

**NOTICE OF AUTHORIZATION OF A NATIONAL CLASS ACTION AND SETTLEMENT
AUTHORIZED BY THE SUPERIOR COURT OF QUÉBEC**

If you attempted to purchase a laptop on lenovo.com between May 22 and 24, 2014, and your order was subsequently cancelled, your right may be impacted by the approval of the current class action.

On June 12, 2014, Mr. Sébastien Crête (the “**Representative**”) filed a *Motion to Authorize the Bringing of a Class Action* (the “**Application for Authorization**”) against Lenovo (Canada) Inc. (hereinafter “**Lenovo**”) regarding order for laptop models Y410p, 2510, Y510p, 2710, 3510 or U530 (“**Lenovo Laptop**”) made on Lenovo’s website (lenovo.com) between May 22 and 24, 2014, that were subsequently cancelled. The Representative believes that Lenovo breached the *Consumer Protection Act*, as well as the consumer laws of other provinces of Canada. Lenovo denies any wrongdoing, and no court has concluded in any wrongdoing by Lenovo.

The parties have reached a settlement before the class action was authorized and without any admission of liability on the part of Lenovo. This settlement is subject to the approval of the Superior Court.

The judgment authorizing this class action and the proposed settlement may affect your rights, whether you take action or not. Please read this notice carefully.

Your Rights Regarding This Class Action:	
OPT OUT	If you opt out, you will not be bound by the proposed settlement if the settlement is approved by the Court or receive any payment if the Court grants a final decision in favour of the Representative. This option allows you to pursue your own lawsuit against Lenovo.
OBJECT	If you disagree with the proposed settlement, you can object to it and your objection will be considered by the Court when deciding whether to approve the settlement.
DO NOTHING	If you are a class member and you agree with the purpose of this class action and the proposed settlement, you have nothing to do to participate in this class action.

These rights – **and the deadline for exercising them** – are explained in this notice.

QUESTIONS?

Contact the Settlement Administrator or Class Counsel at:

Settlement Administrator

Paiements Velvet Payments inc.

1-5900, Avenue Andover,
Ville de Montréal, Montréal
(Québec) H4T 1H5

Téléphone: 514-746-4646

lenovo@velvetpayments.com

Class Counsel

M^{es} Benoit Marion et Myriam Donato

BMDM avocats s.e.n.c.r.l.

1170, Place du Frère-André, bureau 200
Montréal (Québec) H3B 3C6

Téléphone : 514 418-8233

Courriel : bmarion@bmavocats.ca

mdonato@bmavocats.ca

or visit <https://velvetpayments.com/lenovo> and www.bmmdavocats.ca

THE CLASS ACTION

1. Why are you receiving this notice?

On June 12, 2014, the Representative filed the Application for Authorization against Lenovo. Since then, the parties have reached a settlement before the class action was authorized.

On December 7, 2023 the Representative presented the Court with an application to authorize the proposed class action for settlement purposes only. On December 14, 2023, the Court authorized the Representative to institute a class action in the judicial District of Montreal on behalf of the class members against Lenovo, for settlement purposes only.

The Court has not taken a position as to the truth or merit of the claims or defences asserted by either side. The allegations made by the Representative have not been proven in Court.

This notice explains how the class action works, who the class members are, and what their rights are.

2. What is a class action?

It is a legal procedure instituted by an individual called the “Representative Plaintiff” on behalf of everyone with similar claims, called the “class”. A class action allows the Court to rule on the dispute regarding all class members, except for those who choose to opt out. In this class action, Mr. Crête acts as the class Representative.

3. What is this class action about?

The Representative instituted a class action against Lenovo regarding the cancellation of orders of Lenovo Laptops. The Representative argues that Lenovo contravened the *Consumer Protection Act* (as well as the consumer laws of other provinces of Canada) by cancelling orders of Lenovo Laptops after their purchase due to an alleged pricing error. The Representative alleges that Lenovo failed in its obligation to honour the orders at their advertised price and that Lenovo committed prohibited and deceptive practices. Lenovo denies any wrongdoing, and no court has concluded to any wrongdoing by Lenovo.

