

NOTICE OF COURT ORDER (LONG FORM)

Order for Settlement Approval and Counsel Fee Approval

Horvath v. Jaszi, Court File No. CV-17-579770-00CP

Galamb v. Farkas, Court File No. CV-17-584224-00CP

Rezmuves v. Hohots, Court File No. CV-17-573786-00CP

PLEASE READ THIS NOTICE CAREFULLY. IT MAY AFFECT YOUR RIGHTS

YOU MAY NEED TO TAKE PROMPT ACTION

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A. BASIC INFORMATION

1. Who is this Notice For?

This Notice is for:

All refugee claimants (on their own behalf and on behalf of their spouse, children, grandchildren, parents, grandparents, siblings or dependents):

- (a) who came to Canada from Hungary, and
- (b) who retained either of Viktor Serhey Hohots, Joseph Stephen Farkas and Erzsebet Jaszi (now deceased) between January 1, 2009 through December 31, 2013, to make a refugee application, and
- (c) whose refugee claim failed or did not proceed while they were represented by either of Viktor Serhey Hohots, Joseph Stephen Farkas and Erzsebet Jaszi (now deceased).

2. Why is there a Notice?

On September 11, 2020, the Court approved a settlement of this Class Action (the "Settlement") and fees payable to Class Counsel. The Settlement was found by the Court to be fair, reasonable, and in the best interests of the Class.

This Notice advises Class members that the Settlement was approved, and that Class Counsel's fees and disbursements, were approved. It provides information about the terms of the approved Settlement and the process whereby Class members may submit a claim.

3. What is this action about?

The Class Actions assert that Viktor Serhey Hohots, Joseph Stephen Farkas and Erzsebet Jaszi (now deceased) separately provided negligent legal services to the class members between 2009 and 2013, resulting in the delay or denial of refugee application hearings.

Following several years of negotiations, the plaintiffs and the defendants in the Class Actions reached an agreement to certify and settle the Class Proceedings, subject to approval of the Ontario Superior Court of Justice.

The Class Proceedings were certified by the Court on August 19, 2019. A copy of the Certification Order and Reasons can be found at www.refugeeclassaction.com. Flaherty McCarthy LLP was appointed to represent the class in the Class Actions ("Class Counsel").

The Settlement is a compromise of disputed claims in order to achieve an early full and final resolution of the Class Actions and without any admission or findings of liability or wrongdoing against defendants. The defendants deny any liability and deny the truth of the allegations made against them. If the Settlement is not approved, they will defend the Class Action and oppose certification of the action as a class proceeding.

4. What is the Settlement?

The parties have negotiated a settlement of the Class Actions which has been approved by the Court as fair, reasonable, and in the best interests of the Class. The Settlement is a compromise of disputed claims, without any admission or findings of liability or any wrongdoing whatsoever by the defendants. The defendants deny any liability and deny the truth of the allegations made against them, and if the Settlement had not been approved, they would be defending the Class Action and opposing certification of the Class Action.

The detailed terms of the Proposed Settlement are set out in the settlement agreement between the parties. A copy of it can be found at www.refugeeclassaction.com. Hohots, Farkas and Jaszi will pay a total of \$500,000 to the members of the Hohots Class, Farkas Class and Jaszi class (the "Settlement Funds"), as well as \$50,000 payable for costs, HST and disbursements.

The Settlement Funds will be reduced by Class Counsel fees approved by the Court, as well as administration costs. A portion of the Settlement Funds will be payable to the Class Proceedings Fund.

Once the claims period has expired, payments under the settlement agreement will be distributed directly to Class Members by Ricepoint, appointed by the Court as the Claims Administrator ("the Administrator"). The payments are on the basis of a pro rata (equal share) calculation, to a maximum payment of \$5,000 each. There is no appeal of the administration/distribution of the Settlement Funds.

5. What fees were approved for Class Counsel?

The Court has approved as fair and reasonable: (1) Class Counsel's fees of \$150,000 plus HST for its costs in the Class Actions; and (2) Class Counsel's disbursements in the amount of \$12,500 plus HST. Class Counsel's legal fees of \$150,000 is approximately 30% of the Settlement Fund. Class Counsel have not been paid since the actions were commenced and have been working under a contingency fee arrangement that called for them to be paid 30% of the proceeds of any settlement or judgment. Class Counsel has borne all expenses and risks prosecuting the Class Actions to date.

B. MAKING A CLAIM

1. Who is entitled to make a claim for a portion of the Settlement?

All Class members who do not opt out of this action are entitled to share in the net Settlement Fund, after deduction of legal fees, applicable taxes, disbursements, the payment to the Class Proceedings Fund, and Administration Expenses.

Each Class member who submits a valid claim form will receive one equal share of the Settlement, claimed on his or her own behalf, and on behalf of his or her spouse, children, parents and the parents of his or her spouse.

2. How do I make a claim?

Class Members who wish to receive compensation must mail a completed Claim Form to Class Counsel before January 29, 2021 at 5:00 P.M. (EST). This is the Claims Deadline.

The Claim Form is available at www.refugeeclassaction.com under the Settlement Information section.

Claimants will be required to provide proof of their identity and attest to various statements.

If you do not deliver a claim form by the Claim Deadline, then you will not be able to receive a portion of the Settlement Fund.

