

## **Short Form Notice**

### **NEWFOUNDLAND AND LABRADOR BOYS' HOME AND GIRLS' HOME CLASS ACTION**

#### **THE ACTION**

A lawsuit was started in the Supreme Court of Newfoundland and Labrador on behalf of the following class:

All former residents, save Excluded Persons, who suffered sexual battery and/or other sexual misconduct by a Delegate, or a fellow resident of the Institutions, while residing at any of the Institutions.

Delegates are defined as the servants, contractors, agents, officers, volunteers and employees of the Defendant and the operators, managers, administrators, teachers, and staff of the Institutions;

Excluded persons are people who have died and who have already sued and received compensation.

The class period is from May 1, 1973 to June 28, 1989.

Justice McGrath of the Supreme Court of Newfoundland and Labrador certified the action Jane Doe (#7), John Doe (#10) and John Doe (#11) v. Her Majesty in Right of Newfoundland and Labrador as a class action, has appointed Jane Doe (#7), John Doe (#10) and John Doe (#11) as Representative Plaintiffs and appointed the law firm of Morris Martin Moore of Mount Pearl as class counsel. This notice is given by order of Justice McGrath.

The lawsuit seeks compensation for class members who were subjected to sexual abuse while living at various residential institutions operated by the government. Sexual abuse may include:

- sexual assault by staff, volunteers, and other residents;
- beatings where the young person was naked or partially naked;
- detention while naked or partially naked; and
- sexually derogatory language.

The residential institutions included in this class action are:

- the Whitbourne Training School, also known as the Whitbourne Youth Center, the Boys' Home, the Boys' Home and Training School, and the Whitbourne School for Boys, at different times, located in Whitbourne;
- the Pleasantville Training School, also known as the Girl's Home, the Girls' Home and Training School, and the Pleasantville School for Girls at different times, located in Torbay and St. John's; and
- the St. John's Youth Centre.

## **FEES AND DISBURSEMENTS**

Plaintiffs' counsel have entered into agreements with the Representative Plaintiffs with respect to legal fees and disbursements for the trial of the common issues. This agreement provides that Plaintiffs' counsel will not receive payment for their work unless and until the class action is successful or costs are recovered from the Defendant. This agreement must be approved by the Court.

## **RESIDENTS OF NEWFOUNDLAND AND LABRADOR**

Any person in Newfoundland and Labrador who wishes to opt out of the class action as certified must do so by sending a written notice on or before **DECEMBER 30, 2019** to Newfoundland and Labrador Sex Abuse Class Action, 117 Queen St, P.O. Box 1000, Niagara-on-the-Lake, Ontario, L0S 1J0. Residents in Newfoundland and Labrador who meet the class definition and do not opt out will be bound by the Court's judgment whether favourable or not. By opting out, your name will not be made public.

## **NON-RESIDENTS OF NEWFOUNDLAND AND LABRADOR**

Any person not residing in Newfoundland and Labrador who wishes to opt in to the class action as certified must do so by sending a written notice on or before **DECEMBER 30, 2019**, to Newfoundland and Labrador Sex Abuse Class Action, 117 Queen St, P.O. Box 1000, Niagara-on-the-Lake, Ontario, L0S 1J0. Non-residents of Newfoundland and Labrador who opt in will be bound by the Court's judgment whether favourable or not. By opting in, your name will not be made public.

## **CONTACT INFORMATION**

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Newfoundland and Labrador Sex Abuse Class Action Class Administrators  
117 Queen St., P.O. Box 1000  
Niagara-on-the-Lake, Ontario, L0S 1J0  
Tel (toll-free): **1-866-329-7153**  
Fax: 416-342-1761  
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