

**NOTICE OF CERTIFICATION AND SETTLEMENT IN THE CANADIAN ARMED FORCES
AND DEPARTMENT OF NATIONAL DEFENCE SEXUAL MISCONDUCT CLASS ACTION
(SHORT FORM)**

If you experienced sexual harassment, sexual assault or discrimination based on your sex, gender, gender identity or sexual orientation while serving in the Canadian Armed Forces or while employed for the Department of National Defence or for the Staff of the Non-Public Funds, Canadian Forces, this lawsuit may affect you. Please read this notice carefully.

The Federal Court authorized this notice. This is not a solicitation from a lawyer.

Seven former members of the Canadian Armed Forces (the “**Representative Plaintiffs**”) initiated class action lawsuits against the Government of Canada (“**Canada**”) alleging sexual harassment, sexual assault or discrimination based on sex, gender, gender identity or sexual orientation (“**Sexual Misconduct**”) in connection with their military service and/or employment with the Department of National Defence (“**DND**”) and/or Staff of the Non-Public Funds, Canadian Forces (“**SNPF**”). On consent of the parties, on November 25, 2019, the Federal Court certified the lawsuits as class proceedings and approved a settlement agreement that provides compensation to current and former members the Canadian Armed Forces (“**CAF**”) and current and former employees of the DND/SNPF who experienced Sexual Misconduct. The settlement is not be construed as an admission of liability on the part of Canada. To learn more about this settlement go to <https://www.caf-dndsexualmisconductclassaction.ca>

All current or former CAF members and/or DND/SNPF employees who have experienced Sexual Misconduct may be able to receive compensation under the settlement. To be eligible for a payment, you must be a member of the class.

“**CAF Class Members**” have been defined by the Approval Order granted by the Federal Court on November 25, 2019 as follows:

All current or former CAF members who experienced Sexual Misconduct up to and including the Approval Date who have not opted out of the Heyder or Beattie Class Actions.

“**DND/SNPF Class Members**” have been defined by the Approval Order granted by the Federal Court on November 25, 2019 as follows:

All current and former employees of DND and of the Staff of the Non-Public Funds, Canadian Forces, who experienced Sexual Misconduct up to and including the Approval Date who have not Opted Out of the Heyder or Beattie Class Actions.

This notice sets out how Class Members can make claims for compensation and the deadline for doing so.

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Veterans Affairs Canada (“VAC”) has clarified its approach to claims for disability arising from sexual assault and harassment

VAC has updated and clarified its approach and policies for determining claims for benefits involving an injury or disease resulting from sexual assault and sexual harassment connected to your military service. You may be able to apply to VAC for review or reconsideration if you have already been denied VAC benefits in relation to past claims arising from sexual assault or sexual harassment. If you haven't applied before, you may also want to consider applying for VAC benefits under the updated policies. More information about the updates to VAC's policies relating to injuries from sexual assault and sexual harassment are available here: <https://www.veterans.gc.ca/eng/about-vac/legislation-policies/policies>. See Recent Updates 1447, 1578 and 1584.

What does the settlement provide?

The settlement provides:

- a) financial compensation for certain Class Members who experienced Sexual Misconduct connected with their military service and/or employment for DND/SNPF;
- b) the option to participate in a restorative engagement program with opportunities for survivors to share their experiences of Sexual Misconduct with senior CAF and/or DND representatives;
- c) changes to CAF policies and other measures addressing Sexual Misconduct in the CAF; and
- d) updates to VAC policies related to eligibility for disability payments and reconsideration of claims.

What are your legal rights and options?

1. Do nothing	If you do nothing, you will give up the right to collect under the settlement and you will give up the right to sue Canada or others on your own or bring a Human Rights complaint in relation to any sexual harassment, sexual assault or discrimination you experienced while serving in the military or as a DND/SNPF employee.
2. Submit a Claim Form	In order to make a claim for financial compensation, and/or seek to participate in the restorative engagement program, you must submit an Individual Application/ Claim Form together with all supporting documentation to the Claims Administrator. Submit your claim using the fast, secure and easy website: www.caf-dndsexualmisconductclassaction.ca or download the printable version of the claim form found on the website and submit your completed application by regular mail to: CAF-DND Sexual Misconduct Class Action, c/o Epiq, P.O. Box 507, STN B, Ottawa, Ontario, K1P 5P6 or by email to info@caf-

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	<p>dndsexualmisconductclassaction.ca Claims will be accepted as of March 25, 2020. The deadline to file an Individual Application/ Claim Form is September 25, 2021.</p>
<p>3. Opt Out</p>	<p>If you don't want to be bound by the settlement, you can Opt Out of the class action. You will have until February 24, 2020 to submit your Opt Out Form to the Administrator. Opt Out Forms are available from the Administrator: CAF-DND Sexual Misconduct Class Action, c/o Epiq, P.O. Box 507, STN B, Ottawa, Ontario, K1P 5P6, or by calling the toll free number 1- 888-626-2611 and may also be printed electronically here: www.caf-dndsexualmisconductclassaction.ca and sent by email to: info@caf-dndsexualmisconductclassaction.ca. If you Opt Out, you will not be entitled to any financial compensation from the settlement, but you will keep your right to sue Canada or others on your own or bring a Human Rights complaint in relation to any sexual harassment, sexual assault or discrimination you experienced while serving in the military, or employed with the DND/SNPF, subject to any time or other legal limitations applying to your claim.</p> <p>If you have commenced a legal proceeding against Canada for damages resulting from the Sexual Misconduct covered by this settlement and you do not discontinue it before February 24, 2020, you will be automatically deemed to have Opted Out of the settlement and you will not be able to claim compensation.</p> <p>Class Members who died before March 15, 2019 are not eligible for compensation under the settlement. Estates of Class Members who died before March 15, 2019 that wish to seek compensation through other legal avenues should seek legal advice promptly regarding their options.</p>

What kind of compensation am I eligible for?

Your payment will depend on the type of Sexual Misconduct you experienced in connection with your military service and/or DND/SNPF employment and an assessment of the harm you suffered. It will also depend on how many Class Members submit claims. The range of individual compensation for most Class Members could be between five thousand dollars (\$5,000) and fifty-five thousand dollars (\$55,000). Class Members who experienced exceptional harm (and in the case of those who are denied VAC benefits in respect of that harm, including those who have previously been denied VAC benefits in respect of that harm and whose application for reconsideration is also denied), may be eligible for amounts up to one hundred and fifty-five thousand dollars (\$155,000). Details are explained in the settlement agreement. A copy of the agreement is available here: www.caf-dndsexualmisconductclassaction.ca