

## LONG FORM NOTICE

### NOTICE OF CERTIFICATION, SETTLEMENT OF CLASS ACTION AND SETTLEMENT APPROVAL HEARING

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#### **IF YOU PURCHASED COMPULSORY INSURANCE FROM THE INSURANCE CORPORATION OF BRITISH COLUMBIA ANY TIME SINCE 1973, YOUR RIGHTS MAY BE AFFECTED BY THIS CLASS ACTION**

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The Province of British Columbia (“Province”) has agreed to a proposed class action settlement to resolve claims in relation to payments made to it by the Insurance Corporation of British Columbia (“ICBC”) as reimbursement for the cost of health-related services for persons injured in motor vehicle accidents.<sup>1</sup>

On May 15, 2024, the British Columbia Supreme Court (“Court”) decided that the case against the Province could proceed as a class action. The proposed settlement is a compromise of disputed claims and is not an admission of liability by the Province. The proposed settlement is subject to court approval.

The Court has appointed Robert Rorison as the representative plaintiff on behalf of the class and Murphy Battista LLP as Class Counsel.

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#### **WHAT IS THIS CLASS ACTION ABOUT?**

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The claim being settled alleges that ICBC and the Province agreed to divert monies from ICBC to the Province by wrongfully requiring ICBC to reimburse the Province for the cost of health-related services for persons injured in motor vehicle accidents, including in respect of medical practitioner services, hospital services (including a 35% surcharge), ambulance services and rehabilitation services. The claim being settled alleges that these payments increased the cost of compulsory auto insurance rates charged by ICBC and constituted an unauthorized and unconstitutional tax on persons who purchased compulsory auto insurance from ICBC.

**On November 27, 2025, the British Columbia Legislature passed legislation that terminated all agreements under which ICBC had been reimbursing the Province for health-related services incurred by persons injured in motor vehicle accidents, and retroactively imposed a tax that includes and exceeds the disputed funds. This legislation had the potential to defeat the claim entirely. The retroactive tax does not require the payment of any new funds by ICBC or its insureds.**

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<sup>1</sup> Capitalized terms not otherwise defined have meanings given to them in the Settlement Agreement.

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## WHAT ARE THE TERMS OF THE SETTLEMENT?

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The proposed settlement provides that the Province will pay the all-inclusive sum of \$12,200,000 which sum, after deduction of Class Counsel's court-approved legal fees and other costs, will be paid by way of donation to various non-profit organizations and programs.

The full settlement terms and court documents are available on Class Counsel's website at [www.murphybattista.com](http://www.murphybattista.com).

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## WHAT ARE THE FEE ARRANGEMENTS?

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Class Counsel will seek approval of a fee of up to 30% of the settlement amount, plus disbursements and applicable taxes. Class Counsel will also seek payment of up to \$5,000 as an honorarium for the representative plaintiff to be paid by the Province.

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## CLASS MEMBERSHIP

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You are a class member if you have purchased compulsory auto insurance from ICBC at any time since 1973 to January 26, 2026, unless you chose to opt out of the class as explained below.

If you are not sure if you are included, you may call 1-888-683-9621 with questions. Also, the Court's official "class definition" is at [www.murphybattista.com](http://www.murphybattista.com).

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## OPTING OUT OF THE CLASS

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If you want to sue the Province on your own, then you must take steps to exclude yourself from this class action. This is called "opting out".

If you opt out:

- (a) you will not be bound by anything that happens in this lawsuit, and
- (b) you will keep any right to sue the Province on your own.

If you do NOT opt out:

- (a) you will be bound by anything that happens in this lawsuit, including the settlement described in this notice (if approved);
- (b) you give up all your rights to sue the Province about this same problem.

Call 1-888-683-9621 if you have any questions about the legal terminology or about your options.

