

SCHEDULE "B"

NOTICE OF SETTLEMENT APPROVAL HEARING (LONG FORM)

As a member of the Pictou Landing First Nation, while participating in the Canadian Alliance for Healthy Hearts and Minds Study in 2017 and 2018 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?

If yes, please read this notice carefully because it affects your legal rights.

In 2017 and 2018 while participating in the Canadian Alliance for Healthy Hearts and Minds Study members of the Pictou Landing First Nation underwent additional MRI scans as part of a separate study conducted by Dr. Robert Miller and Dr. Sharon Clarke.

McKiggan Hebert Lawyers commenced a class action against Drs. Miller and Clarke (the "**Defendants**"), alleging that taking additional MRI scans without the knowledge and consent of the participants amounted in law to the torts of intrusion upon seclusion/invasion of privacy, unlawful imprisonment, assault and battery and negligence, as well as breach of fiduciary duty, breach of trust, and breach of contract.

This action was certified as a class action by the Nova Scotia Supreme Court on February 7, 2024, by consent. A proposed Settlement has now been reached. The Defendants have agreed to settle the claims in the class action and to compensate eligible Class Members. The Court will soon decide whether to approve that Settlement.

If approved, the Settlement will provide compensation to eligible Class Members on a pro-rata basis.

The Court will decide whether to approve the proposed Settlement and Class Counsel's fees at a hearing **at 2:00 PM on November 13, 2026** at the Law Courts, 1815 Upper Water Street, Halifax, Nova Scotia (the "**Settlement Approval Hearing**").

This notice summarizes the proposed Settlement, and your rights and options.

WHAT ARE MY LEGAL RIGHTS AND OPTIONS?

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| 1. Do nothing | If you agree with the Settlement, you do not have to do anything now. If the Court approves the Settlement, further information will be provided about how to make a claim for compensation. |
| 2. Submit an Objection to the Settlement and/or Class Counsel Fees | <p>If you object to the Settlement, the amount of legal fees requested by Class Counsel and DO NOT want the Settlement or the proposed fees to be approved by the Court, you may complete an Objection Form and submit it to Class Counsel not later than November 10, 2026 using the information below.</p> <p>Class Members will not be able to claim compensation under the Settlement if the Settlement is not approved by the Court.</p> |

For a copy of the proposed **Settlement Agreement and Objection Form**, or any other information, visit <https://www.apmlawyers.com/mri> or contact Class Counsel at 1 877 423 2050 or 902 423 2050 or by email to info@mckigganhebert.com, or by mail at:

McKiggan Hebert Lawyers
Suite 502
1959 Upper Water Street
Halifax, NS B3J 3N2

WHAT THIS NOTICE CONTAINS

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1. WHY AM I RECEIVING THIS NOTICE?

You received this Notice for one of three reasons:

1. First, you are on the list of Class Members maintained by the law firm representing the Class.
2. Second, someone you know sent you this information because they believe that this Settlement will impact your rights.
3. Third, you found this Notice on a web site or in the foyer of the Pictou Landing First Nation Administration Building.

Please read the entire Notice carefully as your legal rights will be affected, even if you do nothing.

2. WHAT IS A CLASS ACTION?

A class action is a lawsuit which provides a method for a large group of people with common claims to jointly advance one large claim. Class actions are a means through which a large group of individuals can obtain compensation for harms committed against them.

The individuals included in a class action are called Class Members. Unless they exclude themselves by opting out, Class Members are included in the lawsuit and decisions made in the class action are legally binding on them.

3. WHAT IS THIS CLASS ACTION ABOUT?

This class action, *Andrea Paul v. Robert Miller and Sharon Clarke* (Hfx No. 498480), was brought to claim compensation for members of Pictou Landing First Nation who while participating in the Canadian Alliance for Healthy Hearts and Minds Study in 2017 and 2018 underwent additional MRI scans as part of a separate study conducted by Dr. Robert Miller and Dr. Sharon Clarke.

This Class Action alleges that the MRI scans were taken without Class Members knowledge or consent.

The Court certified this action as a class proceeding on **February 7, 2024**, with the consent of the Defendants.

4. WHO IS INCLUDED IN THE PROPOSED SETTLEMENT?

The Class in this Class Action are those members of 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 sequences of the liver of Indigenous subjects in 2017 and 2018: MRI elastography, dual-echo gradient echo and IDEAL IQ sequences.

5. WHAT DOES THE PROPOSED SETTLEMENT PROVIDE?

If the Settlement is approved, the Defendants will pay **\$400,000** to resolve the class action.

The amount to be paid by the Defendants is all-inclusive. It will be used to pay compensation to Class Members as well as Class Counsel Fees and disbursements and administration costs.

The proposed Settlement must be approved by the Court before compensation will be available to Class Members. The claims process for compensation has not yet started.

