

[LONG FORM NOTICE]

NOTICE OF AUTHORIZATION OF A CLASS ACTION
AND OF A SETTLEMENT HEARING
(STEVE ABIHSIRA v. TICKETMASTER)

WITH RESPECT TO THE AUTHORIZED CLASS ACTION

IF YOU PURCHASED A RESALE TICKET ON THE WEBSITE OR MOBILE APPLICATION OF TICKETMASTER WHILE YOU WERE IN THE PROVINCE OF QUEBEC, AT A PRICE HIGHER THAN THE ORIGINAL TICKET PRICE, YOU ARE A MEMBER OF THIS CLASS AND THIS NOTICE CONCERNS YOU:

1. By judgment dated January 25, 2022 in case number 500-06-001153-218 of the Superior Court of Québec, the Court authorized the bringing of a class action seeking compensation on behalf of the following class of persons:

Every natural person and every merchant (natural or legal person), present on the territory of Québec at the time of purchasing a resale ticket for an event, on the website or the mobile application of Ticketmaster, at a price higher than the one announced for the ticket on the primary market;

The resale ticket must have been sold between June 6, 2018 and May 4, 2022.

[hereinafter referred to as the “**Class**”]

WITH RESPECT TO THE SETTLEMENT HEARING

2. **Take note that the parties have reached a settlement and that accordingly, if the Settlement is approved by the Court, the Class will be redefined as follows and provide benefits to the Settlement Class members only:**

Every natural person and every merchant (natural or legal person) who purchased a ticket that was posted for resale on the secondary market for an event in the Province of Quebec on the Ticketmaster’ websites or mobile apps between June 6, 2018 and May 4, 2022 and who provided a billing address in the Province of Quebec when they made that purchase;

[hereinafter referred to as the “**Settlement Class**”]

WITH RESPECT TO THE AUTHORIZED CLASS ACTION AND THE SETTLEMENT HEARING

3. The class action alleges that the manner in which Ticketmaster discloses the Original Ticket Price of tickets offered for resale on its website or mobile application contravenes the *Québec Consumer Protection Act* (the “CPA”). The courts have made no determination regarding the merits of those allegations, which Ticketmaster denies.
4. The principal questions of fact and law to be determined collectively by the court are the following:
 - a. Does Ticketmaster violate s. 236.1(c)(i) CPA?
 - b. Does Ticketmaster violate s. 54.4(d.1) CPA?
 - c. Does Ticketmaster violate ss. 219 and 228 CPA?

- d. If there is a violation of one or more of these provisions, can the members of the class action claim compensatory and punitive damages or a reduction of their obligation from Ticketmaster? If so, in what amount?
 - e. Should an injunctive remedy be ordered to enjoin Ticketmaster to disclose the price of a ticket announced by the vendor at the same time it initially discloses the resale price of the ticket?
5. The conclusions sought in relation to these questions are the following:

GRANT the Representative Plaintiff's action against the Defendants;

ORDER the Defendants to disclose the Face Value of the tickets it sells on the secondary market at the same time it initially discloses the resale price of the ticket;

CONDEMN the Defendants, solidarily, to pay to the Representative Plaintiff and the members of the Class an amount to be determined in compensatory damages, and **ORDER** the collective recovery of these sums;

CONDEMN the Defendants, solidarily, to pay to the members of the Class \$500 each in punitive damages, and **ORDER** collective recovery of these sums;

CONDEMN the Defendants, solidarily, to pay interest and the additional indemnity on the above sums according to law from the date of service of the Application to Authorize;

ORDER the Defendants, solidarily, to deposit in the office of the Court the totality of the sums which forms part of the collective recovery, with interest and costs;

ORDER that the claims of individual Class members be the object of collective liquidation if the proof permits and alternately, of individual liquidation;

CONDEMN the Defendants to bear the costs of the present action including the costs of notices, the cost of administration of claims and the costs of experts, if any, including the costs of experts required to establish the amount of the collective recovery orders;

