

Publication Notice

Fort McMurray Class Action Notice against ATCO Gas and Pipelines Ltd.

If you were a resident or homeowner in the Dickinsfield neighborhood of Fort McMurray and were impacted by an explosion on May 17, 2016, you could be a potential class member of this Action.

LEGAL NOTICE: Your legal rights are affected. Read this Summary Notice carefully. The Alberta Court of Queens Bench ordered this Notice with respect to the certification of a proposed Class Action in the case of Somers et al v. Atco Gas and Pipeline LTD., court file no 1703 02448.

A Class Action has been certified on May 23, 2019 in a lawsuit filed against ATCO Gas and Pipelines LTD. ("ATCO"). The Plaintiffs allege that on May 17, 2016, ATCO restored natural gas service to the Dickinsfield area, causing an explosion to occur. The court has certified certain common issues to be litigated related to this matter. The Plaintiffs are seeking damages associated with this explosion. ATCO denies any liability related to this matter.

Who is a Class Member?

The Class Action Certification Order states that the Class is defined as follows:

- All resident homeowners; All non-resident homeowners; All resident and non-resident family members of homeowners; All building owners; All tenants, sub tenants, occupiers, and; All property insurers **Of each residence and building, as applicable, within a ½ kilometer radius of the residence located at 118 Clenell Crescent, Fort McMurray, Alberta, as of the date of an explosion and resulting fire on or about May 17, 2016.**

What Are Your Options?

If you are a Class member, you automatically fall within the Class, and no action is required. There is no settlement or judgment currently. A judgment on the common issues, whether reached by settlement or otherwise and whether favourable or not, will bind all class members who do not opt out of the proceeding.

Any person who meets the criteria of a Class member but does not wish to be a Class member, may only opt out of the Class by providing notice in writing to Higgerty Law by email to info@higgertylaw.ca, or by mail to 101, 440 – 2nd Avenue SW, Calgary, Alberta, T2P 5E9 postmarked by, no later than **July 22, 2019**. The opt-out notice must contain the name of this lawsuit, full name of the individual opting out, as well as that individuals address, email, and phone number.

If you properly exclude yourself, you will not be bound by any judgment on the common issues, whether reached by settlement or otherwise. However, you will retain any legal claims you may have against the Defendants and may be able to sue on your own in the future.

Lawyers for the Class

The following law firms represent the Class:

James H. Brown & Associates
2400, 10123 – 99 Street NW
Edmonton, AB T5J 3H1
Attention: Richard J. Mallett
Website: www.jameshbrown.com

Higgerty Law
#101, 440 2nd Ave SW
Calgary, AB T2P 5E9
Attention: Patrick Higgerty, QC
Website: www.higgertylaw.ca

What To Do If You Have Questions

This Notice is just a summary. The Certification Order and other documents related to this lawsuit, can be found online at higgertylaw.ca. For more information, you may also write to Higgerty Law by email at info@higgertylaw.ca.