3. Who determines if I have a valid claim?

Due to the complexities of the Class Actions and the need to maximize the amount payable to class members, the parties have agreed, and the Court has approved, a Claims Process principally administered by Class Counsel.

Class Counsel will provide the Claim Form on its website and other social media platforms, and shall collect completed Claims Forms until the expiry of the Claims Deadline. Class Counsel shall communicate with claimants should there be any deficiencies with the Claim Form.

Upon expiry of the Claims Deadline, Class Counsel shall consult with counsel for the defendants to determine and, where possible, confirm that claimants are valid class members who are entitled to a share of the Settlement Fund. Any disagreement between Class Counsel and counsel for the defendants can be resolved by returning to Court for a Judge to decide.

Upon expiry of the Claims Deadline, and after consultation with counsel for the Defendants, Class Counsel shall direct the court-appointed Administrator, in this case Ricepoint, to make payments by cheque payable to valid claimants, to be mailed to their designated address as indicated on the Claim Form. It will be the sole responsibility of the class member to deposit or cash the cheque.

C. GETTING MORE INFORMATION

For more information, or if you have any questions, please contact Class Counsel at the address below:

FLAHERTY MCCARTHY LLP
ATTENTION: SEAN A. BROWN
TORONTO-DOMINION CENTRE
95 WELLINGTON STREET WEST, SUITE 1000
TORONTO, ON M5J 2N7
EMAIL: INFO@REFUGEECLASSACTION.COM

THIS NOTICE WAS APPROVED BY THE ONTARIO SUPERIOR COURT OF JUSTICE.

ROMA CLASS PROCEEDINGS – CLAIM FORM

You MUST submit this Claim Form to the following address before January 29, 2021 at 5:00 P.M. (EST):

**ROMA REFUGEE CLASS PROCEEDING
FLAHERTY MCCARTHY LLP
TORONTO-DOMINION CENTRE
95 WELLINGTON STREET WEST, SUITE 1000
TORONTO, ON M5J 2N7**

1. Please print or type clearly:

Name (the full name and correct spelling that you used when you retained your lawyer)	
Email	
Address	
Telephone	
Client of (choose only one)	<input type="checkbox"/> Viktor Serhey Hohots <input type="checkbox"/> Joseph Stephen Farkas <input type="checkbox"/> Erzsebet Jaszi
Years during which I was represented:	<input type="checkbox"/> 2009 <input type="checkbox"/> 2012 <input type="checkbox"/> 2010 <input type="checkbox"/> 2013 <input type="checkbox"/> 2011

2. You MUST provide a photocopy of your Government-issued identification (front and back) with this completed Claim Form. Your claim may not be considered or approved if you do not provide proof of your identity.

3. If your claim will be considered, you MUST place a check in EACH box:

- I solemnly affirm and attest that I understand that my Claim may be denied if I complete my Claim Form in a manner making it difficult to read or understand, if I fail to provide the required proof of identity, and/or if I fail to check every box below;
- I solemnly affirm and attest that I was a client of either Viktor Serhey Hohots, Joseph Stephen Farkas or Erzsebet ("my Lawyer") between 2009 and 2013;
- I solemnly affirm and attest that I am making a claim on behalf of myself, my spouse, my children, my parents and the parents of my spouse;
- I solemnly affirm and attest that, while represented by my lawyer, my initial claim for refugee status was denied at first instance, including whether my Immigration Hearing was dismissed, withdrawn or otherwise not heard at first instance;
- I solemnly affirm and attest that I waive solicitor and client privilege by completing and submitting the Claim Form;
- I solemnly affirm and attest that I understand my claim, if approved, may result in a cheque being provided to me that I must deposit or cash at a bank or financial institution of my choice, and I hereby release and discharge Class Counsel and Counsel for the Defendants should I be unable to deposit or cash the cheque;
- I solemnly affirm and attest that I understand my claim, if denied, permits me to appeal the decision to the Ontario Superior Court of Justice In Toronto;
- I solemnly affirm and attest that I understand that by completing this Claim Form, I hereby release Viktor Serhey Hohots, Joseph Stephen Farkas or Erzsebet Jaszi from all claims, demands, actions, suits, causes of action (whether class, individual or otherwise in nature; whether personal or subrogated, including assigned claims; whether known or unknown; asserted or unasserted; regardless of the legal theory, existing now or arising in the future) by any or all of the Plaintiffs or the Class Members, arising out of or relating in any way to the legal representation provided by anyone of the Defendants to any of the Plaintiffs, and any claims which were raised or could have been raised in the Actions. Released Claims include, without limitation: (i) all claims for damages including but not limited to punitive, aggravated, statutory and other multiple damages or penalties of any kind, known or unknown, suspected or unsuspected, actual or contingent, liquidated or unliquidated, in law, under statute, or common law or in equity, and (ii) remedies of whatever kind or character, known or unknown, that are now

recognized by law or equity or that may be created and recognized in the future by statute, regulation, judicial decision, or in any other manner, including but not limited to injunctive and declaratory relief; recovery for economic or business losses or disgorgement of revenues or profits and restitutions, and (iii) costs, expenses, class administration expenses, and lawyers' fees (including Class Counsel Fees), and (iv) prejudgment and post-judgment interest.

4. You MUST date and sign this Claim Form for it to be valid:

Date

Signature