If the Settlement is approved by the Court, eligible Class Members will receive compensation on a pro rata basis. Funds will be paid to Class Counsel who will pay Class Members directly.

You can find a copy of the Settlement Agreement setting out the terms of the Settlement on the class action website: <https://www.apmlawyers.com/mri>

6. HOW DO I RECEIVE PAYMENT?

The proposed Settlement must be approved by the Court before compensation will be made available to eligible Class Members. The claims process for compensation has not yet started.

If the Court approves the Settlement, you will need to contact Class Counsel to arrange for payment.

For more information on how compensation will be paid you can find a copy of the Compensation Protocol, which is attached as Schedule "A" to the proposed Settlement Agreement, on the class action website: <https://www.apmlawyers.com/mri>.

7. WHO ARE THE LAWYERS FOR THE CLASS?

Class Counsel in this class action are:

McKiggan Hebert Lawyers
Suite 502

959 Upper Water Street
Halifax, NS B3J 3N2
Email: info@mckigganhebert.com
Phone: 1-977-423-2050 or 902-423-2050

You will not be charged for contacting these lawyers with questions about the proposed Settlement. If you want to be represented by your own lawyer, you may hire one at your own expense.

8. HOW ARE THE LAWYERS PAID?

No part of the Class Counsel Fees will be paid by Class Members. Class Counsel will seek approval for payment of legal fees as a percentage of the Settlement Funds.

Class Counsel intends to request court approval of Class Counsel Fees calculated at 30% of the settlement fund to be paid by the Defendant after deducting proper disbursements.

Class Counsel will ask the Court to approve their legal fees to be paid from the Settlement Funds at the **Settlement Approval Hearing on November 13, 2026**. The Court will decide if the amount of fees requested by Class Counsel is fair and reasonable.

9. WHAT IF I DISAGREE WITH THE SETTLEMENT OR LEGAL FEES?

You can tell the Court that you do not agree with the proposed Settlement or some part of it and/or the requested Class Counsel Fees.

If you are a Class Member, you can object to the proposed Settlement if you do not like any part of it. You can give the Court reasons why you think the Court should not approve the proposed Settlement. The Court will consider your views.

You can also object to the requested Class Counsel Fees.

If you want to object to the proposed Settlement and/or the requested Class Counsel Fees, you must submit a signed and completed Objection Form to Class Counsel **no later than November 10, 2026** which is the start of the Settlement Approval Hearing. You may also appear at the Settlement Approval Hearing on **November 13, 2026**, either personally or through your own legal counsel, at your own expense.

To object, you must submit a signed and completed Objection Form to Class Counsel by mail to McKiggan Hebert Lawyers, 1959 Upper Water Street, Halifax, NS B3J 3N2 or email (info@mckigganhebert.com), **so that it is received by November 10, 2026**. Be sure to include the following information:

- (a) your full name, mailing address, telephone number, and email address (if available);
- (b) a written statement of all factual and legal grounds for the objection accompanied by any legal support for such objection;
- (c) copies of any papers, briefs, or other documents upon which the objection is based;

- (d) a statement setting out whether you intend to appear at the Settlement Approval Hearing; and
- (e) a statement setting out whether you intend to appear at the Settlement Approval Hearing through counsel, and if so, identifying any counsel representing you who intends to appear at the Settlement Approval Hearing.

A copy of the Objection Form can be obtained from <https://www.apmlawyers.com/mri> or by reaching out to Class Counsel (email: info@mckigganhebert.com; toll-free telephone: 1 877 423 2050 or 902-423-2050).

10. WHAT IF I DO NOT WANT TO PARTICIPATE IN THE CLASS ACTION?

The deadline for opting out of the Class Action was April 30, 2024. The deadline has now passed. You can no longer opt out of the Class Action. As a Class Member you will be bound by the Settlement Agreement if it is approved by the Court.

11. IF I RECEIVED MONEY AS PART OF A SETTLEMENT WITH THE IWK IN 2019 CAN I STILL RECEIVE COMPENSATION IN THIS CLASS ACTION?

Yes. This Class Action is against Dr. Robert Miller and Dr. Sharon Clarke only for their several liability.

12. DO I NEED TO ATTEND THE SETTLEMENT APPROVAL HEARING?

No. You do not need to attend the Settlement Approval Hearing. You have the right to attend the hearing if you want to.

If you wish to object to the Settlement, you can do so by submitting a signed Objection Form to Class Counsel as described above. Your Objection Form will be given to the judge at the Settlement Approval Hearing.

13. HOW DO I GET MORE INFORMATION?

For more information about the proposed Settlement, please visit the Class Action website at: <https://www.apmlawyers.com/mri>.

You may also contact Class Counsel at 1-877-423-2050 or 902-423-2050 or info@mckigganhebert.com, or by mail at: McKiggan Hebert Lawyers, 502-1959 Upper Water Street, Halifax, NS B3J 3N2.

This Notice has been approved by the Nova Scotia Supreme Court.