

Federal Administrative Segregation Class Actions

www.SegregationClassActionFederal.ca

Were you placed in Administrative Segregation in a Federal Penitentiary?

**YOU MIGHT BE ELIGIBLE TO RECEIVE MONEY
– BUT YOU MUST ACT NOW!**

The Canadian government violated the rights of inmates placed in administrative segregation in federal penitentiaries, as was found by the Ontario and Quebec Courts in three separate class action lawsuits, *Brazeau v. Canada*, *Reddock v. Canada* and *Gallone v. Canada*. The Courts awarded approximately \$28 million as a lump sum money to be divided equally amongst eligible Class members. All Class members can also claim additional money through the process explained below.

If you are eligible as set out below, and wish to receive money, you **MUST SUBMIT YOUR CLAIM NO LATER THAN SEPTEMBER 7, 2022.**

WHO CAN CLAIM?

You can claim if all the facts listed in either **Option A** OR **Option B** apply to you:

Option A <ul style="list-style-type: none">✓ You stayed in Administrative Segregation in a federal penitentiary anywhere in Canada✓ for 16 consecutive days or more✓ AFTER March 3 2011.	OR	Option B <ul style="list-style-type: none">✓ You stayed in Administrative Segregation in a federal penitentiary anywhere in Canada✓ For any length of time✓ AFTER July 20 2009✓ AND you were diagnosed by a medical doctor with a mental disorder or a borderline personality disorder prior or during your incarceration AND you suffer(ed) serious impairment as a result of your disorder and reported such to Correctional Service of Canada (CSC).¹
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Voluntary or not, all administrative segregation counts.

If you were placed in administrative segregation **ONLY** before July 20, 2009, you should contact the Claims Administrator to provide details, because you may still be entitled to money if you can prove you could not make a claim before.

¹ Some exceptions may apply. Please note that the complete class definitions for Brazeau, Reddock and Gallone are found in the class actions Protocol.

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HOW MUCH MONEY COULD I GET?

The amount you may receive depends on various factors, especially which type of claim you submit (known as a “Track”).

TRACK COMPENSATION			
	TRACK 1	TRACK 2	TRACK 3
Amount	Only an equal share of the \$28 million lump sum divided among claimants.	UP TO \$50,000 (claimants will receive at least an equal share of the \$28 million lump sum).	MORE THAN \$50,000. NO LIMIT to your claim. (claimants will receive at least an equal share of the \$28 million lump sum).
Documents	Claim Form + Track Selection Form	Claim Form + Track Selection Form + Evidence and written arguments on the psychological or physical harm caused by administrative segregation.	Claim Form + Track Selection Form + Evidence and written arguments on the psychological or physical harm caused by administrative segregation.
Process	NO Court hearing. NO medical expert.	A Medical/Manager Expert will review your evidence and recommend an award for approval by the Court.	Court hearing at which the judge will review your evidence and any evidence that Canada presents. The judge will then determine the amount of your award, if any.
Fees	NO additional legal fee.	Legal fee of UP TO 15% on the additional money obtained, reasonable disbursements and levy to the Fonds d’aide aux actions collectives or the Class Proceeding Fund. But NO legal fee on the amount equivalent to the equal share of the \$28 million.	ANY legal fee negotiated between you and your representative on the additional money obtained, reasonable disbursements and levy to the Fonds d’aide aux actions collectives or the Class Proceeding Fund. These fees will need to be approved by the Courts. But NO legal fee on the amount equivalent to the equal share of the \$28 million.

IMPORTANT : You will have to choose who you want as a representative during this claim process.

You can either:

- 1) continue with the class action lawyers who have represented you since the beginning of the files,
- 2) choose a different lawyer, OR
- 3) represent yourself.

Your representative will advise you which compensation Track would best suit you after reviewing your Correctional Service of Canada file. If you are not represented, you will need to choose by yourself. A **Track Selection Form** will be provided to you.

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HOW DO I MAKE A CLAIM?

You MUST SUBMIT your Claim Form **NO LATER THAN SEPTEMBER 7, 2022**.

You can claim by:

- 1) Sending your completed Claim Form by email to the Claims Administrator.
- 2) Sending a paper Claim Form to the Claims Administrator, postmarked no later than September 7, 2022. The postmark on the envelope will be considered as the day the Claim Form was submitted to the Claims Administrator. Priority mail or trackable courier is recommended.

You can download the Claim Form from www.SegregationClassActionFederal.ca at all times. You can also ask for a Claim Form by contacting the Claims Administrator using the information below.

If you are **currently incarcerated in a federal penitentiary**, you will get a Claim Form with a prepaid return envelope.

You can reach the Claims Administrator at:

Epiq Class Action Services Canada Inc.
Attention: Federal Segregation Claims Administrator
P.O. Box 507 STN B
Ottawa ON K1P 5P6
Email: info@SegregationClassActionFederal.ca
Telephone: 1-833-871-5354
Fax: 1-866-262-0816

If you submit your Claim Form by the deadline, the Claims Administrator will contact your representative to discuss your eligibility and the next steps.

WHAT IF I DON'T MAKE A CLAIM?

If you do **not** submit your Claim Form **NO LATER THAN SEPTEMBER 7, 2022**, you will lose your right to get **money**. Even if you get special permission from the Court to submit a late claim, you will **not** be entitled to a share of the lump sum money.

WHAT IF I WANT TO START MY OWN ACTION?

The courts had already granted an initial period to opt-out of the Class actions which is expired.

But if you do not want to be part of this Class action, you might still be allowed to opt-out if you were first placed in administrative segregation **after December 12, 2016 and have not previously had an opportunity to opt out.**

To opt-out, the Claims Administrator must receive a letter signed and dated clearly stating your wish to opt-out **NO LATER THAN OCTOBER 7, 2021**.

For more information, please visit www.SegregationClassActionFederal.ca. If you do not have access to the website, you may call the Claims Administrator at 1-833-871-5354 for more information. By opting out, you will lose your right to receive any money from these class actions.

This notice was approved by the Courts.