

## SCHEDULE B – NOTICE OF DISCONTINUANCE

### LEGAL NOTICE

#### NOTICE OF CLASS ACTION DISCONTINUANCE

**Have you ever worked for Cineflix? A class action brought on behalf of Cineflix workers has been discontinued in part. This discontinuance might affect you. Please read this notice carefully.**

Dear Current and Former Cineflix Employees and Contractors,

#### ***Notice of Discontinuance***

The Ontario Superior Court is being asked to approve a settlement in a class action against Cineflix. However, the following people who worked for Cineflix only in one or more of the following roles are *not* included in the settlement and will not receive any monies as part of the settlement:

- Persons who worked for Cineflix in Ontario only prior to October 6, 2016;
- Persons who worked for Cineflix in Ontario between October 6, 2016 and September 1, 2021 in pre-production, and/or production, and/or post-production job classifications in any of the following roles:
  - Any job in respect of which an individual's terms of work are covered by a collective agreement;
  - Any actors or other on-screen talent; and
  - Any jobs of any sort relating to work on scripted productions.

As a result, the class action brought on behalf of the people described above **has been discontinued**.

You are receiving this notice because we think you are someone who falls into the group above on whose behalf the class action has been discontinued. Although the action on behalf of those workers has been discontinued, you may wish to start your own legal claim against Cineflix. Please read this notice carefully for more information.

The Ontario Superior Court authorized this notice. This is not a solicitation from a lawyer.

#### ***What is the class action about?***

A former Cineflix worker, Anna Bourque (the "**Representative Plaintiff**"), sued Cineflix on behalf of employees and contractors who worked for Cineflix in its pre-production,

production, and post-production departments since the year 2000. This class action lawsuit claimed:

- Cineflix misclassified some of its workers as "independent contractors" when they were in fact "employees";
- As a result, Cineflix did not compensate these workers for overtime, public holiday pay, and vacation pay; and,
- Additionally, Cineflix did not compensate its employees for the overtime hours they also worked.

Cineflix has denied all of these allegations. There has been no adjudication on the merits of the claims in the Class Action.

After extensive litigation and settlement discussions, Ms. Bourque and Cineflix reached a settlement. The Ontario Superior Court has approved this agreement.

***I only ever worked for Cineflix before October 6, 2016. What does the settlement mean for me?***

Part of the settlement is that the class action on behalf of those who only worked at Cineflix before October 6, 2016 has been discontinued. If you only worked at Cineflix before that date, you are no longer part of the class action. The settlement does not apply to you, and does not affect your ability to pursue any cause of action that had been advanced on your behalf in this class action.

If you would like to start your own legal claim against Cineflix in respect of any causes of action raised in this class action, you should investigate whether you can commence that claim and by which date, because your claim might be barred or might become legally barred by time limits that apply. If you would like to pursue legal action against Cineflix, we recommend you take all necessary legal steps—including seeking legal advice—to protect any claim you may have. You are responsible for your own legal fees.

***I worked at Cineflix on or after October 6, 2016, but only on a scripted production. What does the settlement mean for me?***

Part of the settlement is that the class action has been discontinued on behalf of those who only worked at Cineflix between October 6, 2016 and September 1, 2021 in one or more of the following roles:

- Any job in respect of which an individual's terms of work are covered by a collective agreement;
- Any actors or other on-screen talent; and
- Any jobs of any sort relating to work on scripted productions.

If you would like to start your own legal claim against Cineflix in respect of any causes of action raised in this class action, you should investigate whether you can commence that claim and by which date, because your claim might be barred or might become legally barred by time limits that apply. If you would like to pursue legal action against Cineflix, we recommend you take all necessary legal steps—including seeking legal advice—to protect any claim you may have. You are responsible for your own legal fees.

***I worked before October 6, 2016, but I also worked at Cineflix on or after October 6, 2016 in a job that isn't described above. What does the settlement mean for me?***

If you also worked for Cineflix from October 6, 2016 onwards in a job that isn't described above, you remain part of the class.

***I worked at Cineflix after October 6, 2016 as an actor or on a scripted production, but I also worked at Cineflix on or after October 6, 2016 in a job that isn't described above. What does the settlement mean for me?***

If you also worked for Cineflix from October 6, 2016 onwards in a job that isn't described above, you remain part of the class.

***I worked for Cineflix as corporate staff for the business generally, not in respect of just one or a handful of specific productions. What does this settlement mean for me?***

If you only worked for Cineflix as corporate staff, such as administrative, professional, accounting or similar staff, and your engagement did not arise in respect of only a specific production or specific productions, then you were never included in this class action. Neither the settlement nor this discontinuance apply to you.

For more information on how the settlement might apply to you, please visit [www.cavalluzzo.com/cineflixclassaction](http://www.cavalluzzo.com/cineflixclassaction). You may also contact Class Counsel at:

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