Lenovo Laptops include laptops models Y410p, 2510, Y510p, 2710, 3510 and U530 offered by Lenovo.

THE CLASS MEMBERS

4. Who is a class member?

You are a class member if you are a person who ordered a Lenovo Laptop from Lenovo’s website (lenovo.com) between May 22 and 24, 2014 and whose order was cancelled due to a price error.

5. How do I participate in this class action?

If you are a class member and agree with this class action against Lenovo and the proposed settlement, you have nothing to do to participate in this class action.

SETTLEMENT AGREEMENT APPROVAL HEARING

6. What is the proposed settlement?

Lenovo agreed to settle the class action in exchange for a full release of the claims against it relating to the purchase or attempted purchase of Lenovo Laptops between May 22 and May 24, 2014.

The Settlement Agreement provides for the following, subject to Court approval:

1. Lenovo shall pay a maximum amount of \$250,000 (the “**Settlement Amount**”).
2. The Settlement Amount will be used to pay all escrow charges and taxes related to the Settlement Amount, all notice and administration costs, Class Counsel’s legal fees and expenses, the percentage owing to the Quebec *Fonds d’aide aux actions collectives* and the payment to the OPEQ – Ordinateurs pour les écoles du Québec.
3. Class Counsel’s legal fees and expenses to be paid from the Settlement Amount shall not exceed \$45,000.
4. Given that the distribution of an amount to each class member would be impracticable, and too costly, if there is any money remaining of the Settlement Amount after all notice and administration costs, Class Counsel’s fees and expenses payments and the percentage owing to the Quebec *Fonds d’aide aux actions collectives* are paid, the remaining funds shall be paid to the OPEQ – Ordinateurs pour les écoles du Québec for the supply of computer equipment to Canadian schools and non-profit organizations.

The Settlement Agreement and documents pertaining to this class action are available at <https://velvetpayments.com/lenovo>.

7. What is the next step regarding the proposed settlement?

The Superior Court of Québec must approve the Settlement Agreement before it can take effect. The Court will review the terms of the Settlement Agreement to ensure that they are fair, reasonable and in the best interests of the class members.

The Final Approval Hearing will take place on **February 29, 2024 at 2:00 p.m.** before the Superior Court of Québec, at the Montreal Courthouse, 1 Notre-Dame Street East, in Montreal, Quebec, in courtroom **2.08 or any court room where this matter will be transferred**. At this hearing, the Court will consider written objection filed prior to **February 23, 2024**, by class members regarding the proposed Settlement Agreement and will listen to people who have made a written request to speak at the hearing within the same deadline. Class members who do not oppose the proposed settlement are not required to attend this hearing or to take any action to indicate that they intend to be bound by it.

OPTING OUT: This is your only chance to opt out from the class action

8. What happens if I opt out?

If you decide to opt out of the class action, you retain your right to institute your own lawsuit against Lenovo regarding the cancelled orders of Lenovo Laptops and you will not be bound by the judgments rendered by the Court in this class action.

9. What happens if I do not opt out or if I do nothing?

If you do not opt out of the class action or if you do nothing, you will be bound by the settlement if the settlement is approved by the Court. As such, you give up your right to institute your own lawsuit against Lenovo regarding the cancelled orders of Lenovo Laptops and will be bound by the judgments rendered by the Court in this class action.

10. How do I opt out?

If you do not wish to be part of this class action, you can opt out by **sending to the clerk of the Superior Court a signed letter** containing the following information:

- The class action file number and name: 500-06-000697-140 (*Crête v. Lenovo (Canada) Inc.*).
- Your name, current address and telephone number.
- Your statement: "I am a class member and I wish to opt out of the class action".
- Your signature.

