

**LONG FORM NOTICE**

**Were you subjected to Segregation in a Manitoba Provincial Custodial Facility?**

If YES, a class action may affect your rights.

*A Court authorized this Notice. You are not being sued.*

- You could be affected by a class action lawsuit involving Manitoba Provincial Custodial Facilities.
- The parties have agreed to settle a lawsuit on behalf of current and former inmates of Manitoba Provincial Custodial Facilities who were placed in Segregation while under the age of 18, while suffering from a Mental Illness, or for at least 15 consecutive days (the "**Class**").
- Eligible class members may receive awards starting at \$3,000 (adults) and \$9,000 (youth). Class members may be entitled to additional amounts if they were subjected to a prolonged period of segregation or if they suffered specific, provable harms while segregated. Youth class members may be eligible for up to \$100,000, with lesser amounts available to adult class members depending on their circumstances.
- The Court will hold a hearing on June 4, 2026 to decide whether to approve the proposed settlement.
- Read this notice carefully. It provides important information about the class action, the proposed settlement, and Class Members' rights in respect of the settlement. Your rights and options will depend on the date(s) you were placed in Segregation.
- If you know a current or former inmate who cannot read this notice, please share this information with them.

## YOUR OPTIONS RIGHT NOW

**Your options depend on whether you were placed in Segregation before or after May 4, 2022.**

**Some** class members can still **opt out** of this action.

**All** class members who do not opt out can voice their support for, or objections to, the proposed settlement.

### OPTING OUT OF THE ACTION

In 2022, this action was certified for those placed in Segregation between September 12, 2012 (or September 12, 2006, for Youth) and **May 4, 2022**. Notice of Certification was provided, and the deadline for these Class Members to opt out passed on February 16, 2023. **These Class Members can no longer opt out of the action.**

On February 19, 2026, this action was certified on behalf of those placed in Segregation **after May 4, 2022**. These Class members **can still opt out of the action.**

**If you were placed in Segregation after May 4, 2022**, your options are:

<b>Do nothing</b>	If you support the proposed settlement, you do not need to do anything right now. If the Court approves the settlement, you will be able to make a claim at a later date for money that you may be entitled to. If you do nothing and stay in the class, you give up the right to sue Manitoba in your own lawsuit in relation to your placement(s) in Segregation.
<b>Opt Out</b>	<p>You can decide to get out of this class action lawsuit and to get no money from it or the benefit of any admissions from the lawsuit. If you opt out, you will keep your right to sue Manitoba in your own lawsuit for your placement(s) in Segregation, subject to all the defences Manitoba could have raised to this class action. If you opt out, you will not be able to collect any money or benefits from the settlement.</p> <p>To opt out, you must send the Opt-Out Form by mail to Proactio Class Action – Manitoba Segregation <u>140, Grande Allée Est Bureau 200 Quebec, QC, G1R 5P7</u> or by email to <a href="mailto:manitobasegregation@proactio.ca">manitobasegregation@proactio.ca</a> no later than April 13, 2026.</p> <p>You can get a copy of the Opt-Out Form at <a href="http://www.proactio.ca/manitobasegregation">www.proactio.ca/manitobasegregation</a> by emailing the Administrator at</p>

	manitobasegregation@proactio.ca or by calling the Administrator at 204 515 2007, or 1 888 329 9698 from outside Manitoba.
--	---

**VOICING YOUR OPINION ON THE SETTLEMENT**

All class members who do not opt out can voice their support for, or objections to, the proposed settlement.

If you are a class member, you have **three options**: you can voice your **support** for the proposed settlement, **voice an objection** to the proposed settlement, or **do nothing**.

<b>Do nothing</b>	If you support the proposed settlement, you do not have to do anything right now. If the Court approves the settlement, you will be able to make a claim at a later date for any money that you are entitled to.  If you do nothing, you will give up any right to object to the settlement.
<b>Support the proposed settlement</b>	If you want to voice your support for the proposed settlement, you can do so by submitting a Support or Objection Form. Your Support or Objection Form must contain certain things, like your name, address, and the reasons why you support the settlement. You can read more on page 6, below. You must send your Support or Objection Form to Class Counsel by mail to Proactio Class Action – Manitoba Segregation <u>140, Grande Allée Est Bureau 200 Quebec, QC, G1R 5P7</u> or by email to manitobasegregation@proactio.ca. Your form must be received or postmarked no later than April 13, 2026.
<b>Object to the proposed settlement</b>	If you want to object to the proposed settlement, you can also do so by submitting a Support or Objection Form. Your Support or Objection Form must contain certain things, like your name, address, and the reasons why you object to the settlement. You can read more on page 6, below. You must send your Support or Objection Form to Class Counsel by mail to Proactio Class Action – Manitoba Segregation <u>140, Grande Allée Est Bureau 200 Quebec, QC, G1R 5P7</u> or by email to manitobasegregation@proactio.ca. Your form must be received or postmarked no later than April 13, 2026.

