Please note that an intervening Class member may be required to pre-trial examination and/or a medical examination at the request of the defendants. A non-intervening Class member cannot be compelled to submit to a pre-trial examination or medical examination in the absence of a court order.

C) How will Class counsel be paid?

Class counsel will only be paid if they obtain monetary and/or other benefits for of the Class and these will be paid on a contingency fee basis.

In such event, Class counsel shall seek payment of their fees, not to exceed 30% of any amount obtained, plus disbursements and applicable taxes, and the fees shall be paid from the amount obtained. Class counsel's fees and disbursements must be approved by the Court. If no money is obtained, Class Counsel will not receive any money for their fees.

Class members who are not representatives or intervenors cannot be asked to pay the legal costs of the class action.

YOUR OPTIONS

A) What are my options at this stage?

At this stage, you must choose whether to remain in the Class or to opt out before the opt-out deadline.

If you do nothing and you meet the definition of the Class, you will automatically be included in the class action. You will be bound by any decision of the Court, or any out-of-court settlement reached, whether it be favorable or not to you and the Class. If benefits are awarded, you will need to take certain actions to obtain your share. You will only have a right to the benefits if you meet the established criteria regarding the distribution of the benefits to individual Class members.

If you wish to opt out, you must complete the Opt-Out Form available at <https://www.siskinds.com/class-action/gramoxone-paraquat-class-action/> no later than **June 26, 2023**. You will not be bound by the decisions of the Court in this class action or be eligible to participate in any settlement reached, and you will have no right to any money or other benefits that may be awarded at the end of this action. You will retain your right to bring an individual claim against the defendants regarding the issues of this class action, should you wish. The successors, assigns, family members and dependents of a Class member who opts out of the class action will also be excluded.

Only persons who wish to bring an individual action, at their own expense, have an interest in opting out from a class action.

Please note that, once you have opted out, you may not subsequently change your mind and decide to “re-join” the Class after you have opted out.

To opt out, fill out the Opt-Out Form and send it via registered mail to the following address:

Greffier de la Cour supérieure du Québec
Palais de Justice de Saint-Hyacinthe
Dossier de Cour no. 750-06-000007-218
3800, avenue Cusson
Saint-Hyacinthe (Québec) J2S 8V6

Please also send a copy of the Opt-Out Form to Class counsel, by e-mail or by mail, at the following address:

Siskinds Desmeules Avocats
43, de Buade Street, office 320
Québec (Québec) G1R 4A2
Email : recours@siskinds.com

Your Opt-Out Form must be received no later than **June 26, 2023**, the date of the postmark being taken as proof.

B) How can I protect my rights?

To protect your rights in this class action, we suggest you to:

- 1) Ask Class counsel to receive updates about this class action. To do so, you can contact Class counsel using the contact information indicated below, or visit the class action website at <https://www.siskinds.com/class-action/gramoxone-paraquat-class-action/> and click the “Contact us” tab at the bottom of the page.
- 2) Obtain and/or keep a copy of all documents that may be relevant to this class action, such as:
 - Your medical records confirming your diagnosis of Parkinson's disease;
 - Any evidence of use and/or exposure to the herbicides covered by the class action;
 - All documents concerning expenses incurred.

ADDITIONAL INFORMATION

To get more information, to receive a copy of the Opt-Out Form or to receive updates regarding this class action, visit <https://www.siskinds.com/class-action/gramoxone-paraquat-class-action/> or contact Class counsel at :

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Tel. : (418) 694-2009, toll free 1 (877) 735-3842
Fax : (418) 694-0281
Email : recours@siskinds.com

You can also consult the Class actions Registry at
<http://www.registredesactionscollectives.quebec>

THE PUBLICATION OF THIS NOTICE HAS BEEN APPROVED BY THE SUPERIOR COURT OF QUEBEC.