

**2011 MACBOOK PRO LAPTOP (15" OR 17" SCREEN)
MANUFACTURED BY APPLE
QUEBEC CLASS ACTION SETTLEMENT
NOTICE OF COURT ORDER APPROVING THE SETTLEMENT
CHARBONNEAU V. APPLE CANADA INC. ET AL. CLASS ACTION
(Court File N°: 500-06-000722-146)**

This Notice concerns you:

**If you live in Quebec and purchased, own, or owned a 15" or 17"
2011 MacBook Pro Laptop ("Device(s")),**

-or-

If you live elsewhere but purchased such a Device in Quebec.

PLEASE READ THIS NOTICE CAREFULLY.

THIS CLASS ACTION SETTLEMENT HAS BEEN APPROVED BY THE COURT.

WHAT IS THE ACTION ABOUT?

In December 2014, a class action was commenced in Quebec against Apple Canada Inc. and Apple Inc. (collectively, "**Apple**") alleging that the 15" and 17" 2011 MacBook Pro Laptops manufactured by Apple (the "**Device(s)**") suffer from a graphics issue (the "**Class Action**").

On October 5, 2018, the Honourable Justice Peacock of the Superior Court of Quebec issued a revised rectified judgment authorizing the Class Action and ascribing the status of representative to Mr. René Charbonneau on behalf of the following Class:

1. *all persons in Quebec, who purchased and/or own a 2011 MacBook Pro Laptop with a 15 inch or 17 inch screen; and*
2. *all persons, who purchased in Quebec a 2011 MacBook Pro Laptop with a 15 inch or 17 inch screen;*
("Class" or "Class Members").

This Class Action has now been settled, as will be described below.

SETTLEMENT APPROVED

The parties have negotiated a settlement of the Class Action (the "**Settlement Agreement**"), which has been approved by the Superior Court of Quebec on May 11, 2021 as fair, reasonable and in the best interests of the Class.

The Defendants deny any liability and deny the truth of the allegations made against them. The settlement (as described below) is a compromise of disputed claims in order to achieve an early full and final resolution of the Class Action, without any admission or findings of liability or wrongdoing against Defendants.

THE SETTLEMENT TERMS

This Notice provides a summary of the settlement terms. Further details of the settlement, including a copy of the Settlement Agreement and other relevant Judgments, notices or proceedings may be found on the Settlement Website at www.laptopgraphicsclassaction.com.

The Settlement Agreement provides that Defendants agree to pay \$5,344,575.00 in settlement of the Class Action, as described below (the “**Total Settlement Fund**”). The Total Settlement Fund is inclusive of any and all Class Member claims, interest, all costs, including but not limited to settlement administration costs, class notice publication costs, distribution costs, third-party costs, out-of-pocket costs, and taxes, though it does not include Class Counsel Fees payable to the attorneys representing Class Members, which will be paid separately by Apple and do not affect the amount payable to Class Members.

In return for the Total Settlement Fund, Defendants will receive a release from all Class Members and a declaration of settlement out of court of the Class Action.

The attorneys representing the Class (“**Class Counsel**”) are the firm of Lex Group Inc. (c/o Mtre David Assor), which can be contacted at www.lexgroup.ca.

HOW TO RECEIVE YOUR SHARE OF THE SETTLEMENT FUNDS

Direct Group

The Direct Group is comprised of individuals associated with 15,936 Devices, which Apple has identified from its records as either having received service from Apple for a graphics issue (the Service Group), or about which Apple was contacted for an alleged graphics issue but for which no service was obtained (the Complaint Group). If you are a member of the Direct Group based on Apple’s records, you will receive a Short Form Notice by email confirming this. If this is the case, you will receive up to \$175.00 per Device. This amount will be sent directly to you by cheque at the last known address that Apple has on record for you. (If Apple has your email address but no postal address, you will receive a different Short Form Notice explaining how you will receive your payment.)

Note that your cheque will remain valid for 7 months from issuance, following which it will be considered stale-dated and will be cancelled by the Claims Administrator (and cannot be replaced thereafter).

No further action will be required on your part to receive the payment unless (i) you wish to modify the mailing address for the cheque or (ii) you wish to receive the funds electronically.

You may go onto the Direct Group online portal of the Claims Administrator’s Settlement Website at www.laptopgraphicsclassaction.com before **October 01, 2021** in order to confirm your mailing address, modify your mailing address, or switch to electronic payment, using the individualised ID number and/or login credentials to access the Settlement Website enclosed with the Short Form Notice you receive.

Within approximately 30 days following **October 01, 2021**, the Claims Administrator will distribute up to \$175.00 to you. If there is more than one individual (Direct Group member) associated with a single Device, then the \$175.00 payment will be divided evenly among them.