## BASIC INFORMATION

### 1. Why is there a notice?

The Court has approved this notice to let you know your rights.

The Court previously certified a lawsuit known as *Gamblin et al. v. Manitoba*, Court File No. CI21-01-31242. The person who sued is called the Plaintiff. Manitoba is the Defendant. Notice about the certification of this lawsuit was previously disseminated, which advised that the lawsuit included people subjected to segregation between September 12, 2012 (September 12, 2006, for Youth) and May 4, 2022 (the "**Class Period**").

The parties have now reached a proposed settlement providing for up to **\$129 million**.

The Court has also amended the certification order to extend the Class Period from May 4, 2022, until the date that the proposed settlement is approved.

This notice lets you know about:

1. The June 4, 2026 hearing to approve the settlement.
2. Your rights to voice your objection to or support for the settlement by April 13, 2026.
3. Your right to exclude yourself from the class action by opting out by April 13, 2026, if you were subjected to Segregation after May 4, 2022.

### 2. What is this lawsuit about?

The lawsuit says that Manitoba improperly subjected inmates to segregation. The lawsuit says that such segregation constitutes breaches of fiduciary duties, systemic negligence and breaches of inmates' rights under the *Canadian Charter of Rights and Freedoms*. Manitoba denies these claims.

### 3. Why is this a class action?

In a class action, a person called the “Representative Plaintiff” (in this case, Virgil Gamblin and A.M.) sued on behalf of people who have similar claims. All of these people are a “Class” or “Class Members.” The court resolves the issues for all class members in one case, except for those who remove themselves from the class.

### 4. Who is a member of the Class?

The Class includes:

#### **Inmates with a Serious Mental Illness**

All current and former inmates, who were alive as of September 12, 2016, who were subjected to Disciplinary Segregation or Preventive Segregation for any length of time at one of the Provincial Custodial Facilities between September 12, 2012 and the date that the court approves the Settlement; who were diagnosed by a medical doctor before or during their incarceration with at least one of the following disorders, as defined in the relevant Diagnostic and Statistics Manual of Mental Disorders (“**DSM**”):

- Schizophrenia (all sub-types),
- Delusional disorder,
- Schizophreniform disorder,
- Schizoaffective disorder,
- Brief psychotic disorder,
- Substance-induced psychotic disorder (excluding intoxications and withdrawal),
- Psychotic disorder not otherwise specified,
- Major depressive disorders,
- Bipolar disorder I,
- Bipolar disorder II,
- Neurocognitive disorders and/or Delirium, Dementia and Amnesic and Other Cognitive Disorders,
- Post-Traumatic Stress Disorder;
- Obsessive Compulsive Disorder; or
- Borderline Personality Disorder;

If you have questions concerning this Notice you can call 204-515-2007, or 1-888-329-9698 from outside Manitoba for assistance.

and who suffered from their disorder, in a manner described in Appendix “A” to the Statement of Claim, and who reported such diagnosis and suffering to the Government of Manitoba and/or its agents before or during their segregation.

### **Youth Inmates**

All current and former inmates, who were alive as of September 12, 2016, who, while under the age of 18, were subjected to Preventive Segregation at one of the Provincial Custodial Facilities for any length of time between September 12, 2006 and the date that the court approves the Settlement.

### **Inmates in Prolonged Solitary Confinement**

All current and former inmates, who were alive as of September 12, 2016, who were subjected to Solitary Confinement for 15 or more consecutive days at one of the Provincial Custodial Facilities between September 12, 2012 and the date that the court approves the Settlement.

## **WHAT HAPPENS TO THE SETTLEMENT MONEY**

### **5. What money is available?**

The proposed settlement provides for a fund of **\$129 million**. If the settlement is approved, this money, plus any interest and less court-approved legal fees, disbursements, honorarium, administration expenses and applicable taxes will be available for compensation to all eligible Class Members who file a claim.