RENDER any other order that this Court shall determine;

6. The Court appointed Mr. Steve Abihira as the Plaintiff/Representative.

INTERVENING IN THE CLASS ACTION

7. A member of the Class may seek authorization from the Court to intervene if the intervention is considered helpful to the Class. A member who intervenes is required to submit to a pre-trial examination at the request of the Defendants. A Class member who does not intervene may not be subject to a pre-trial examination unless the Court considers that it would be useful for its determination of the issues of law or fact to be dealt with collectively.
8. A member of the Class other than the Representative or an Intervenor may not be required to pay the legal costs arising from the class action.

OPTING OUT

9. If you do nothing, you will remain a member of the Class or the Settlement Class, as the case may be, and will be bound by any judgment in this action. If you do not want to participate in the class action, you **can opt out** of the Class which also means that you are opting out of the Settlement Class to the extent you would be part of it. You may wish to opt out if, for example, you prefer to pursue your own legal action at your own expense against Ticketmaster.
10. Any Class or Settlement Class member who has not requested to opt out in the manner set out below will be bound by the judgments to be rendered in the class action. If you opt out, you will not be entitled to any compensation.

11. The date after which a member may no longer opt out without special permission is **December 5, 2022. Opt Out Forms received after December 5, 2022 will not be honored.**
12. A Class member or Settlement Class member who wishes to opt out of the class action may do so before the expiration of the deadline to opt out by advising the Clerk of the Superior Court of Québec in the District of Montréal in writing, indicating the court number 500-06-001153-218 and case name (*Abihisira v. Ticketmaster*):

Clerk of the Superior Court of Québec
1 Notre-Dame Street East
Montréal, Québec, H2Y 1B6

13. Any Class member or Settlement Class member who has brought (prior to the expiration of the deadline to opt out) an action having the same subject matter as the class action is deemed to have opted out of the Class or Settlement Class if he or she does not discontinue that court action before the expiration of the deadline to opt out.
14. The hearing on the proposed Settlement will take place in the Montreal Court House, on December 6, 2022 in room 16.12 at 9:15 am.
15. If the Settlement is not approved, this class action will proceed in the Judicial District of Montréal.

SETTLEMENT SUMMARY

Who are the Settlement Class members?
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You are a **Settlement Class member** if you purchased a Resale Ticket using the website or mobile applications of Ticketmaster for an event in the Province of Québec at any time between June 6, 2018 and May 4, 2022 and provided a billing address in the Province of Québec.

If you are a Settlement Class member, you are automatically eligible to receive one credit as described below, and there is no action that you must take in order to receive it.

What does the Settlement provide for?
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Each Settlement Class member will receive an electronic Ticketmaster gift card with a single credit of ten Canadian dollars (**CA\$10.00**) that has no expiration date and is not convertible to cash. The credit may be used towards the purchase of a ticket on the primary market using the Ticketmaster websites or mobile applications. Further terms and conditions are set out in the Settlement Agreement available [here](#).

The Defendants have also agreed to implement a business practice change to their online purchase process with respect to the sale of secondary market (resale) tickets to events in Quebec. Ticketmaster will display the original ticket price of the resale ticket on the delivery page as well as on the payment page, such that the original ticket price is disclosed to users at an earlier stage of the process. Alternatively and as part of the modernization of its websites and mobile applications, Ticketmaster will combine the delivery and payment pages such that the original ticket price continues to be disclosed to users at that stage.

Each Settlement Class member will provide a full and complete release of their claims against the Defendants, including any claims which they may have in relation to the practice changes agreed by the Defendants as part of the Settlement. The Settlement Agreement does not constitute an admission of liability by the Defendants, who have agreed to settle only for the purpose of avoiding a trial and the additional costs and expenses related thereto.

