

NOTICE TO MEMBERS EXCLUDED FROM A CLASS ACTION

On October 3, 2011, the Superior Court of Quebec authorized a class action on behalf of the following sub-classes. A notice to this effect was previously issued.

All persons with a disability (disabled) or recognized as having a functional disability due to their obesity residing in Canada who, on a domestic flight operated by Air Canada or one of its authorized agents, had to pay Air Canada additional fees for the seat of an attendant and/or for a location adapted to their condition, between December 5, 2005, and December 5, 2008.

and

All natural persons in Canada who, between December 5, 2005, and December 5, 2008, paid Air Canada fees for a seat on a domestic flight operated by Air Canada while acting as an attendant of a person with a disability (disabled).

(free translation)

The class action alleges that Air Canada unlawfully demanded payment for an additional seat for the attendant of a person suffering from disability or recognized as having a functional disability due to obesity. The class action notably seeks reimbursement of the price paid for this additional seat on a domestic flight operated by Air Canada or one of its authorized agents between December 5, 2005, and December 5, 2008.

On February 21, 2019, the Superior Court of Quebec agreed in part with the Plaintiffs but modified the sub-classes to exclude tickets purchased outside Quebec. The Quebec Court of Appeal confirmed this judgment on May 25, 2021. These judgments are available on the website of class counsel, whose contact information appears at the bottom of this notice.

If you are a member of the following sub-classes, the judgments of the Superior Court of Quebec and the Quebec Court of Appeal rendered in this class action are not binding on you, and you may exercise all of your rights, such as the right to bring your own action in the province where you purchased your ticket, subject to the applicable rules regarding limitation periods.

All persons with a disability (disabled) or recognized as having a functional disability due to their obesity residing in Canada who, on a domestic flight operated by Air Canada or one of its authorized agents, were required to pay Air Canada, outside Quebec, additional fees for the seat of an attendant and/or for a location adapted to their condition, between December 5, 2005, and December 5, 2008.

or

All natural persons in Canada who, between December 5, 2005, and December 5, 2008, paid Air Canada, outside Quebec, fees for a seat on a domestic flight operated by Air Canada while acting as an attendant of a person with a disability (disabled).

(free translation)

The firm *BGA inc. Avocat* has represented the sub-classes before the Superior Court of Quebec and the Quebec Court of Appeal. *BGA inc. Avocat* can be reached at the following contact information:



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