

## NOVA SCOTIA DISABILITY SERVICES CLASS ACTION

**Were you placed on the Waitlist, or placed in an Institution, Nursing Home, or Hospital, while eligible for disability services under the *Social Assistance Act* after April 1, 1998?**

**If yes, please read this notice carefully because it affects your legal rights.**

A proposed Settlement has been reached in a class action that was certified by the Nova Scotia Supreme Court. The Court will soon decide whether to approve that Settlement. **This notice summarizes your rights and options.**

### WHAT IS THIS CASE ABOUT?

The lawsuit alleges that the Province of Nova Scotia's mismanagement of its system of disability assistance violates sections 7 and 15(1) of the *Canadian Charter of Rights and Freedoms* and is negligent.

The Court certified that this lawsuit could be considered a class action on **June 21, 2024**. The Court must approve the Settlement.

### WHAT IS THE PROPOSED SETTLEMENT?

The parties have reached a Settlement worth up to **\$34 million**. The Province has chosen to resolve the class action without a trial.

Eligible class members will receive compensation based on the length of time they were on the waitlist for disability services, and how long they were placed in an Institution, Nursing Home, or Hospital. You can read more about the Settlement at [NSWaitlistSettlement.ca](http://NSWaitlistSettlement.ca).

The Court will decide whether to approve the Settlement, the lawyers' fees and a (payment) honorarium for the representative plaintiff at a hearing at **9:30 a.m. on Friday, November 7, 2025**, at the Nova Scotia Supreme Court Satellite Courthouse, 7 Mellor Avenue, Dartmouth, Nova Scotia. This is the "Settlement Approval Hearing".

### WHO REPRESENTS THE CLASS?

The Court has appointed Koskie Minsky LLP and McKiggan Hebert Lawyers as Class Counsel to represent the class. You do not have to pay Class Counsel. Class Counsel will ask the Court to approve their legal fees to be paid from the Settlement.

### WHO IS INCLUDED IN THE CLASS?

You might be included if you:

- Were on the waitlist for disability support services; or
- Lived at a Regional Rehabilitation Centre, Adult Residential Centre, or Residential Care

Facility while you were eligible for disability support services; or

- Lived in a nursing home while you were eligible for disability support services; or
- Lived at a hospital in Nova Scotia when there was no medical reason for being there and you were eligible for disability support services.

The time period covered by the Settlement Agreement is April 1, 1998 – August 20, 2025.

To learn more about who might be eligible, go to [NSWaitlistSettlement.ca](http://NSWaitlistSettlement.ca). If you have questions about whether you are included, you can contact Class Counsel for advice.

### WHAT ARE MY OPTIONS AS A CLASS MEMBER?

#### 1. Do nothing

If you agree with the proposed Settlement, you do not have to do anything now. If the Court approves the Settlement, further information will be provided about how to make a claim for compensation.

#### 2. Voicing your opinion on the Settlement

If you disagree with the proposed Settlement and DO NOT want the Settlement to be approved by the Court, you may complete an **Objection Form** and submit it to the Notice Administrator by **October 27, 2025**, using the information listed in the "Contacting the Notice Administrator" section.

You may also attend the Settlement Approval Hearing on November 7, 2025. However, you do not have to attend the Settlement Approval Hearing. If you submit an Objection Form, it will be provided to the judge at the Settlement Approval Hearing.

Class Members will not be able to claim compensation under the Settlement if the Settlement is not approved by the Court.

#### 3. Opting Out of the Action

If you would like to exclude yourself from the class action and don't want to get money from the Settlement if it is approved but want to keep your right to sue the Province on your own, you may opt out of the class action.

If you want to opt out, you must submit an Opt-out Form by **October 27, 2025**, using the information listed in the "Contacting the Notice Administrator" section.

#### **CONTACTING THE NOTICE ADMINISTRATOR**

For a copy of the proposed Settlement, the Objection Form, or the Opt-out Form, and to submit your

Objection Form or Opt-out Form, visit [NSWaitlistSettlement.ca](http://NSWaitlistSettlement.ca), or contact the Notice Administrator by phone at 1-844-677-1771, by email at [info@NSWaitlistSettlement.ca](mailto:info@NSWaitlistSettlement.ca), by fax at 902-450-4956, or by mail at:

PO BOX 998 STN CENTRAL  
Halifax, NS B3J 2X1

---

#### **FOR MORE INFORMATION**

For more information about the proposed Settlement, you may visit the class action website at: [NSWaitlistSettlement.ca](http://NSWaitlistSettlement.ca).

You may also contact the Notice Administrator at 1-844-677-1771 or [info@NSWaitlistSettlement.ca](mailto:info@NSWaitlistSettlement.ca), or by mail at: PO BOX 998 STN CENTRAL, Halifax, NS B3J 2X1.

You may also contact Class Counsel at the contact information listed. There is no cost for speaking with Class Counsel about the class action or the proposed Settlement.

|                   |   |
|-------------------|---|
| Koskie Minsky LLP | 20 Queen St West<br>Toronto, ON M5H 3R4<br>Email: <a href="mailto:NovaScotiaDisabilityServicesClassAction@kmlaw.ca">NovaScotiaDisabilityServicesClassAction@kmlaw.ca</a><br>Phone: 1-877-309-9111 |
|-------------------|---|

|                         |  |
|-------------------------|--|
| McKiggan Hebert Lawyers | 1959 Upper Water St Suite 502<br>Halifax, NS B3J 3N2<br>Email: <a href="mailto:info@mckigganhebert.com">info@mckigganhebert.com</a><br>Phone: 902-706-2298 |
|-------------------------|--|

**This Notice has been approved by the Nova Scotia Supreme Court.**