You must send your letter by mail, with a copy by email to Class Counsel, by **February 5, 2024**, at the following addresses:

<p><u>TO:</u></p> <p>Clerk of the Superior Court of Québec File: 500-06-000697-140 Montreal Courthouse 1, Notre-Dame East Street, Suite 1.120 Montréal (Québec) H2Y 1B6</p>	<p><u>WITH COPY TO:</u></p> <p>M^{es} Benoit Marion et Myriam Donato BMMD avocats s.e.n.c.r.l. 1170, Place du Frère-André, bureau 200 Montréal (Québec) H3B 3C6 Téléphone : 514 418-8233 Courriel : bmarion@bmavocats.ca mdonato@bmavocats.ca</p>
--	---

OBJECTING TO THE PROPOSED SETTLEMENT

11. What should I do if I disagree with the proposed settlement?

If you disagree with the Settlement Agreement but you do not wish to opt out of the class action, you can object to the Settlement Agreement by delivering a written submission on or before **February 23, 2024**, filed with the Court containing the following information or request by the same date to appear in person:

- A heading referring to this proceeding (*Crête v. Lenovo (Canada) Inc.* – 500-06-000697-140).
- Your name, current address, and telephone number and, if represented by counsel, the name of your counsel.
- A statement that you ordered one or more Lenovo Laptops during the period of time described in the settlement class definition.
- A statement whether you intend to appear at the Final Approval Hearing, either in person or through counsel.
- A statement of the objection and the grounds supporting the objection.
- Copies of any papers, briefs, or other documents upon which the objection is based.
- Your signature.

You must send your letter or request by mail, with a copy by email to Class Counsel and Lenovo’s Counsel, at the following addresses:

<p><u>TO:</u> Clerk of the Superior Court of Québec File: 500-06-000697-140 Montreal Courthouse 1, Notre-Dame East Street, Suite 1.120 Montréal (Québec) H2Y 1B6</p>	<p><u>WITH COPIES TO:</u></p> <p>M^{es} Benoit Marion et Myriam Donato (Class counsel) BMDM avocats s.e.n.c.r.l. 1170, Place du Frère-André, bureau 200 Montréal (Québec) H3B 3C6 Téléphone : 514 418-8233 Courriel : bmarion@bmavocats.ca mdonato@bmavocats.ca</p>
	<p>Mtre. Simon J. Seida (Lenovo’s Counsel) Blake, Cassels & Graydon LLP 1 Place Ville Marie, Suite 3000 Montreal, Quebec, Canada H3B 4N8 simon.seida@blakes.com</p>

The Court cannot change the terms of the settlement. Any objections will be used by the Court to consider whether to approve the settlement.

CLASS COUNSEL

12. Who are the lawyers working on this class action?

The law firm BMMD avocats s.e.n.c.r.l. represents the Representative, and therefore, the class members. You may contact Class counsel using the contact information found at the end of this notice.

13. Are there fees for the class members?

You do not have to pay the lawyers working on this class action. Class Counsel have taken this case on a contingency agreement, and their legal fees and disbursements will be paid from the Settlement Amount, subject to Court approval.

If the settlement is approved by the Court or if the Court grants a final decision in favour of the Representative, the lawyers representing the Representative and the class members will be paid from the damages awarded through the class action or from the Settlement Amount, as the case may be. The Court will decide on the reasonableness of the fees and costs requested by Class Counsel.

FOR MORE INFORMATION

If you have questions, you can contact the Settlement Administrator by email or Class Counsel, the law firm BMMD s.e.n.c.r.l., by mail, email or phone. Your name and any information provided will be kept confidential. **Please do not contact Lenovo, nor any of the judges of the Superior Court.**

Settlement Administrator

Paiements Velvet Payments Inc.
1-5900, Avenue Andover,
Ville de Montréal, Montréal
(Québec) H4T 1H5
Téléphone: 514-746-4646
lenovo@velvetpayments.com

Class Counsel

M^{es} Benoit Marion et Myriam Donato
BMMD avocats s.e.n.c.r.l.
1170, Place du Frère-André, bureau 200
Montréal (Québec) H3B 3C6
Téléphone : 514 418-8233
Courriel : bmarion@bmavocats.ca
mdonato@bmavocats.ca

This notice has been approved by the Superior Court of Quebec.