

RODNEY WILSON and KEVIN ARTHUR v. OTTAWA POLICE SERVICE and HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO, on behalf of the Ontario Provincial Police

Court File No. CV-21-00086419-00CP

NOTICE OF INTENT TO DISCONTINUE CLASS ACTION

RE: Ottawa Police Service Video Recording of Washroom Use While in Police Custody

PLEASE READ THIS NOTICE CAREFULLY.

IT MAY AFFECT YOUR LEGAL RIGHTS.

By Order of the Superior Court of Justice, all persons who have been detained by the Ottawa Police Service, held in a jail cell and used the washroom under video surveillance are advised that:

On November 2, 2021 a proposed class proceeding was commenced in Ottawa, Ontario alleging that the Ottawa Police Service had breached the *Charter* and privacy rights of persons who were held in custody by the Ottawa Police Service who had been video recorded using washroom facilities.

In October 2023, the plaintiff and their legal counsel (“Lister Beaupre LLP”) decided that the class action against the Ottawa Police Service would no longer be pursued. On May 10, 2024, they filed motion materials with the Ontario Superior Court of Justice to obtain approval of the discontinuance. The discontinuance was approved by the Court and it will be filed and take effect on September 16, 2024.

This discontinuance relates to the Ottawa Police Service only. It does not relate to claims against the Ontario Provincial Police.

YOU SHOULD TAKE NOTICE THAT THE limitation period for bringing a claim, if there is any time left within it, will recommence when the notice of discontinuance is filed on September 16, 2024. On the expiry of a limitation period a right to sue may be extinguished.

TAKE NOTICE THAT because the limitation period for a bringing a claim will recommence with the filing of the notice of discontinuance, if you wish to pursue a court claim against the Ottawa Police Service, you should issue a Notice of Action or Statement of Claim, if you have not already done so, before December 15, 2024.

If you have any questions about the discontinuance or the recommencement of the running of the limitation period, please contact Lister Beaupre LLP at:

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PUBLICATION OF THIS NOTICE HAS BEEN AUTHORIZED BY THE SUPERIOR COURT OF JUSTICE.