

NOTICE OF SETTLEMENT APPROVAL WITH BENJAMIN & BROTHERS LLC (RESERVATIONS.COM)

Approved by the Superior Court of Quebec

Chafik Mihoubi v. Benjamin & Brothers L.L.C. et al.

N° 500-06-001041-207

PLEASE READ THIS NOTICE CAREFULLY AS IT MAY AFFECT YOUR RIGHTS

NOTICE

This is a Notice alerting Class Members about a settlement in a class action involving allegations that Benjamin & Brothers L.L.C. (the Defendant) violated the Consumer Protection Act by advertising prices that are lower than the price ultimately charged to consumers on their website **Reservations.com**, allegations that are denied by Benjamin & Brothers.

This class action sought to obtain compensation equivalent to the amount consumers paid in excess of the advertised price, except where that price was only higher due to fees required under federal or provincial law. It also sought an order in punitive damages. Mr. Chafik Mihoubi has been designated as the class representative.

The Settlement Agreement that has been approved by the Superior Court of Quebec provides for the payment of \$825,000 (USD) which will be used to pay claimant compensation and Class Counsel's legal fees, disbursements and applicable taxes. It also provides that the Defendant will pay for the administration of the settlement.

SUMMARY OF THE SETTLEMENT

The Defendant will pay \$825,000 (USD) (the "lump sum") to settle the claims of the Class Members and will assume the costs of administering the settlement. Class Counsel's legal fees, which consist of 25% of the lump sum, plus taxes and disbursements, have been approved by the Quebec Superior Court.

The Defendant denies all allegations and denies any wrongdoing or liability. The Court did not make a determination on the merits of the arguments of either the plaintiff or the Defendant. The Court has only made a determination that the Settlement Agreement is fair, reasonable and in the best interests of the Class Members.

As a result of the Settlement Agreement, the class action against Benjamin & Brothers L.L.C. will no longer continue.

Class Members who made a reservation through the Defendant's website **Reservations.com** between **January 27, 2017** and **November 20, 2021**, who resided in Quebec at the time of the reservation, and who did not reserve for the purposes of business, may be entitled to compensation in the amount of \$20, increasing to \$40 depending on fund resources. If it is not possible to pay each claimant the full amount of compensation due to the number of claims made in the settlement, an equal share will be paid for each reservation.

Class Members must submit their claim on time and postmarked by 11:59 pm on **January 30, 2024**.

If 50% or more of the funds remain after compensation has been paid to eligible Class Members who submitted their claim on time, a second claim period of 60 days will be held for Class Members who did not already submit a claim and new notices will be issued. Please contact the Claims Administrator or Class Counsel for further information about whether there will be a second distribution and the deadline to file a claim.

The Settlement Agreement, Distribution Protocol, related exhibits, and other documents are available on the settlement website <https://QuebecBookingClassAction.ca>.

WHO IS INCLUDED

To be eligible to make a claim, you must meet the following criteria:

- a) Made a reservation on the website Reservations.com between January 27, 2017, and November 20, 2021;
- b) Resided in Quebec at the time of the reservation;
- c) Are a natural person who did not reserve for the purposes of his business;
- d) Did not opt-out of the class action.

If you are included in the Class and did not opt out of the class action, you are bound by the terms of the Settlement Agreement and may claim compensation.

MAKING A CLAIM

In accordance with the Distribution Protocol approved by the Court, the claim period will end on **January 30, 2024**. In order to make a claim for compensation, you must complete and submit a claim form online confirming that you made the reservation on the BB website between January 27, 2017, and November 20, 2021, that you resided in Quebec at the time of the reservation, and the reservation was not for business purposes. Your completed claim form must be submitted to the Claims Administrator postmarked by 11:59 pm on **January 30, 2024**.

If you do NOT submit a claim on time, your claim will not be adjudicated, and you will not be eligible for any benefits under the Settlement Agreement.

If you would like more information on how claims will be evaluated, you should refer to the Distribution Protocol available at <https://QuebecBookingClassAction.ca>. Information on how to file your claim will also be available on this website. Claims may be filed online or emailed to the Claims Administrator at the address below.

IMPORTANT DEADLINES

Additional information including the Settlement Agreement, the Distribution Protocol and the claim form is available on the website at <https://QuebecBookingClassAction.ca> or by contacting Claims Administrator or Class Counsel.

To be eligible for compensation, you **MUST** submit a claim postmarked by 11:59 pm on **January 30, 2024**.

If 50% or more of the funds remain after compensation has been paid to eligible Class Members, a second claim period of 60 days will be held for Class Members who did not submit a claim previously and new notices will be issued. Please contact the Claims Administrator or Class Counsel for further information about whether there will be a second distribution and the deadline to file a claim.

LEGAL FEES

The Superior Court of Quebec has approved Class Counsel's legal fees in the amount representing 25% of the sum recovered for the Class members, in addition to applicable taxes and the reimbursement of disbursements incurred. Class Counsel were retained on a contingency basis and funded all expenses associated with pursuing this litigation.

Individual Class Members do not have to pay legal fees to make a claim.

FURTHER INFORMATION

If you have questions about the Settlement Agreement, Distribution Protocol or would like to obtain additional information, including copies of the Settlement Agreement, or to obtain more information on how to file your claim, please visit the settlement website at <https://QuebecBookingClassAction.ca> or contact the Claims Administrator at: info@QuebecBookingClassAction.ca

You can also contact Class Counsel to obtain more information or visit Class Counsel's website. There is no charge to speak with Class Counsel to discuss the class actions.

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This Notice contains a summary of some of the terms of the Settlement Agreement. If there is a conflict between this Notice and the Settlement Agreement, the terms of the Settlement Agreement shall prevail.