

**CANADIAN ABILIFY® AND ABILIFY MAINTENA® CLASS ACTIONS
NOTICE OF SETTLEMENT APPROVAL HEARINGS IN ONTARIO AND QUÉBEC
& NOTICE OF CERTIFICATION OF THE ONTARIO CLASS ACTION**

PLEASE READ CAREFULLY. IGNORING THIS NOTICE WILL AFFECT YOUR LEGAL RIGHTS

of benefits available to ABILIFY® and ABILIFY MAINTENA® Class Members.

WHO IS THIS NOTICE FOR?

This Notice is directed to: All persons in Canada including their estates who:

- were prescribed and ingested ABILIFY® before **February 23, 2017** (“ABILIFY® Class Members”);
- were prescribed and received injections of ABILIFY MAINTENA® between **February 6, 2014** and **December 16, 2016** (“ABILIFY MAINTENA® Class Members”); and
- by virtue of a personal relationship with persons described above are entitled to assert a claim pursuant to the Ontario *Family Law Act* as amended, the *Civil Code of Québec* or equivalent provincial and territorial legislation (“Family Class Members”).

The Canada-wide class actions (the “Class Actions”) allege that the Defendants were negligent in failing to warn Class Members that ABILIFY® and ABILIFY MAINTENA® can cause, contribute to, or exacerbate Compulsive Behaviours and Impulse Control Disorders, specifically, compulsive or pathological gambling, hypersexuality, binge-eating, and compulsive shopping.

The parties have reached a proposed settlement (the “Settlement”), subject to approval of the Ontario Superior Court of Justice and the Superior Court of Québec (the “Courts”).

On March 13, 2020, the Ontario Superior Court of Justice certified a national class action against Bristol-Myers Squibb, Otsuka, and Lundbeck on behalf of the Classes of persons described above. All appeals were completed on February 28, 2022.

Previously, a national class action, which includes individuals in Canada who were prescribed and have ingested and/or used ABILIFY® before February 23, 2017, was authorized by the Superior Court of Québec on December 12, 2019. Notice of authorization of the Québec class action was previously provided on January 6, 2020. The opt-out deadline for ABILIFY® Class Members who did not wish to participate in the Québec Class Action expired on May 31, 2020.

WHAT IS THE PROPOSED SETTLEMENT?

The Settlement provides for the creation of a CDN \$14.75 million Settlement fund, of which approximately CDN \$8.5 million will be used to pay compensation for Approved Claims, including CDN \$368,750 in satisfaction of the claims of the Public Health Insurers, CDN \$595,000 for family Class Members, CDN \$1.7 million for economic losses, the costs of notice (CDN \$170,891.80) and administration (CDN \$204,750), and Court-approved Class Counsel Legal Fees (CDN \$4,425,000) plus disbursements and applicable sales taxes.

Not all Class Members will be eligible for compensation. If the settlement is approved, the proposed Distribution Protocol and Claim Forms, which are also subject to Court-approval, will be made available on the Settlement Website and the websites of Class Counsel and may be requested from the Claims Administrator. The Defendants have denied, and continue to deny, the allegations against them in the Class Actions and have had no role in the determination of Settlement Class Members’ eligibility to participate in the Settlement or the allocation

FOR MORE INFORMATION:

If you have questions about the Settlement and/or would like to obtain more information and/or copies of the Settlement Agreement and related documents, please visit the websites of Class Counsel, [Rochon Genova LLP](#) and [Consumer Law Group Inc.](#) or contact the Claims Administrator at the addresses described below:

MNP Ltd. – Class Actions Claims Administration
2000, 112 - 4th Avenue SW
Calgary, AB, T2P 0H3
abilifysettlement@mnp.ca
Toll-Free: 1 (855) 653-0027

THE SETTLEMENT REQUIRES COURT APPROVAL

For the Settlement to become effective, Court approval is necessary. The Courts must be satisfied that the Settlement is fair, reasonable and in the best interests of Class Members. The Approval Hearings have been scheduled to be heard before the Ontario Superior Court of Justice and the Superior Court of Québec on **December 20, 2024** and **January 8, 2025**, respectively. The Approval Hearing in Quebec will proceed in room 2.08 of the Montreal Court House or in any other room as the Judge sitting in room 2.08 on that day, may designate, subject to any adjournment by the Court without further notice to the Settlement Class members other than that which may be posted on the Settlement Website or on Class Counsel’s website.

RIGHT TO OPT OUT OR TO OBJECT

If you previously opted out of the Québec class action but now wish to participate in the Settlement, you may do so by contacting Class Counsel.

If you are an ABILIFY MAINTENA® Class Member, you have the right to exclude yourself from the Ontario class action and from the Settlement by delivering an **Opt Out form before December 20, 2024** to the Claims Administrator.

If you are an ABILIFY® Class Member, and did not previously opt out of the Québec class action, you may make a request to the Québec Court to opt out of the Settlement by sending a notice to the clerk of the Superior Court of Quebec at 1 Notre-Dame St. East, Montreal, QC, H2Y 1B6, specifying the Court file no. 500-06-000831-160 and attaching a sworn declaration explaining your reasons. If you do not opt out and the Settlement is approved and becomes effective, you will be bound by the Settlement which includes a release of your claims.

Opt Out forms are available online at www.abilifyclassactionsettlement.com, [Rochon Genova LLP](#) and [Consumer Law Group Inc.](#)

If you wish to **object** to the proposed Settlement, you must submit a written objection to the Claims Administrator by **no later than December 20, 2024** at the address listed in this Notice. The Claims Administrator will file copies of all objections with the Court. **Do NOT send an objection directly to the Court.**

You may also attend the Approval Hearings on the date noted above, and if you have submitted a written objection to the Claims Administrator, you may make oral submissions to the Court.

LEGAL FEES

At the Approval Hearings, Class Counsel will request approval for payment of their fees, disbursements and applicable taxes. Class Counsel has pursued this lawsuit on a contingency basis and will seek approval from the Courts for such payment in accordance with the terms of their retainer agreements.

PARTICIPATING IN THE SETTLEMENT

If the Settlement is approved by the Courts, Claimants will have a limited amount of time within which to submit a claim for compensation. If the Settlement is approved, downloadable versions of the Claim Form will be made available online at [Rochon Genova LLP](#) and [Consumer Law Group Inc.](#) and will be processed and finalized by the Claims Administrator if the proposed Settlement is approved. If the settlement is approved, Claim Forms can also be requested from the Claims Administrator. If you intend to submit a claim under the proposed Settlement, you must do so on or before the expiry of the Claim Period, which will be posted on the Settlement Website: www.abilifyclassactionsettlement.com.

WHO REPRESENTS ME? CLASS COUNSEL ARE:

Rochon Genova LLP	Consumer Law Group Inc.
Barristers • Avocats	Attorneys • Avocats
900-121 Richmond St. W.	1030 rue Berri, Suite 102
Toronto, Ontario M5H 2K1	Montreal, Québec H2L 4C3

Joel P. Rochon	Jeff Orenstein
Tel: (416) 363-1867	Tel: 1 (888) 909-7863
contact@rochongenova.com	abilify@clg.org

This Notice has been approved by the Ontario Superior Court of Justice and the Superior Court of Québec