**NOTICE OF HEARING FOR**

**SETTLEMENT APPROVAL**

**Somwar et al. v. Fly Jamaica Airways Ltd. et al.**

Aviation Crash Class Action

You are receiving this notice because you were:

* a passenger on Fly Jamaica Flight 0J256 on November 9, 2018, or
* a family member of yours was on Fly Jamaica Flight 0J256 on November 9, 2018

A proposed class action was commenced by John Somwar, Tulsidai Somwar and Shanta Persaud for damages arising from a plane crash that took place on Fly Jamaica Flight 0J256 on November 9, 2018. Because you were a passenger or your family member was a passenger, you may have been affected by the plane crash, and you are a class member.

**You are not being sued. You do not have to pay any legal fees out of your own pocket.**

This notice is to tell you that **a settlement of the proposed class action has been reached.** By entering into this settlement the Defendants have not admitted liability – the settlement is a negotiated compromise of the parties’ positions.

You can review the Settlement Agreement at: Place URL/Hyperlink here

**Under the terms of the Settlement the Defendants will pay a settlement fund totaling up to $5,550,000.00,** which includes all damages to be paid to the Class, legal fees, interest and taxes. In exchange, the Defendants will receive a full and final release from the Class for the claims made against it relating to the plane crash.

Before the Settlement is Final, the Settlement has to be approved by the Ontario Superior Court of Justice. The court hearing to decide if the Settlement is fair, reasonable and in the best interest of the Class, and if it should therefore be approved, is scheduled for **January 10, 2024** and will be heard by videoconference.

|  |
| --- |
| **Topic: Settlement Approval Motion: Somwar v. Fly Jamaica Airways Ltd. et al. -CV-18-00609494-00CP****Time: Jan 10, 2024, 10:00 AM Eastern Time (US and Canada)****Join Zoom Meeting**<https://ca01web.zoom.us/j/64971495987?pwd=VXJhNkVwd1Y2Wm0rVUViNE9jS3JVZz09>**Meeting ID: 649 7149 5987****Passcode: 083720**---Dial by your location• +1 647 374 4685 Canada |

At the same time as the hearing for approval of the Settlement Agreement, the Plaintiffs’ lawyers will ask the Court to approve their legal fees and expenses to be paid from the Settlement Fund. The legal fees requested will be 25% of the Settlement Fund, plus taxes and disbursements, consistent with the Contingency Fee Agreement signed by the Plaintiffs.

**Your legal rights will be impacted if the Settlement is approved.** You have the right to either attend the hearing or to make written submissions to the Court about the Settlement Agreement, including if you wish to object to the terms of the settlement, or about the legal fees to be paid to the Plaintiffs’ Lawyers.

More details about the Settlement, how it will affect you, and how to make submissions to the Court are available on the websites referenced below to get more information.

**Questions about this Notice, the Class Action, or the Settlement can be made to:**

|  |  |
| --- | --- |
| [**HOWIE, SACKS & HENRY LLP**](https://hshlawyers.com/expertise/mass-tort-class-action-litigation/fly-jamaica-crash/)20 Queen Street West, Suite 3500Toronto, ON M5H 3R3 **Valerie Lord**vlord@hshslawyers.com Tel: 416.361.5990 | [**ROCHON GENOVA LLP**](https://www.rochongenova.com/current-class-action-cases/fly-jamaica-flight-oj256/)121 Richmond Street West, Suite 900Toronto, ON M5H 2K1 **Vincent Genova** vgenova@rochongenova.com Tel: 416.363.1867 |
| **CAMP FIORANTE MATTHEWS MOGERMAN LLP** 856 Homer Street, Suite 400Vancouver, BC V6B 2W5**Joe Fiorante** Tel: 604.689.7555 |  |

The Ontario Superior Court of Justice has authorized distribution of this Notice; however, questions about this Notice should NOT be directed to the Court.