

LONG-FORM NOTICE

NOTICE OF SETTLEMENT APPROVAL HEARING

CLASS ACTION AGAINST FEDERAL EXPRESS CANADA CORPORATION (“FEDEX”)

Superior Court of Québec No: 500-06-000895-173

IF, BETWEEN SEPTEMBER 21, 2017, AND DECEMBER 20, 2018, YOU BOUGHT GOODS DELIVERED BY FEDEX ORIGINATING FROM A EUROPEAN UNION COUNTRY, THIS NOTICE MAY AFFECT YOUR RIGHTS.

1. What is this class action about?

The Superior Court of Québec authorized a class action against FedEx on behalf of the following group:

All natural persons, legal persons established for a private interest, partnership and associations or other groups not endowed with judicial personality residing in Quebec who, from September 21, 2017, until December 20, 2018, were charged and paid customs duties and/or processing fees collected by FedEx in respect of the import of any goods originating from a European Union country or a beneficiary of the Canada-European Union Comprehensive Economic and Trade Agreement (CETA).

The Representative Plaintiff and FedEx have reached a settlement in this matter, which is subject to Court approval, on a without prejudice or admission basis.

2. What is a class action?

A class action is a legal procedure instituted by an individual called the “Representative Plaintiff” on behalf of persons who faces a similar problem, called the “class”. A class action allows the Court to rule on the dispute regarding all class members, except for those who chose to opt out (*i.e.*, exclude themselves) of the class action.

CLASS MEMBERS

3. Who is a class member?

You are a class member if you are a natural person, legal person established for a private interest, partnership or association or other group not endowed with judicial personality residing in Quebec who, from September 21, 2017, until December 20, 2018, were charged and paid customs duties and/or processing fees collected by FedEx in respect of the import of any goods originating from a European Union country or a beneficiary of the Canada-European Union Comprehensive Economic and Trade Agreement (CETA).

TERMS OF SETTLEMENT & SETTLEMENT APPROVAL HEARING

4. What is the proposed settlement?

The Settlement Agreement provides that FedEx already reimbursed class members, directly or indirectly, the duties and fees wrongly assessed in violation of CETA, but agreed, without admission, to pay an additional Award Amount of \$150,000 (the “Award Amount”), which represents all of FedEx’s monetary obligations under the Settlement Agreement.

From the Award Amount there will be a deduction for Class counsel’s legal fees, inclusive of GST and QST, subject to the Court’s approval, or any lesser amount approved by the Court, and any amounts that may be due by Class counsel to the *Fonds d’aide aux actions collectives*. The balance of the Award Amount is to be remitted to the Make-a-Wish Foundation. The Settlement Agreement and documents pertaining to this class action are available at: <https://kklex.com/class-actions/fedex-canada/>.

5. What is the next step regarding the proposed settlement?

The Superior Court of Québec must approve the Settlement Agreement before it can take effect. The Court will review the terms of the Settlement Agreement to ensure that they are fair, reasonable and in the best interests of the class members.

The Settlement Approval Hearing will take place on **May 6, 2026** before the Superior Court of Québec, at the Montreal Courthouse, 1 Notre-Dame Street East, in Montreal, Quebec, in a courtroom to be determined and by TEAMS (hyperlink will be posted on Class Counsel’s website). At this hearing, the Court will hear any objection filed by class members regarding the proposed Settlement Agreement, in accordance with the deadlines and procedure set forth below. Class members who do not oppose the proposed settlement are not required to attend this hearing or to take any action to indicate that they intend to be bound by it. The date and time of the settlement approval hearing may be subject to change by the Court without further publication notice to the Class Members, other than such notice which will be posted on Class Counsel’s website at: <https://kklex.com/class-actions/fedex-canada>.

OBJECTING TO THE PROPOSED SETTLEMENT

6. What should I do if I disagree with the proposed settlement?

If you disagree with the Settlement Agreement, you can object to the Settlement Agreement by advising Class Counsel (see contact information below) at least thirty (30) days before the Settlement Approval Hearing, at which time, you must appear to make your objection heard before the Court.

Please note that the Court cannot change the terms of the settlement. Any objections will be used by the Court to consider whether to approve the settlement or not.

CLASS COUNSEL

7. Who are the lawyers for Class members?

The law firm Kugler Kandestin, LLP represents the Representative Plaintiff, and class members. You may contact Kugler Kandestin, LLP at the contact information found at the end of this notice.

8. Are there fees for the class members?

You do not have to pay the lawyers working on this class action.

FOR MORE INFORMATION

9. All members of the Class are invited to communicate with the Class Counsel below in order to obtain additional information with respect to the class action and in order to be informed of their rights. Communications are confidential and free of charge:

Me Sandra Mastroggiuseppe : smastroggiuseppe@kklex.com

Kugler Kandestin, LLP
1 Place Ville-Marie, Suite 1170
Montreal, Quebec, H3B 2A7
Tel. (514) 360-8883
Toll-free : 1-844-999-2861
Fax : (514) 875-8424

This notice has been approved by the Superior Court of Québec.