

Court File No.: CV-20-00001582-00CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

ERWIN BANFI

Plaintiff

- and -

THE CORPORATION OF THE TOWN OF OAKVILLE, CONSERVATION
HALTON, THE REGIONAL MUNICIPALITY OF HALTON, THE
CORPORATION OF THE TOWN OF MILTON, THE QUEEN IN RIGHT OF
THE PROVINCE OF ONTARIO and ROBERT BURTON

Defendants

Proceeding Under the *Class Proceedings Act, 1992*

OPT OUT FORM

I, [NAME] _____

CURRENT ADDRESS:

I understand that a class proceeding - known as Court File No.: CV-20-00001582-00CP - has been certified for all persons who owned, individually or jointly or as tenants-in-common with others, property in the area bounded by Burloak Drive, Lake Ontario, Winston Churchill Boulevard and Dundas Street in the Town of Oakville, which was in whole or in any part located within the boundaries of the Regulatory Flood Hazard between January 1, 2005 and March 5, 2024.

I understand that, if I opt out by properly submitting this fully completed form, I will not take part in this class proceeding. Furthermore, I will be excluded from this class proceeding and not be bound by the result whether favourable or unfavourable.

I also understand that a lawsuit must be commenced within a specific limitation period or it will be legally barred. This class proceeding suspended that limitation period. However, the limitation period will resume running against me if I opt out of this class proceeding. By opting out of this class proceeding, I take full responsibility for obtaining legal advice about the limitation period and for taking all legal steps necessary to protect any claim that I may have.

In submitting this Opt Out Form, I acknowledge the following:

- an Opt Out Form signed only by a representative or lawyer for a Class Member is not valid;
- an Opt Out Form submitted on behalf of more than one Class Member will be deemed invalid;
- an Opt Out Form by one Class Member will be deemed and construed as a request to opt out by all co-owners of the property; and,
- **a valid Opt Out requires both the full completion of this form and the proper submission of this form.**

To fully complete this form, you must answer all of the following three questions.

1. ADDRESS OF PROPERTY RELATED TO THIS CLASS ACTION:

2. TIME PERIOD OF OWNERSHIP OF PROPERTY RELATED TO THIS CLASS ACTION:

3. REASON FOR OPTING OUT OF THIS CLASS ACTION:

By signing this form, I declare that I elect to Opt Out of this class proceeding known as Court File No.: CV-20-00001582-00CP.

Signature of Witness

Signature of Class Member

Print Name of Witness

Print Name of Class Member

**DELIVER THIS OPT OUT FORM BEFORE 5:00 pm ON FRIDAY MAY 31, 2024 BY
EMAIL TO: classaction@Willtriallawyers.ca.**