To opt out you must complete the “opt out form” available on the website of Class Counsel at [www.murphybattista.com](http://www.murphybattista.com). The completed opt out form must be delivered to Murphy Battista by April 7, 2026. You can send the opt out form by mail, courier or email to:

Mail: Murphy Battista LLP  
MSP Class Action Lawsuit  
2020-650 West Georgia Street  
Vancouver, BC V6B 4N7

Email: [MSPClassAction@murphybattista.com](mailto:MSPClassAction@murphybattista.com)

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## OBJECTIONS

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All class members who have not opted out have a right to object to or comment on this settlement, the plan for distribution of the settlement funds, Class Counsel’s fees, and/or the honorarium for the representative plaintiff by delivering a written objection by email to Class Counsel at [MSPClassAction@murphybattista.com](mailto:MSPClassAction@murphybattista.com)

All objections must be received by Class Counsel on or before April 7, 2026.

If you have opted out of this class action you may not object to the proposed settlement.

A written objection or comment must include the following information:

- (a) the full name, address, telephone number, and email address of the class member submitting the comment or objection;
- (b) an attestation that the person submitting the comment or objection, or the entity the person represents, is a class member and has not opted out of the class action;
- (c) a brief written statement of all grounds or reasons for the comment or objection, together with any legal basis in support;
- (d) the name, address, telephone number, and email address of any lawyer representing or assisting the class member with the comment or objection;
- (e) a statement indicating whether the person submitting the comment or objection, and/or the person or class member’s legal counsel intends to appear at the hearing of the application to approve the settlement.

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## WHAT IS THE DIFFERENCE BETWEEN OBJECTING TO THE SETTLEMENT AND OPTING OUT?

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Excluding yourself by opting out means that you do not want to be part of the class settling this class action and you do not want to release the claims resolved by the settlement agreement. If you opt out, you have no basis to object because the settlement agreement no longer affects you.

Objecting is telling the court that you do not like something about the settlement agreement or Class Counsel fees. If you object to the settlement agreement, you are expressing your views about the settlement agreement, but you will remain a member of the class and you will still release the claims covered by the settlement agreement.

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### **THE APPROVAL HEARING**

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A hearing will be held before the Court at 9:00 am on May 14, 2026 to seek approval of the settlement agreement, approval of Class Counsel's fees and an honorarium for the representative plaintiff. The hearing will take place at 800 Smithe Street, Vancouver, BC, before the Honourable Mr. Justice Branch. If approved, the settlement will bind all class members who did not opt out of the lawsuit.

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### **DO I HAVE TO COME TO THE HEARING?**

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You do not need to attend the settlement approval hearing. Class Counsel will answer any questions the Court may have. If you wish to attend, you are welcome to come at your own expense. If you submit an objection, you do not have to come to court, but you have the option to do so if you provide advance notice of your intention to appear. As long as you have submitted a written objection with all of the required information, Class Counsel will bring your objection to the court.

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### **MAY I SPEAK AT THE HEARING?**

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You may ask the court for permission to speak at the approval hearing. If you wish to do so, please contact Class Counsel before April 7, 2026. If you do not provide your written comments and do not contact Class Counsel by this deadline, you may not be permitted to speak at the approval hearing. Class Counsel's contact information is as follows:

Mail: Murphy Battista LLP  
MSP Class Action Lawsuit  
2020-650 West Georgia Street  
Vancouver, BC V6B 4N7

Email: [MSPClassAction@murphybattista.com](mailto:MSPClassAction@murphybattista.com)

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## GETTING MORE INFORMATION

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You can get copies of the claim as well as other information on the class action, including a copy of the Settlement Agreement with the Province at [www.murphybattista.com](http://www.murphybattista.com).

You can also email questions to [MSPClassAction@murphybattista.com](mailto:MSPClassAction@murphybattista.com) or call 604-683-9621 or call toll free at 1-888-683-9621.

The official court reference for this lawsuit is:

*Rorison et al. v. Insurance Corporation of British Columbia et al*, Court File No. S202406, Vancouver Registry.

Please do not contact the Court. The lawyers would be happy to answer any questions you have.

**This notice has been authorized by the Supreme Court of British Columbia**