

# You were flooded in Sunny Bank in 2010? Read this

This notice concerns a class action against the Ministère des Transports du Québec (hereinafter called: MTQ) about the floods in December 2010 in the Sunny Bank sector in the City of Gaspé.

On March 23, 2015, the Superior Court authorized the Sunny Bank Flood Committee (*comité inondation Sunny Bank*) and Andrew B. Patterson, its representative, to file a class action against the MTQ, which will be heard in the District of Gaspé. This judgment may have consequences on your rights, whether you take action or not. Please read this notice carefully.

## Who is a member?

You are a member of the group who brings this class action if :

On December 10, 2010, you:

- Owned property or goods;

**OR**

- Lived in Sunny Bank.

## What is the subject of this lawsuit?

The *Comité inondation Sunny Bank* blames the MTQ for having incurred its liability:

- 1) by building a road in 1977 with a faulty construction that prevents water during the floods of the York River, from draining into a flood plain;
- 2) by failing to do road maintenance;
- 3) by not performing the work required to correct the situation.

The Superior Court must decide if the MTQ:

- 1) commit a fault in the construction of the road in 1977 or in its maintenance, that caused or contributed to the flooding on December 15, 2010;
- 2) must compensate the members of the class action for the damage sustained;
- 3) must do repairs on the 1977 road to correct the situation.

The class action seeks to obtain for each member:

- 1) compensation for all damages sustained, including material damages to building and personal property;
- 2) an amount of \$5,000 for each member living in Sunny Bank to offset the hardship and inconveniences resulting from the floods of December 15, 2010 and the possibility of future floods;
- 3) an additional amount of \$5,000 per member for each building he or she owned in Sunny Bank on December 15, 2010, without living in it.

## What are your rights?

### To participate in the class action

You have no action to take to become a member of this class action suit. You are automatically included in this group. We nevertheless invite you to make contact by completing the "Member" section of this class action by visiting the following address: <http://www.sfpavocats.ca/en/class-actions/civil-liability/floodings-in-sunny-bank-gaspesie.html>

### To exclude yourself from the class action

Being excluded could allow you to sue the MTQ by yourself for the damages you could have suffered as a result of the floods on December 15, 2010. If you exclude yourself, you will not receive any payment if the class action is allowed. The deadline to opt out is **June 26, 2015**.

To exclude yourself, you must give written notice to the Clerk of the Superior Court and send your letter by registered or certified mail at:

Greffier de la Cour supérieure  
District de Gaspé  
Recours inondations Sunny Bank  
(No 110-06-000001-135)  
Case postale 188, Percé (Québec) G0C 2L0

### To learn more about this class action

We invite you to visit the following website: [www.sfpavocats.ca](http://www.sfpavocats.ca). If you have any questions, you can also call:

**M<sup>e</sup> Marie-Anaïs Sauvé** at: (514) 937-2881 ext. 227 or  
**M<sup>e</sup> Marie-Eve Porlier** at: (514) 937-2881 ext. 244.