Reimbursement Group

You may also have a right to file a claim under the Reimbursement Group if you paid for repairs to your Device but did not receive a reimbursement from Apple, subject to the acceptance of your claim (“**Reimbursement Claim**”) by the Claims Administrator.

In order to make a valid Reimbursement Claim, you must submit a valid and timely Reimbursement Claim Form to the Claims Administrator via the Settlement Website's online claim portal at www.laptopgraphicsclassaction.com. In the Reimbursement Claim Form, you will have to include your full name and email address and attest that:

- The graphics issue affected your Device before January 1, 2017;
- You paid for a repair (including without limitation, changing or repairing the logic board or graphics chip of the Device, resoldering the chips or other Device components, bypassing a graphics chip);
- The repair was due to a graphics issue affecting your Device; and
- You were not reimbursed for the repair.

You must attest to the above by checking the relevant box in the Reimbursement Claim Form. Failure to do so will render the Reimbursement Claim deficient.

A receipt for the repair, in the form of an original receipt, an email receipt, or a photocopy of a receipt or other sufficient proof to be accepted by the Claims Administrator (at its discretion) ("**Receipt for Repair**") must be provided to the Claims Administrator together with the Reimbursement Claim Form. The Receipt for Repair must be dated on or before December 31, 2017.

The Reimbursement Claim Form must be submitted to the Claims Administrator online or postmarked on or before **October 1, 2021** for the Claim to be valid.

Within approximately 30 days following **October 1, 2021**, and if your claim is accepted by the Claims Administrator, you will receive up to the full reimbursement of the amount indicated on the submitted Receipt for Repair of the graphics issue. You will receive this amount either electronically or by mail, as specified in the Reimbursement Claim Form.

In the event that the total amount of approved claims for the Reimbursement Group surpasses \$750,000.00, the Reimbursement Group members will be paid on a pro rata basis, following the same distribution procedure described above.

Remaining Group

You may have a right to file a claim under the Remaining Group if you experienced a graphics issue with your Device prior to January 1, 2017, subject to the acceptance of your claim ("**Remaining Claim**") by the Claims Administrator. **To be in the Remaining Group, you must not already be in the Direct Group described above.**

In order to make a valid Remaining Claim, you must submit a valid and timely Remaining Claim Form to the Claims Administrator via the Settlement Website's online claim portal at www.laptopgraphicsclassaction.com. In the Remaining Claim Form, you will have to include your full name and email address and attest to the following:

- You owned a Device;
- You experienced a graphics issue with your Device prior to January 1, 2017;
- You are not part of the Direct Group (the Service Group nor the Complaint Group).

You must attest to the above by checking the relevant box in the Remaining Claim Form. Failure to do so will render the Remaining Claim deficient.

In the Remaining Claim Form, sufficient proof (which may include your current or past contact information) must be provided to the Claims Administrator in order to confirm or establish that you purchased or owned a Device. This information or proof will be verified by the Claims Administrator.

The Remaining Claim Form must be submitted to the Claims Administrator online or postmarked on or before **October 01, 2021** for the Claim to be deemed valid.

Within approximately 30 days following **October 01, 2021**, if your claim is accepted by the Claims Administrator, you will receive a payment of up to \$175.00. You will receive this amount either electronically or by mail, as specified in the Remaining Claim Form.

In the event that more than one claim is made for a single Device in the Remaining Group, the \$175.00 payment will be divided evenly among all claimants associated with that Device, following the same distribution procedure described above.

NOTE: Class Members cannot be members of both the Direct Group and the Remaining Group for a single Device. However, any Class Member of one of these groups can also be a member of the Reimbursement Group.

INTERPRETATION

If there is a conflict between the provisions of this Notice and the Settlement Agreement, the terms of the Settlement Agreement will prevail.

QUESTIONS ABOUT THE SETTLEMENT SHOULD BE DIRECTED TO THE CLAIMS ADMINISTRATOR RICEPOINT ADMINISTRATION INC. AS BELOW:

CLAIMS ADMINISTRATOR:

**Laptop Graphics Class Action Administrator
c/o RicePoint Administration Inc.
P.O. Box 4454, Toronto Station A
25 The Esplanade
Toronto, ON M5W 4B1
1-866-810-0904**

www.laptopgraphicsclassaction.com

NOTE: any cheque issued under the settlement will remain valid for 7 months from issuance, following which it will be considered stale-dated and will be permanently cancelled by the Claims Administrator (and cannot be replaced thereafter).

**THE PUBLICATION OF THIS NOTICE TO CLASS MEMBERS
HAS BEEN APPROVED AND ORDERED
BY THE SUPERIOR COURT OF QUEBEC.**