LONG FORM NOTICE

**PICTOU LANDING FIRST NATION MRI CLASS ACTION**

**As a member of the Pictou Landing First Nation, did you undergo additional MRI scans without your knowledge or consent as part of a research study conducted by Dr. Robert Miller and Dr. Sharon Clarke, while participating in the Canadian Alliance for Healthy Hearts and Minds Study in 2017 and 2018?**

If YES, And You Have Not Previously Settled Your Claim against Dr. Robert Miller and Dr. Sharon Clarke, A Class Action May Affect Your Rights.

*A court has authorized this notice. You are **not** being sued.*

- You could be affected by a class action.
- Your rights are affected, and you have a choice to make now. This notice is to help you make that choice.
- McKiggan Hebert was appointed by the court as the lawyers for Pictou Landing Frist Nation members who were participants in the research by Dr. Robert Miller and Dr. Sharon Clarke. You should contact the lawyers at 1-877-423-2050 or email them at MRIClassAction@mckigganhebert.com to get more information.

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| **DO NOTHING** | **Stay in this class action lawsuit and wait for the outcome. Share in possible money or other benefits from the outcome but give up certain individual rights.**<br>By doing nothing, you keep the possibility of getting money or other benefits that may come from a trial or settlement in this class action. But, you give up any rights to sue on your own about the same legal claims in this lawsuit. |
| **REMOVE YOURSELF (OPT OUT)** | **Get out of this class action lawsuit and get no benefits from it. Keep rights to sue.**<br>If you ask to be removed (opt out) and money or benefits are later awarded in this Class Action, you won't receive any money or benefits. But, you keep any rights to sue Dr. Robert Miller and Dr. Sharon Clarke on your own over the same legal claims in this lawsuit. If you do, you will have to retain your own lawyer at your own cost. |

- Lawyers must prove the claims against the Dr. Robert Miller and Dr. Sharon Clarke at a trial, or a settlement must be agreed. If money or benefits are obtained you will be notified about how to ask for your share.

- Your options are explained in this notice. To be removed from the lawsuit, you must ask to be removed by April 30, 2024.

- Call 1-877-423-2050 or email MRIClassAction@mckiggnahebert.com to get more information.

## BASIC INFORMATION

This lawsuit has been "certified" as a class action. This means that the lawsuit meets the requirements for a class action and may proceed to trial. If you are included, you may have legal rights and options before the Court decides whether the claims being made against the Dr. Robert Miller and Dr. Sharon Clarke are correct. This notice explains all of these things.

A judge of the Supreme Court of Nova Scotia is currently overseeing this case. The case is known as ***Paul v. Miller et al.*** **(Hfx No. 498480)**. The person who sued is called the Plaintiff. Dr. Robert Miller and Dr. Sharon Clarke are the Defendants.

The lawsuit alleges that the Dr. Robert Miller and Dr. Sharon Clarke took MRI scans of Pictou Landing First Nation members as part of a research study without telling the participants about the research study and without obtaining their consent.

The Court has not decided whether the Plaintiff or the Defendants are right. The lawyers for the Plaintiff will have to prove the claims in Court.

In a class action, a person called the "representative plaintiff" (in this case, Andrea Paul) sues on behalf of people who have similar claims. All people with similar claims are a "Class" or "Class members." The court resolves the issues for all class members in one case, except for those members who remove themselves from the class action by opting out.

The Class includes:

> All those members of the Pictou Landing First Nation who were subjected to magnetic resonance imaging (MRI) scans as part of a research study undertaken by the Defendants, Robert Miller and Sharon Clarke, involving one or more of the following MRI sequences of the liver of Indigenous subjects in 2017 and 2018: MRI elastography, dual-echo gradient echo and IDEAL IQ sequences.

The Plaintiff is asking for money or other benefits for the Class.

No money or benefits are available now because the Court has not yet decided whether the Dr. Robert Miller or Dr. Sharon Clarke did anything wrong, and the parties have not settled the case. There is no guarantee that money or benefits will ever be obtained. If they are, you will be notified about how to ask for a share.

## YOUR RIGHTS AND OPTIONS

You must decide whether to stay in the Class or whether to remove yourself before a possible trial, and you have to decide this by April 30, 2024.

**If you do nothing**, you will automatically remain in the lawsuit. You will be bound by all Court orders, good or bad. If money or other benefits are awarded by the court or if the parties agree to a settlement, you will be notified about how to ask for a share.

**If you want to exclude yourself from the lawsuit**, you must send a letter to the address below, postmarked no later than April 30, 2024 that says you want to be excluded from the class action in *Paul v. Miller et al.* You must include your name, address, telephone number, and signature. You can also get an **Opt Out Form** at www.mckigganhebert.com/MRI or at www.apmlawyers.com/MRI. You must mail your Opt Out Form postmarked by April 30, 2024 to: MRI Class Action c/o McKiggan Hebert, Suite 502, 1959 Upper Water Street Halifax Nova Scotia B3J 3N2, or send it by email to: MRIClassAction@mckigganhebert.com.

If you choose to opt out and you wish to pursue a claim, you will be responsible for your own claim and will have to retain a lawyer at your own expense.

Call 1-877-423-2050 if you have any questions about whether to get out of the Class, and if so how to do it.

## THE LAWYERS REPRESENTING YOU

Yes. The Court has appointed McKiggan Hebert of to represent you and other Class members as "Class Counsel." You will not be charged for these lawyers unless there is a settlement or judgment granted by the court. If you want to be represented by another lawyer, you may hire one to appear in Court for you at your own expense.

Class Counsel will only be paid their fees if they win at trial or if there is a settlement. The Court must also approve their request to be paid their fees and expenses. The fees and expenses could be deducted from any money obtained for the Class or may be paid separately by the Defendants.

## A TRIAL

If the lawsuit is not dismissed or settled, the Plaintiff will have to prove the claims at a trial that will take place in the Province of Nova Scotia. During the trial, a court will hear all of the evidence, so that a decision can be reached about whether the Plaintiff or the Defendants are right about the claims in the lawsuit. There is no guarantee that the Plaintiff will win any money or benefits for the Class.

If the Plaintiff obtains money or benefits as a result of a trial or settlement, you will be notified about how to ask for a share or what your other options are at that time. These things are not known right now. Important information about the case will be posted on the website, www.mckigganhebert.com/MRI, as it becomes available.

## GETTING MORE INFORMATION

You can get more information at www.mckigganhebert.com/MRI or www.apmlawyers.com/MRI, by calling 1-877-423-2050, or writing to: MRI Class Action c/o McKiggan Hebert, Suite 502, 1959 Upper Water Street Halifax Nova Scotia B3J 3N2, or by email at: MRIClassAction@mckigganhebert.com.