

NOTICE OF HEARING
For Settlement Approval and Class Counsel Fee Approval in BlackBerry Class Action

***Parker v BlackBerry Limited*, Court File No. 17-71659**

This is a formal Notice, approved by the Ontario Superior Court of Justice

TO: All persons in Canada who were employees and/or dependent contractors of BlackBerry Limited (“BlackBerry”), who worked for BlackBerry in Canada, and who were offered and accepted employment with the Ford Motor Company of Canada (“Ford”) between January 1, 2017 and April 30, 2017, while excluding BlackBerry employees who filed a complaint pursuant to section 96 of the *Employment Standards Act, 2000* seeking termination pay and/or severance pay and did not withdraw that complaint within two weeks (the “**Class Members**”).

**A SETTLEMENT HAS BEEN REACHED IN THIS CASE, SUBJECT TO COURT
APPROVAL**

PLEASE READ THIS NOTICE CAREFULLY as it provides important information about the proposed settlement, distribution of settlement funds, and Class Members’ rights in respect of the settlement and proposed distribution

WHAT SETTLEMENT HAS BEEN REACHED?

The Representative Plaintiff and BlackBerry have reached a proposed settlement for a total, all-inclusive payment of CDN \$4 million (including in respect of legal costs, interest, and administration expenses) (the “**Gross Settlement Funds**”). The Gross Settlement Funds, plus any interest, and less court-approved legal fees, disbursements, honoraria for the four instructing Class Members, administration expenses, and any applicable taxes, are available for compensation to eligible Class Members (“**Net Settlement Funds**”). The amount paid to Class Members will be in respect of general damages, meaning that it is non-taxable.

BlackBerry expressly denies any wrongdoing or liability. The proposed settlement will resolve the litigation entirely.

The settlement and Class Counsel’s fees are subject to the Court’s approval. The Court will hold a hearing to decide whether to approve the settlement and whether to approve Class Counsel’s fees **on July 30th, 2025 at 10:00 a.m. (“Settlement Approval and Class Counsel Fee Approval Hearing”)**. Class Members and members of the public may, but are not required to, attend the Settlement Approval and Class Counsel Fee Approval Hearing. Class Members are entitled to object to the settlement.

WHO QUALIFIES FOR COMPENSATION?

Class Members who did not opt out of the Class Action, and who completed at least three months of service with BlackBerry, qualify for compensation.

WHAT HAPPENS TO THE SETTLEMENT MONEY?

The Plaintiff will seek approval from the Court for a method of distributing the settlement funds.

After the proposed allocation to legal fees (\$1.9 million in legal fees, disbursements, and administrative costs for distributing the settlement funds) and the allocation to the honoraria (\$25,000.00 for the Representative Plaintiff and \$15,000.00 for each of the three other instructing Class Members, totaling \$70,000.00), there will be \$2,030,000.00 to distribute to Class Members as Settlement Funds. The \$2,030,000.00 will be paid taking into account Class Members' years of service with BlackBerry as of February 28, 2017, allocated as follows:

- 1) Class Members with less than 3 months' service will not receive any settlement funds
- 2) The remaining Class Members will be divided into two tiers:
 - a. Tier 1: Class Members with less than 5 years' service
 - b. Tier 2: Class Members with 5 or more years' service
- 3) The Payment will be made in two installments. The first installment will be paid as follows:
 - a. Tier 1: \$400 per complete or partial year of service
 - b. Tier 2: \$800 per complete or partial year of service
- 4) The balance of the Settlement Funds following the first installment payments will be referred to as a "Holdback". Class Counsel estimates that the Holdback should be approximately \$172,248.77 plus interest. Once the first installments are paid to all eligible Class Members who have completed the Claim Administration Form, but not later than March 2, 2026, the entire Holdback will be distributed as a second installment to eligible Class Members who have completed a Claim Administration Form as follows:
 - a. The Holdback shall be paid on a prorated basis to all Class Members in the same proportion as the first installment
 - b. The Holdback for each Class Member shall be calculated as follows:
 - i. The Holdback amount will be divided by half the cumulative sum of the total years of service of all Tier 1 Class Members and the full cumulative sum of all Tier 2 Class Members (hereinafter referred to as the "Holdback Multiplier")
 - ii. Each Class Member shall receive:
 1. Tier 1: the Holdback Multiplier times half of their years of service (including partial years of service)
 2. Tier 2: the Holdback Multiplier times their years of service (including partial years of service)

WHAT ARE CLASS MEMBERS' RIGHTS AND OPTIONS?

Do nothing If the Court approves the Settlement Agreement, Class Counsel will contact you (if you are an eligible Class Member) via email and/or mail to advise you of the approval. At that point, you will need to fill out a **Claim Administration Form** by December 31, 2025, to ensure that Class Counsel has your correct length of service with BlackBerry and contact details so that you can receive compensation from the settlement.

Class Counsel will also post information on their website advising Class Members of the approval of the settlement and providing a link for Class Members to complete the Claim Administration Form. You should periodically check Class Counsel's website to stay current on the Class Action.

Object Class Members have the right to object to the proposed settlement. If you want to object to the proposed settlement, you must send your written submissions (setting out your objection) to Class Counsel by **June 30th, 2025**. You can access the **Objection Form** at <https://nelliganlaw.ca/wp-content/uploads/2025/04/Objection-Form.pdf>

The submissions must include:

- Your name, address, and telephone number;
- A summary of the reasons you oppose the proposed settlement; and
- Whether you plan to attend the Settlement Approval and Class Counsel Fee Approval Hearing.

If you object to the settlement, you are asking the Court to not approve it. If the Court does not approve the settlement, there will be no settlement proceeds at this time, and there may never be money to distribute to Class Members in the future.

If the Court does not approve the settlement, then the Class Action will continue.

Submissions will be shared with the Court and BlackBerry.

WHERE CAN I GET MORE INFORMATION?

Further information is available at: <https://nelliganlaw.ca/class-actions/blackberry/>

You can also contact Class Counsel at:

Nelligan Law
300-50 O'Connor Street, Ottawa, ON K1P 6L2
613-238-8080

blackberryclassaction@nelliganlaw.ca

This Notice is only a summary. More details can be found on the Long Form Notice (<https://nelliganlaw.ca/wp-content/uploads/2025/04/Long-Form-Notice-of-Hearing.pdf>) and on Class Counsel's website, hyperlinked above.