

## SHORT FORM NOTICE OF CERTIFICATION

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### Notice of Certification of a Class Action

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**Have you been diagnosed or differentially diagnosed with *cannabinoid hyperemesis syndrome* (CHS) after consuming one or more Cannabis Product from Aurora Cannabis Inc. or Aurora Cannabis Enterprises Inc.?**

**If so, a class action lawsuit may affect your rights. Please read this notice carefully.**

#### **Who is included in the Class?**

The Class is:

All persons in Canada who purchased a Cannabis Product from one or more of the Defendants on or after February 1, 2014 to the date the order for certification of this action becomes final (the “Class Period”) who were diagnosed or differentially diagnosed with cannabinoid hyperemesis syndrome during the Class Period after consuming one or more Cannabis Products, where “**Cannabis Products**” or “**Cannabis Product**” means cannabis and/or synthetic cannabinoid resins, pills, lozenges, concentrates, oils, edibles, beverages, vapours, and raw and adulterated plant material cultivated, designed, manufactured, packaged, labeled, distributed, marketed, and/or sold by the Defendants.

If you meet this description, then you are a member of the Class.

If you have any questions regarding CHS or your medical condition, you should contact your doctor.

#### **What is this Class Action about?**

The lawsuit alleges that Aurora Cannabis Inc. and Aurora Cannabis Enterprises Inc. failed to disclose that there is a risk of developing *cannabinoid hyperemesis syndrome* from the regular use of their Cannabis Products. The Plaintiff alleges that the Defendants were negligent in not providing a warning about the risk of CHS, and seeks damages for those people who have suffered CHS after using these Cannabis Products.

The lawsuit alleges that CHS is a side effect from regular use of cannabis products. CHS causes cyclical nausea, abdominal pain, and vomiting. Severe CHS can cause dehydration, damage to the tissues of the mouth and throat, organ failure and, in extreme cases even death.

Cessation of cannabis use results in the resolution of all CHS symptoms. The certification of this claim as a class action means that the Plaintiff is permitted to prosecute the case for the benefit of the Class. The Court has not decided if the Plaintiff’s claims or the Defendants’ defences will succeed. No determination of liability has been made, and the Defendants deny that they were negligent or that they owe damages to the Class.

The details of the claims are set out in the Amended Statement of Claim. A copy of the Amended Statement of Claim is on Class Counsel's website under the "Documents" tab at <https://www.sotosclassactions.com/cases/aurora-cannabis-cannabinoid-hyperemesis-syndrome/>.

## **What do I need to do now?**

If you are a Class Member and you want to participate in this lawsuit, then you do not have to do anything right now. You will automatically be included in the Class Action as a Class Member. You will also be legally bound by all orders and judgments of the Court. This means that if a judgment is made by the Court, or if a settlement is reached between the parties, and the settlement is approved by the Court, you are bound by the result.

If you are a Class Member, you will not be able to start or continue with your own lawsuit against the Defendants about the same claims that are included in this Class Action. If the Class gets money or benefits from the Defendants in a judgment or a settlement between the parties, you will be notified about how to ask for a share of the money, or what your options are at that time.

If you do not want to be included in this Class Action and would like to be excluded, please read the section below that tells you how to Opt Out.

## **How to Opt Out – if you do not want to be involved in this Class Action.**

You can exclude yourself from this Class Action by "opting out." If you opt out, you will not be able to get any money or benefits from this Class Action if a judgment is granted or a settlement is reached. But, if you exclude yourself, you may sue the Defendants on your own. You will not be bound by anything that happens in this Class Action.

### **Deadline for Opting Out:**

To opt-out, you must deliver a written Opt-Out Request to the Notice Administrator. If you send it by mail, it must be postmarked on or before Monday, October 20th at 5:00 p.m. PST. If you email, fax, or courier the Opt-Out request, it must be time-stamped as having been sent on or before Monday, October 20th at 5:00 p.m. PST. Opt-Out requests received after this date will not be accepted or valid. If you have not excluded yourself from the Class Action by that time and date, you will automatically be included in the Class Action as a Class Member, and you may not exclude yourself thereafter without leave from the Court.

To be valid, your Opt-Out request must clearly state that you are opting out of the *V.T. v Aurora Cannabis Inc. & Aurora Cannabis Enterprises Inc.* Class Action, and you must also include your full name, current address, email address (if available), a statement that you wish to be excluded from the Class Action, and your signature (original or electronic). Designees must state that they have the authority to act on behalf of the Class Member, the nature of that authority, and include their own signature. Failure to include any of this information will result in your Opt-out request being invalid.

Opt-Out Requests must be sent to the Notice Administrator either by email to [auroracannabis@classaction2.com](mailto:auroracannabis@classaction2.com) or by mail to:

Aurora Cannabis Class Action  
c/o CA2 Inc.  
9 Prince Arthur Avenue  
Toronto, ON M5R 1B2

### **Do I have to pay anything?**

There is NO PAYMENT necessary to participate in the Class Action. Class Counsel will be paid only if this Class Action succeeds at trial or if there is a settlement. Class Counsel have been retained by the Plaintiff on a contingency fee basis. If Class Counsel gets money for the Class, they will ask the Court to approve payment of their fees and expenses from the amount to be paid to the Class. The fee request will not exceed 25% plus HST of the money recovered. If the Court grants Class Counsel's request, the fees and expenses will either be deducted from any money obtained for the Class Members, or paid separately by the Defendants. You will not have to pay any of these fees and expenses personally out-of-pocket. Class Counsel do not get paid any fees until the Court approves the amount that they will be paid.

If a separate hearing is required to establish your individual entitlement to a payment or the amount of such a payment, and you choose to hire your own lawyer to help with that process, then the fees that you pay to that lawyer will be in addition to the amount to be paid to Class Counsel.

### **What if I have more questions?**

This notice summarizes the lawsuit. More details and important documents can be viewed at: <https://www.sotosclassactions.com/cases/aurora-cannabis-cannabinoid-hyperemesis-syndrome/>

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You may contact Class Counsel at:

**SOTOS LLP**

55 University Avenue, Suite 600

Toronto, ON M5J 2H7

E: [auroracannabisclassaction@sotos.ca](mailto:auroracannabisclassaction@sotos.ca)

T: 1-877-294-9747 (toll free)

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<p>This notice was approved by the Ontario Superior Court of Justice. It is a summary of the terms of the certification order. If there is a conflict between the provisions of this notice and the terms of the certificate order, the certification order prevails.</p>
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