

SHORT FORM NOTICE

DID YOU PURCHASE AND/OR USE ONE OF THE FOLLOWING PHILIPS RESPIRONICS CPAP, BIPAP, OR VENTILATOR DEVICES (THE “PRODUCTS”)?

Click on this hyperlink and scroll down to “Affected Products” to see the list of Products:

<https://cpapclassaction.ca/>

PLEASE READ THIS NOTICE CAREFULLY AS YOUR LEGAL RIGHTS MAY BE AFFECTED

A proposed partial settlement (“**Partial Settlement**”) of the Economic Loss Claims in the Canada-wide class actions called *Morel v. Koninklijke Philips N.V. et al* Action No. S216008 and *Roy v. Respiromics Inc. et al.*, No. 500-06-001154-216 (together, the “**National Class Action**”) has been reached.

Persons to be included in the National Class Action include any individual, corporation, hospital, or partnership in Canada who purchased and/or used one of the Products, including family members and estates who purchased a Product on behalf of a class member, and who claim to have incurred an Economic Loss (the “**Settlement Class**”).

This is called a Partial Settlement because it only relates to Economic Loss Claims. It **does not** cover any personal injury claims alleged to have been suffered by Settlement Class Members as a result of using the Products.

The Partial Settlement is a compromise and is not an admission of liability or wrongdoing or fault by any of the Defendants. The Partial Settlement does not become final unless and until it is approved by the BC and Quebec Courts.

The Defendants have agreed to pay \$20,000,000 CDN to achieve a final and nationwide resolution of all Economic Loss Claims that could have been raised in the National Class Action, including for notice, legal, and administration costs, in exchange for the release of all Economic Loss Claims in the National Class Action.

The representative plaintiff has entered into a contingency fee agreement with Rice Harbut Elliott LLP, Sotos LLP and Thomson Rogers LLP (“**Class Counsel**”) providing for a maximum fee of 30% of compensatory payments to Settlement Class Members (plus taxes), which will require Court approval.

If you are a Settlement Class Member, you are automatically included in the Settlement Class and will be bound by the Partial Settlement Agreement if it is approved by BC and Quebec Courts, unless you opt out. If you do not want to be part of the National Class Action you must complete and sign an **Opt Out Form**, which is located on the Administrator’s website at: <https://cpapsettlement.kpmg.ca>, no later than 5:00 p.m. (Vancouver time) on **September 15, 2025**.

If you are a Québec resident, you must submit your Opt-Out form to the Clerk of the Superior Court of Québec no later than September 15, 2025, at the following address:

Clerk of the Superior Court of Québec
Montreal Courthouse
1 Notre-Dame St. East,
Montreal, Quebec H2Y 1B6

The envelope must be postmarked on or before September 15, 2025.

In addition, you may also send your Opt-Out Form to the Administrator using the methods described below.

If you reside in any other province or territory, you must send a copy of your Opt-Out form via pre-paid mail, courier, fax or email to the Administrator:

- Email: optout.cpapsettlement@kpmg.ca
- Fax: 514-840-2291
- Mail:

KPMG, CPAP Settlement Claims Administrator
600, boul. De Maisonneuve Ouest, Suite 1500
Montreal, Québec
H3A 0A3

If submitted by mail, the envelope must be postmarked on or before September 15, 2025. Submissions by email or fax must be received no later than 5:00 p.m. (Vancouver time) on September 15, 2025.

For members of the Settlement Class who wish to object to the approval of the Partial Settlement, you must deliver a letter or written objection by pre-paid mail or email to the Administrator no later than 5:00 pm (Vancouver time) on **August 31, 2025**. Details on what needs to be included in your objection letter can be found on the Administrator's website at: <https://cpapsettlement.kpmg.ca>.

More information on the Partial Settlement Agreement (including the opt-out form, and Partial Settlement Agreement) is located on Class Counsel's respective websites located at: <https://cpapclassaction.ca/contact/>.