### **6. How much money could I get if the Court approves the settlement?**

Eligible class members may receive base payments of \$3,000 to \$9,000. Class members may be entitled to additional amounts if they were subjected to a prolonged period of segregation or if they suffered specific, provable harms while segregated.

The maximum compensation available for class members is up to \$100,000, depending on their individual circumstances.

## YOUR RIGHTS AND OPTIONS

### 7. What happens if I do nothing?

If you support the proposed settlement, you do not have to do anything right now. If the Court approves the settlement, you will be able to make a claim at a later date for the money that you are entitled to. If you do nothing, you will give up any right to object to the settlement.

You have the right to voice your support for or objection to the proposed settlement. You can do so by submitting a Support or Objection Form. You can find a copy of the Support or Objection Form at [www.proactio.ca/manitobasegregation](http://www.proactio.ca/manitobasegregation).

Your Support or Objection Form must include:

- (a) Your full name, address, and telephone number;
- (b) the reasons for your support of the proposed settlement or the reasons for your objection accompanied by any legal support for such objection;
- (c) copies of any documents upon which you are basing your support or objection; and
- (d) a statement of whether you intend to appear at the June 4, 2026 settlement approval hearing.

Your Support or Objection Form must be signed by you and sent to the Administrator on time. You can submit it to the Administrator by mail to Proactio Class Action – Manitoba Segregation 140, Grande Allée Est Bureau 200 Quebec, QC, G1R 5P7 or by email to [manitobasegregation@proactio.ca](mailto:manitobasegregation@proactio.ca). Your Support or Objection Form must be sent to the Administrator or postmarked no later than April 13, 2026.

### 8. What if I don't want to be in the lawsuit?

If you do not want to be in the lawsuit, you must remove yourself. This is called “opting out.”

If you were subjected to Segregation before May 4, 2022, you cannot opt out unless you receive the Court's permission. The deadline for you to opt out of this class action expired on February 16, 2023.

If you were subjected to Segregation after May 4, 2022, you have until April 13, 2026 to opt out by submitting an Opt-Out Form.

If you opt out, you will not receive any benefits that may be obtained if the proposed settlement is approved, including financial compensation. Neither you nor Manitoba will be bound by any Court findings or orders in this action. Subject to the defences Manitoba may raise, you keep your right to independently sue Manitoba as an individual regarding the issues in this case, but cannot rely on the settlement terms to support your claim.

To remove yourself, submit an Opt-Out Form available at [www.proactio.ca/manitobasegregation](http://www.proactio.ca/manitobasegregation) to the Administrator by mail to Proactio Class Action – Manitoba Segregation 140, Grande Allée Est Bureau 200 Quebec, QC, G1R 5P7 or by email to [manitobasegregation@proactio.ca](mailto:manitobasegregation@proactio.ca). The Opt-Out Form must be sent by April 13, 2026.

## THE LAWYERS REPRESENTING YOU

### 9. Do I have a lawyer in the case?

Yes. The Court has appointed Koskie Minsky LLP from Toronto to represent you and other Class Members as “**Class Counsel.**” You will not be personally charged for these lawyers. If you want to be represented by another lawyer, you may hire one to appear in Court for you at your own expense.

You can contact Koskie Minsky LLP at [manitobasolitaryconfinementclassaction@kmlaw.ca](mailto:manitobasolitaryconfinementclassaction@kmlaw.ca) or by phone: 1-866-777-6344 (toll free).

If you have questions concerning this Notice you can call 204-515-2007, or 1-888-329-9698 from outside Manitoba for assistance.

## 10. How will the lawyers be paid?

You will not have to pay any of Class Counsel's fees or expenses. Class Counsel's fees and expenses will be deducted from the settlement. The Court will be asked to approve the lawyers' fees pursuant to a contingency fee retainer agreement that they entered into with the Plaintiff. The contingency fee retainer agreement provides that Class Counsel can seek up to 30% of any settlement as payment for the work they performed for the class.

Additional information can be found in the settlement Agreement and by contacting Class Counsel.

## GETTING MORE INFORMATION

## 11. How do I get more information?

You can get more information from the Administrator at [www.proactio.ca/manitobasegregation](http://www.proactio.ca/manitobasegregation) by calling toll free at 1-888-329-9698 or writing to Proactio Class Action – Manitoba Segregation 140, Grande Allée Est Bureau 200 Quebec, QC, G1R 5P7 or by email to [manitobasegregation@proactio.ca](mailto:manitobasegregation@proactio.ca)