

SCHEDULE A – SETTLEMENT AGREEMENT

NOTICE OF SETTLEMENT APPROVAL HEARING

Class Action Regarding a Pricing Error Occurring on April 4 and 5, 2021

Following the authorization of a class action by the Superior Court of Québec (the “**Court**”) in file number 500-06-001142-211 by judgment on March 30, 2022 (and rectified on May 30, 2022) (the “**Class Action**”), a settlement (the “**Settlement**”) has been reached, subject to Court approval, between the representative plaintiff (the “**Plaintiff**”) and Wal-Mart Canada Corp. (“**Walmart Canada**”). The Class Action alleges that the cancellation by Walmart Canada of orders placed on April 4 and 5, 2021, on www.walmart.ca for items which were listed, in error at \$3.49, contravened the *Québec Consumer Protection Act*.

The Court has made no determination regarding the merits of those allegations, which Walmart Canada denies.

If you have not opted out of this Class Action on or before September 2, 2022, in accordance with the Court's judgment of June 16, 2022, this Settlement may affect your rights, whether you act or not. Please read this notice carefully.

BASIC INFORMATION

Why have I received this email?
--

You are receiving this email because, according to Walmart Canada's records, on April 4 or 5, 2021, you placed an order for an item priced in error at \$3.49 on www.walmart.ca while you were domiciled or residing in the province of Québec and, after receiving a purchase confirmation at the price initially advertised, subsequently had your purchase cancelled.

The purpose of this notice is to inform you that the Plaintiff and Walmart Canada have reached a Settlement putting an end to the Class Action. Both parties believe that the Settlement is the best solution to dispose fairly and equitably of the dispute, and that the Settlement is in the best interests of those involved. They will ask the Court to approve it.

The Court will hold a hearing to determine whether it will approve the Settlement. You may attend the hearing which will take place on **Tuesday, November 26, 2024 at 9:15 a.m.** in **room 17.09** of the Montréal Court House, located at **1 Notre-Dame Street East** in Montréal (the “**Hearing**”).

What was the purpose of the Class Action?
--

The Plaintiff alleged that Walmart Canada carried out two prohibited business practices by charging, for goods or services, a higher price than that advertised and by advertising goods or services of which Walmart Canada had an insufficient quantity to meet public demand in violation of the *Québec Consumer Protection Act*. These allegations have not been proven in Court and are contested by Walmart Canada, whose position is that it has complied at all times with all applicable legislation.

Who are the Class members?

You are eligible to receive benefits under the Settlement Agreement (available at www.lpclex.com/walmart) if you are a Class member.

You are a Class member if you are a consumer who placed an order for an item priced in error at \$3.49 on www.walmart.ca while you were domiciled or residing in the province of Québec and, after receiving a purchase confirmation at the price initially advertised, subsequently had your purchase cancelled.

If you are a Class member, you are eligible to receive a compensation, as described below.

SETTLEMENT SUMMARY

What does the Settlement provide for?

Walmart Canada has agreed to pay a maximum all-inclusive amount of \$530,000 (the “**Settlement Amount**”) to settle the Class Action.

Each Class member will receive a single electronic Wal-Mart Canada gift card, in an amount to be determined (a “**Gift Card**”). Class members who placed multiple orders will obtain only one Gift Card of an amount 1.5x greater than those who placed one order. Preliminary evaluations indicate that Gift Cards could be worth up to approximately \$266 (or \$400 for those who place more than one order). No Class member will receive a Gift Card for an amount greater than the value of their order(s) less \$3.49.

Class members will receive only one Gift Card, no matter how many orders they placed, how many items they purchased or how many email addresses they used to place an order. The Gift Card has no expiration date and is not convertible to cash. Further terms and conditions are set out in the Settlement Agreement.

In exchange, each Class member will provide a full and complete release of their claims against Walmart Canada. The Settlement Agreement does not constitute an admission of liability by Walmart Canada, who has 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 (i) its fees of \$159,000, plus taxes; (ii) its expenses and disbursements of \$8,500, plus taxes; (iii) \$3,500 advanced by the *Fonds d'aide aux actions collectives* and (iv) \$2,000 in reimbursement of disbursements and expenses incurred by the Plaintiff. Each of these amounts is deducted from the Settlement Amount prior to the determination of the value of the Gift Card for each Class Member.

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 send a document to Class counsel at the address set out below by **November 20, 2024**. Your document must contain the following information:

1. The style of cause and docket number of the Class Action: *Lavoie v. Wal-Mart Canada Corp.*, S.C.M. 500-06-001142-211;

2. Your full name and current address and telephone number;
3. The e-mail address associated with your order(s) on www.walmart.ca on April 4 or 5, 2021;
4. The grounds for your objection to the Settlement or the comments you wish to make about it;
5. The full name and current address, telephone number and email address of your attorney (if any);
6. Confirmation as to whether you intend to be present at the upcoming hearing.

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 Gift Card?

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

FOR MORE INFORMATION

How can I obtain more information?

This notice is only a summary of the Settlement Agreement. For more information and access to the text of the Settlement Agreement and its schedules, please go to the following website: www.lpclex.com/walmart. You may also contact Class counsel:

Mtre. Joey Zukran
LPC AVOCATS
276 Saint-Jacques Street, Suite 801
Montréal, Québec, H2Y 1N3
Tel: 514.379.1572
jzukran@lpclex.com

In case of discrepancies between this notice and the Settlement Agreement, the latter shall prevail.

The publication of this notice has been approved and ordered by the Court.