

NOTICE TO MEMBERS – AUTHORIZATION FOR CLASS ACTION – *Antonio Capobianco c. Résidence Angelica inc.* - N° 500-06-001258-231

On March 27th, 2026, the Superior Court of Quebec, District of Montreal, authorized a Class Action (the “Class Action”) for damages against Résidence Angelica inc. for the benefit of the following group:

““Any person who resided at the Résidence Angelica at any time between April 9th, 2020, and June 26th, 2020, as well as their spouse, natural caregiver(s), children, and grandchildren, and the heirs and beneficiaries of deceased residents.”

The class representative is Antonio Capobianco, personally and in his capacity as heir and liquidator of the succession of his mother, the late Filomena Greco.

This Class Action seeks compensation for damages allegedly suffered by the representative, Antonio Capobianco, and the group members as a result of the defendant’s management of the COVID-19 pandemic within Residence Angelica.

Class members are automatically included in the Class Action without having to take any steps to register. Members may also contact the group representative’s attorneys by completing the form available on the website menardmartinavocats.com

The Class Action will proceed in the district of Montreal.

EXCLUSION OF THIS CLASS ACTION:

Any class member has the right to exclude himself from the Class Action by filing a written notice to the clerk of the Superior Court of Quebec for the district of Montreal, in accordance with article 580 of the Code of Civil Procedure, on June 23rd, 2026, at the latest:

Quebec Superior Court Registry (C.S. 500-06-001258-231) 1, Notre-Dame Street East, Montreal, Québec, H2Y 1B6

The deadline to opting out the Class Action without court authorization is **June 23rd, 2026, at the latest.**

Any class member who is not excluded from the Class Action will be bound by any judgment rendered in this Class Action. In addition, any member who has filed an individual action against the Defendant which has, in whole or in part, the same subject matter as the Class Action and who has not discontinued his action on June 23rd, 2026, at the latest, shall be deemed to have excluded himself or herself from the Class Action.

Please note that requests for compensation, formal notices, or claims, other than an originating application, having in whole or in part the same subject as the Class Action, transmitted to the Defendant after the exclusion period by class members who have not excluded themselves cannot be processed by the Defendant. If applicable, authors of these requests will be advised to communicate with the group’s representative attorneys.

MAIN QUESTIONS

Following the authorization judgement, the main questions of fact or law which will be dealt

with collectively are the following:

1. Did the defendant wrongfully and negligently fail to remove symptomatic workers and to reinstate its workers only after 14 days following the end of isolation symptoms, in accordance with the ministerial directives of March 25, 2020?
2. Did the defendant wrongfully and negligently fail to implement in a timely manner within its residence the requirement to wear procedural masks in accordance with the ministerial directives of April 3, 2020?
3. Did the defendant wrongfully and negligently fail to train its staff regarding the use of protective equipment and regarding appropriate prevention and protection measures?
4. Did the defendant wrongfully and negligently fail to timely implement isolation measures in accordance with the ministerial directives of March 25, 2020, including the establishment of a “hot zone” and a “cold zone”, as well as the requirement to wear appropriate protective equipment and to adopt the prescribed protection and physical distancing measures?
5. Did the defendant wrongfully and negligently fail to provide its staff with appropriate protective equipment?
6. Did the defendant commit a fault in the transfer of the symptomatic patients from the Day Center to the residential floors on April 19, 2020 without any plan, in a chaotic manner, without adequate protective equipment, thereby transferring residents infected with COVID-19 to other units of the Résidence Angelica?
7. Are the faults committed by the defendant the cause of the damages suffered by the members of the Group?
8. What are the damages suffered by the members of the Group?

SOUGHT CONCLUSIONS:

The sought conclusions by the Class Action are the following:

GRANT the Class Action of the plaintiff and class members against the defendant Résidence Angelica inc.;

DECLARE the defendant Résidence Angelica inc. liable for the damages suffered by class members;

ORDER the defendant Résidence Angelica inc. to pay each class member all damages suffered by them;

ORDER the defendant Résidence Angelica inc. to pay interest on the aforementioned amounts, plus the additional indemnity provided for in the *Code civil du Québec*, effective as of the date of the summons:

For each resident of the defendant, regardless of whether they were infected with COVID-19
:

A base sum of \$40,000 awarded to each member as compensation for :

- Psychological distress;
- Harm to their integrity, safety, and dignity;

