

NOTICE OF PROPOSED SETTLEMENT AND SETTLEMENT APPROVAL HEARING

DID YOU USE THE TIKTOK PLATFORM IN CANADA ON OR BEFORE OCTOBER 28, 2021?

THIS NOTICE MAY AFFECT YOUR LEGAL RIGHTS

A class action settlement has been reached between the parties in *Lisa Thomas v. ByteDance Ltd. et al*, SCBC Vancouver Registry No. VLC- S-209073 [*Thomas*] and *A.C. an infant by her Litigation Guardian Robert Andrew Cronk v. musical.ly Inc.*, SCBC Vancouver Registry No. VLC-S-S-193384 [*Cronk*].

The Supreme Court of British Columbia has certified the class action for the purposes of implementing the proposed settlement. The proposed settlement is a compromise of disputed claims and is not an admission of liability, wrongdoing or fault by the defendants. The settlement is subject to the approval of the court.

The defendants are TikTok Inc. and TikTok Pte Ltd. (together, “**TikTok**”).

What are the proceedings about?

The claim alleges that TikTok unlawfully collected and used private information of Class Members, including users under the age of majority, through the TikTok platform in breach of Canadian privacy laws. The plaintiffs sought to recover damages for Class Members for alleged losses as a result of this conduct. TikTok denies all of the allegations.

Who are in the Class and affected by the settlement?

The Class consists of “all physical persons in Canada (including their estates, executors, or personal representatives) who used the TikTok platform on or before October 28, 2021”, and an included subclass of “all physical persons in Canada (including their estates, executors, or personal representatives) who used the TikTok platform at any time on or before October 28, 2021 while under the age of majority in their province”.

The court has appointed Lisa Thomas and A.C. by her litigation guardian Robert Cronk as representatives on behalf of the Class and Subclass. Class Counsel are Hammerco Lawyers LLP, Mathew P Good Law Corporation and Slater Vecchio LLP.

What are the terms of the settlement?

The settlement provides for the payment of CDN \$2,000,000 (two million dollars) by TikTok, plus costs reimbursement in the amount of CDN \$26,629 in exchange for a full release of all claims against it by the Class. The payment of the settlement amount is not an admission of liability, wrongdoing or fault by TikTok.

A further hearing will be held on January 28, 2022 to seek approval of the Settlement Agreement by the court. The hearing will take place in at 800 Smithe Street, Vancouver, B.C., before the

Honourable Justice Edelmann.

If approved, the settlement will be binding on all members of the Class who do not opt out of the proceeding.

The full settlement terms and court documents are available at <https://www.slatervechio.com/tiktok-class-action>.

How do I participate?

If you want to be a member of this class action and participate in the settlement, you do not need to do anything. You are automatically included as a member of the Class, unless you opt out of the applicable proceeding.

What if I do NOT want to participate?

If you do **not** want to participate in the class action, you may exclude yourself (“opt-out”). In order to opt out, you must complete and sign an opt out form and deliver it to Class Counsel by mail, courier, or email no later than January 17, 2022. The opt-out form is available at <https://www.slatervechio.com/tiktok-class-action>.

Details on how to submit the opt-out form can be found in section 12 of the settlement agreement and the opt-out form.

The opt-out form must be emailed to tiktok@slatervecchio.com, or mailed or couriered to:

Slater Vecchio LLP
1800 - 777 Dunsmuir Street
Vancouver, BC V7Y 1K4
Attention: Sean Tweed, Ryan Matheuszik

Will I receive compensation from this settlement?

No. The settlement agreement provides for cy près donations to be made to The Law Foundation of British Columbia, Canadian Centre for Child Protection, Kids Help Phone, and Boys & Girls Clubs Canada.

What are the fee arrangements?

Under the terms of their retainer agreement with the representative plaintiff, Class Counsel will seek approval of a fee of up to 25% of the settlement amount, plus disbursements and applicable taxes. Class Counsel will also seek payment of up to \$1,500 as honourarium for each of the representative plaintiffs.

Class Counsel fees, disbursements and any payments to the representative plaintiffs are subject to court approval.

Objections

All members of the Class have the right to let the court know of any objection they have to the approval of the Settlement Agreement, Distribution Protocol, Class Counsel fees or honorarium to the representative plaintiffs by delivering a letter or written objection to Class Counsel on or before January 14, 2022. If a class member wishes to object, the following information must be included in the letter or written objection delivered to Class Counsel:

- (a) The objector's full name, current mailing address, telephone number and email address;
- (b) A brief statement of the nature and reasons for the objection;
- (c) That the objector is a member of the Class;
- (d) Whether the objector intends to appear at the court hearing on their own behalf or through a lawyer, and if by a lawyer, the name, address, telephone number and email address of the lawyer; and
- (e) A statement that the foregoing information is true and correct.

For more information or a copy of the Settlement Agreement, go to <https://www.slatervechio.com/tiktok-class-action>.

You may also contact Class Counsel at tiktok@slatervecchio.com or 1-855-916-4748 (toll free) or via mail at the address above.

This notice has been authorized by order of the Supreme Court of British Columbia.