

Notice of application for consent certification and settlement approval hearing

Take notice that an application for certification, settlement, and legal fee approval will proceed in a class action lawsuit on January 21, 2022 at the British Columbia Supreme Court in *Symmonds v. Medical Depot Inc d.b.a. Drive DeVilbiss Healthcare*, S.C.B.C. S2011681.

The lawsuit alleges that Medical Depot. Inc. d.b.a. Drive DeVilbiss Healthcare ("Drive DeVilbiss") failed to handle, make reasonable security arrangements, or implement safeguards for the collection, retention, protection, security and disclosure of personal information. The lawsuit further alleges that Drive DeVilbiss failed to notify affected persons of a data incident that occurred in May 2020, and has failed to provide any means for affected persons to determine the extent to which their personal, information was subject to loss, theft, unauthorized access, collection, use, disclosure, copying, and modification.

Drive DeVilbiss denies the allegations, which have not been proven. A proposed settlement has been reached. Drive DeVilbiss consents to the certification and settlement only on the basis that the case will be dismissed thereafter.

The financial settlement term for class members is that \$300, or a lower amount pro rata should more than 20 Class Members be identified, will be paid to each Class Member. The legal fees, which are subject to court approval, are \$18,525 plus taxes and disbursements.

You will be automatically included in the class if the settlement is certified and approved. You do not have to do anything to participate. If you do not want to be part of the lawsuit, then you must notify Class Counsel in writing at the email address by no later than January 6, 2022, or by mail to the address below, providing your name and address and indication that you wish to opt out of the settlement. That opt-out will take effect if the settlement is certified and approved. You will receive notice of such approval and an opportunity to confirm your opt out.

If you wish to object to the terms of the settlement or fees, then you must deliver your objection in writing to Class Counsel by not later than January 11, 2022. Please consult the settlement agreement for further details.

A copy of the settlement agreement is available at www.slatervecchio.com/drivedevilbiss-class-action/.

For more information, please contact Class Counsel, Slater Vecchio LLP and Mathew P. Good Law Corporation at drive@slatervecchio.com or 1-855-630-0546, at 777 Dunsmuir St 18th Floor, Vancouver, BC V7Y 1K4 (Attention: Sean Tweed re Drive Devilbiss).