- The deterioration of their physical, psychological, and cognitive health;
- The feeling of abandonment, suffering, anger, sadness, stress, and inconvenience resulting from the defendant's faulty and negligent management of the pandemic;

A sum of \$2,500 to their children in compensation for the pain, stress, and inconvenience associated with the defendant's wrongful and negligent management of the pandemic and their possible contamination with COVID-19;

A sum of \$500 to their grandchildren in compensation for the pain, stress, and inconvenience associated with the anxiety caused by their grandparents' situation and their possible contamination with COVID-19;

An additional sum of \$1,000 to their caregiver, in addition to the amounts provided above, if the caregiver is a child or grandchild of the resident.

For residents of the defendant infected by COVID-19 who survived the infection:

An additional sum of \$30,000 to the member as compensation for:

- For pain, stress, and inconvenience associated with COVID-19 contamination;
- For the deterioration of their physical, psychological, and cognitive health arising from COVID-19 contamination;

Full reimbursement of expenses incurred or to be incurred as a result of the defendant's wrongful conduct;

An additional amount to be determined to the class member, subject to the right of each class member to present, on an individual basis when assessing the quantum, proof of more significant prejudice to which the member will be entitled to if any of the following element is proven:

- The member underwent a hospital stay in intensive care;
- The member underwent a hospital stay;
- The member was wrongfully not sent to a hospital when his condition or level of care required it, whether for hospital care or comfort care that the defendant was unable to provide;
- The member suffered pecuniary losses;

A sum of \$10,000 to their children in compensation for the pain, stress, and inconvenience associated with their parent's COVID-19 contamination;

A sum of \$2,500 to their grandchildren in compensation for the pain, stress, and inconvenience associated with their grandparents' COVID-19 contamination;

An additional sum of \$5,000 to their caregiver, in addition to the amounts provided above, if the caregiver is a child or grandchild of the resident.

For spouses, children, grandchildren, heirs and beneficiaries of residents' class members who died as a result of COVID-19 or institutional abuse caused by the outbreak:

A sum of \$100,000 to the surviving spouse, in their personal capacity, in compensation for the pain, stress, and inconvenience suffered, as well as for grief caused by the loss of a loved one (*solatium doloris*) due to the defendant's wrongful conduct;

A sum of \$30,000 to each of the deceased's heirs and beneficiaries, subject to proof of their status as heirs or beneficiaries, as the case may be, in compensation for the pain, stress, and inconvenience suffered, as well as compensation for the grief caused by the loss of a loved one (*solatium doloris*) due to the Defendant's wrongful conduct;

A sum of \$100,000 to the surviving spouse, in their capacity as heir of the deceased, if any, or to the estate of the deceased, as the case may be, in compensation for the physical and moral suffering endured by the deceased prior to his or her death (*pretium doloris*) as a result of the defendant's wrongful conduct;

Full reimbursement of disbursements and funeral expenses incurred and to be incurred as a result of the defendant's wrongful conduct;

An additional amount to be determined to the class member, subject to the right of each class member to present, on an individual basis when assessing the quantum proof of more significant prejudice, to which the class member will be entitled if it is proven that the class member has suffered pecuniary losses due to COVID-19, all in connection with the alleged faults;

THE WHOLE, with costs, including all expert and opinion fees to be incurred in connection with the present proceedings.

INTERVENTION AND LEGAL COSTS

A class member may ask the Court to intervene in this Class Action. The petition to intervene can be granted if it is deemed useful to the group. An intervening class member may be required to undergo a pre-trial examination submit to discovery at the request of the Defendant's request to intervene.

A member who does not intervene in the Class Action may only be subject to pre-trial examination with the authorization of the Court.

A class member other than the representative or an intervenor cannot be called upon to pay the legal costs of the Class Action.

FOR FURTHER INFORMATION:

For more information, you can consult the Class Actions Register, where you will find the main legal documents filed with the Court, at the following address:

<https://www.registredesactionscollectives.quebec/>

Members who wish to be kept informed of developments in this case can visit the group's attorneys' website:

menardmartinavocats.com

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The attorney representing Résidence Angelica inc. in this matter is:

Me Julien Meunier
DWF (Québec) S.E.N.C.R.L. / LLP
Attorney of Résidence Angelica inc.

This notice has been authorized and approved by the Honourable Donald Bisson, j.c.s.