

SCHEDULE B

QUEBEC CLASS ACTION SETTLEMENT

NOTICE OF HEARING FOR SETTLEMENT APPROVAL

N° 500-06-000891-172

This notice is to all consumers in Quebec who purchased a ticket from Vivid Seats LLC:

- On its website between November 16, 2014 and December 29, 2017; OR
- On its mobile application between November 16, 2014 and January 15, 2018

PLEASE READ THIS NOTICE CAREFULLY. IT MAY AFFECT YOUR RIGHTS.

THIS CLASS ACTION HAS BEEN SETTLED, SUBJECT TO COURT APPROVAL.

AUTHORIZATION OF THE CLASS ACTION

On November 16, 2017, a class action was commenced in Quebec against Vivid Seats LLC (“**Vivid Seats**”) alleging that Vivid Seats did not properly disclose that event tickets were being sold in US Dollars, rather than Canadian Dollars. The Plaintiff was asking the Court to determine whether this alleged conduct infringed the Quebec Consumer Protection Act.

On September 6, 2018, the Honourable Benoît Moore of the Superior Court of Québec authorized the bringing of this class action against the Defendant on behalf of the following class:

All consumers within the meaning of the Quebec’s Consumer Protection Act who purchased a ticket from Vivid Seats web site or application since November 16th, 2014.

On or around February 26, 2019, Vivid Seats sent you a notice of the authorization judgment pursuant to the Court’s judgment of February 1, 2019.

PROPOSED SETTLEMENT OF THE CLASS ACTION

The parties to this class action have reached a proposed settlement (the “**Settlement Agreement**”), subject to obtaining the approval of the Superior Court of Quebec. The Settlement Agreement has a total settlement maximum of CAD \$530,250, which includes the payment of administration expenses, and the payment of Class Counsel fees and disbursements in the amount of \$120,000 in fees and disbursements (plus GST & QST) plus \$12,090.55 (including taxes) to reimburse the Fonds d’aide aux actions collectives.

The Settlement Agreement, if approved by the Court, provides that the Defendant will offer foreign exchange reimbursements, meaning a reimbursement of, at maximum, 30% of the ticket order, to the following group:

All consumers in Quebec who purchased a ticket from Vivid Seats:

- *On its website between November 16, 2014 and December 29, 2017; or*
- *On its mobile application between November 16, 2014 and January 15, 2018*

(“Class” or “Class Members”)

If a Class Member made more than one admissible Ticket Order, the first chronological order made by the Class Member will be the one eligible for a reimbursement. The reimbursement will be paid via Interac e-Transfer.

A maximum amount of \$360,000 has been allotted to make these reimbursements. In the event that the total number of valid claims exceeds this amount, they will be paid pro rata, proportionate to the value of the claim. Two percent (2%) of the reimbursement will be withheld and paid as a levy to the *Fonds d'aide aux actions collectives* as required by law.

In order to make a valid claim, Class Member claimants must submit a valid and timely online claim form attesting that when concluding their Ticket Order, they did not realize that the purchase they were making was in US Dollars.

In return for providing the reimbursements, the Defendant will receive a release from all Settlement Class Members and a declaration of a settlement out of court of the Class Action. The settlement is a compromise of disputed claims and is not an admission of liability, wrongdoing or fault on the part of the Defendant.

SETTLEMENT APPROVAL HEARING

A hearing before the Superior Court of Québec will be held on **September 13, 2023, at 9:00 a.m.**, at the Montreal courthouse located at 1, Notre-Dame East Street, Montreal, Quebec, in room **2.08**, or via a TEAMS link. This date may be subject to adjournment by the Court without further publication notice to the Class Members, other than such notice which will be posted on Class Counsel's website www.lpclex.com/vividseats or on the claim's administrator's website: www.ticketfxclassaction.ca

Class Members who do not oppose the proposed Settlement Agreement do not need to appear at any hearing or take any other action to indicate their desire to support the proposed Settlement Agreement.

If you wish to **object** to the terms of the proposed Settlement Agreement:

If you disagree with the Settlement Agreement, you can object to the Settlement Agreement by delivering a written submission on or before **June 30, 2023**, filed with the Court or Class Counsel in accordance with the proposed Settlement Agreement and containing the following information:

- A heading referring to this proceeding (*Nicolas v. Vivid Seats LLC*, case no. 500-06-000891-172).
- Your name, current address, and telephone number and, if represented by counsel, the name of your counsel.

- A statement that you reside in Quebec and purchased a ticket from Vivid Seats LLC, either on their website between November 16, 2014 and December 29, 2017, or on their application between November 16, 2014 and January 15, 2018.
- A statement whether you intend to appear at the settlement approval hearing, either in person or through counsel.
- A statement of the objection and the grounds supporting the objection.
- Copies of any papers, briefs, or other documents upon which the objection is based.
- Your signature.

You must send your letter by registered mail, with a copy by email to Class Counsel (jzukran@lpclex.com), at the following address:

Clerk of the Superior Court of Québec
File: 500-06-000891-172
Montreal Courthouse
1, Notre-Dame East Street, Suite 1.120, Montréal (Québec), H2Y 1B6

Please note that the Court cannot change the terms of the Settlement Agreement. Any objections will be used by the Court to consider whether to approve the Settlement Agreement or not.

If the Settlement Agreement is approved, another notice to Class Members will be sent explaining the how and by when to complete your online Claim.

As a Class Member, you have the right to intervene in the present Class Action, in the manner provided for by law. No Class Member other than the representative plaintiff or an intervenor may be required to pay legal costs arising from the class action.

For further information or details about the proposed Settlement Agreement, you may contact class counsel identified below. Your name and any information provided will be kept confidential. Please do not contact Vivid Seats LLC, or the judges of the Superior Court.

Mtre Joey Zukran

LPC Avocat Inc.

276 rue Saint-Jacques, Suite 801

Montréal, Québec, H2Y 1N3

Email: jzukran@lpclex.com

Website: www.lpclex.com

You may also visit the Settlement Website at www.ticketfxclassaction.ca or contact the Claims Administrator:

Velvet Payments

5900 Andover Ave. Suite 1

Montreal, Quebec, H4T 1H5

Tel: 1-888-770-6892 (toll-free)

Email: ticketfx@velvetpayments.com

**THE PUBLICATION OF THIS NOTICE TO CLASS MEMBERS
HAS BEEN APPROVED AND ORDERED BY THE SUPERIOR COURT OF QUEBEC.**