The Settlement also provides that Class Counsel will seek Court approval of its Class Counsel fees and expenses of CA\$106,000, plus taxes. This amount is to be paid on top of the credit offered to Settlement Class members.

OPTING OUT

If you are member of the Settlement Class and for any reason whatsoever you do not wish to be bound by this Settlement, you must take the steps to opt out of the Settlement Class.

What happens if I opt out of the Settlement?

If you opt out:

1. You will not receive any benefits under the Settlement;
2. You will not be bound by the Class Action and may be able to exercise any valid rights of action; and,
3. You will not be able to object to this Settlement.

What happens if I do not opt out of the Settlement?

If you are a member of the Settlement Class and you do not opt out:

1. You are eligible to receive benefits under this Settlement;
2. You will be bound by the Class Action;
3. You will give up the right to take your own personal legal action against the Defendants; and,
4. You will be able to object to the Settlement or comment on it.

If you are a member of the Settlement Class and you do not opt out and the Settlement is approved, you give up the right to take personal legal action against the Defendants with regard to the manner they disclose the original ticket price of tickets offered for resale on www.ticketmaster.ca and on their mobile applications.

How can I opt out of the Settlement?

To opt out, you must complete and sign an Opt Out Form, and deliver it to the Clerk of the Superior Court of Quebec **before December 5, 2022** at the following address:

Clerk of the Superior Court of Quebec
PALAIS DE JUSTICE DE MONTRÉAL
1 Notre-Dame Street East
Room 1.120
Montréal, Québec H2Y 1B5

The Opt Out Form is available on the Settlement website: www.lpclex.com/ticketmaster2

Opt Out Forms received after December 5, 2022 will not be honored and you will be bound by the terms of the Settlement Agreement, including the Release provision.

OBJECTING TO THE SETTLEMENT OR COMMENTING ON IT

You can advise the Court that you do not agree with this Settlement.

How can I advise the Court that I do not agree with this Settlement?

To present your objection to the Court or comment on the Settlement, you must **deliver a document** to Class Counsel at the address set out below at the latest on **December 5, 2022** or present yourself at the hearing on December 6, 2022 in room 16.12 of the Montreal Court House. Your document must contain the following information:

1. The style of cause and docket number of the Class Action: *Abihisira v. Ticketmaster Canada LP et al.* S.C.M. 500-06-001153-218;
2. Your full name and current address, telephone number and email address;
3. The e-mail address associated with your Ticketmaster account;
4. The grounds for your objection to the Settlement or the comments you wish to make about it.

Do I need a lawyer in order to object to or comment on the Settlement?

No. You can object to the Settlement or comment on it without a lawyer. If you wish to be represented by a lawyer, you may hire one at your own expense.

If I object to the Settlement or comment on it and it is approved, will I still be eligible for a credit?

Yes. If, despite your objection or comments, the Settlement is approved, you can still receive a credit if you are eligible.

FOR MORE INFORMATION

How can I obtain more information?

For additional information and access the text of the Settlement and its schedules, including the opt-out form, please consult the internet site at the following link:

- Settlement website: www.lpclex.com/ticketmaster2

This notice is only a summary of the judgement authorizing the class action, the complete text of which may be found on the websites here www.lpclex.com/ticketmaster2 and here: www.registredesactionscollectives.quebec/en/Consulter/RecherchePublique. You may also contact class counsel listed below. Your name and any information provided will be kept confidential save and except for the purpose of receiving the benefits of the settlement or the notices authorized by the Court. Please do not contact the Judges of the Superior Court:

You may also contact Class Counsel:

Mtre. Joey Zukran
LPC Avocat Inc.
276 Saint-Jacques St., Suite 801
Montréal, Québec, H2Y 1N3
Tel.: 514-379-1572
jzukran@lpclex.com

**DISTRIBUTION OF THIS NOTICE HAS BEEN ORDERED BY
THE SUPERIOR COURT OF QUÉBEC.**