

Notice of Certification and Settlement

CURRENT AND FORMER CUSTOMERS OF CINEPLEX “CHEAP TUESDAYS”

Please read this Notice carefully as it may affect your legal rights.

If you are an individual who purchased movie tickets at any Canadian Cineplex location on a Cheap Tuesday, and were subsequently charged full price for said ticket, you are a Class Member.

PURPOSE OF THIS NOTICE

The parties have agreed to certification of the lawsuit described below as a “class action” lawsuit and have reached a proposed settlement of this class action lawsuit. The certification and settlement described below must be approved by the Court before they will become effective.

As a Class Member, your legal rights will be affected by this certification and settlement. As a Class Member, you are automatically a participant in this class proceeding, to opt-out you must take action as described below. In addition, as a Class Member, you can participate in the approval process and comment on, or object to, the settlement if you wish to.

THE CLASS ACTION

This class action was commenced in Alberta on November 14, 2012 by a Cineplex customer, Matthew Starchuck, who is acting as the representative plaintiff for all Class Members, against Cineplex. The lawsuit alleges overcharging by Cineplex on tickets purchased by Class Members on Cheap Tuesdays.

Cineplex states that there was no overcharging by Cineplex on tickets purchased by Class Members on Cheap Tuesdays. None of the allegations in the lawsuit have been proven in Court and Cineplex wholly denies any wrongdoing or liability.

CERTIFICATION

The parties have agreed to certification of this lawsuit as a class action lawsuit for the purposes of settlement.

OPTING-OUT OF THE CLASS PROCEEDING

As a Class Member, you may opt-out of the Class Proceedings by delivering to counsel for the Plaintiff a written statement of the desire to opt-out, and the reasons therefore, no later than 90 days following the publication of this Notice. To opt-out, a written statement must be sent to:

Cineplex Class Action
Docken Klym
#900, 800 - 6th Avenue SW
Calgary Alberta T2P 3G3

TERMS OF THE PROPOSED SETTLEMENT

The claim against Cineplex will be dismissed and Class Members will release any claim they have against Cineplex in relation to the matters alleged in the class action. This means that if the Settlement Agreement receives Court approval, you will not be able to start or continue with any other claim or legal proceeding against Cineplex in relation to the matters alleged in the class action against Cineplex.

Cineplex has agreed to pay **\$20,000** to a charitable organization, Outward Bound Canada, Women of Courage program, and **\$7,000** to the representative plaintiff in respect of legal costs and disbursements incurred in the class action, in full and final settlement of the class action.

SETTLEMENT IS SUBJECT TO COURT APPROVAL

The proposed settlement is a compromise of the disputed claims in the class action, and takes into account a variety of the risks inherent in lawsuits.

The Court will decide whether to approve the proposed settlement at a settlement approval hearing to be held at **9:30 AM** on **May 20, 2015** at the Calgary Courts Centre, 601 5 Street SW, Calgary, AB T2P 5P7.

At this hearing, the Court will determine whether the Settlement Agreement is fair, reasonable and in the best interests of Class Members.

COMMENTS ON OR OBJECTIONS TO THE PROPOSED SETTLEMENT

If you approve of the proposed settlement you do not have to do anything. You may make comments on or object to the proposed settlement. Any comments or objections must be made in writing and sent to:

Cineplex Class Action
Docken Klym
#900, 800 - 6th Avenue SW
Calgary Alberta T2P 3G3

Comments and objections should be sent no later than **May 6, 2015**. All written submissions received by **May 6, 2015** will be brought to the attention of the Court. A Class Member who objects to the proposed settlement and who wants to make submissions at the hearing must provide written submissions no later than **May 6, 2015**. That Class Member may attend the hearing in person or send a representative to explain the reason for their objection.

Any Class Member is welcome to attend the Settlement Approval Hearing, but you are not required to attend.

ADDITIONAL INFORMATION

The law firm of Docken & Company represents all Class Members in this class action.

THIS NOTICE WAS APPROVED BY THE ALBERTA COURT OF QUEEN'S BENCH.