

# ARCTIC CAT AND YAMAHA NATIONAL CLASS ACTION SETTLEMENT

## PRE-APPROVAL NOTICE (SHORT FORM)

*HARVEY V. ARCTIC CAT INC. ET AL. (200-06-000225-188)*

**[www.ArcticCatYamahaNationalClassAction.ca](http://www.ArcticCatYamahaNationalClassAction.ca)**

THIS NOTICE MAY AFFECT YOUR LEGAL RIGHTS. PLEASE READ CAREFULLY.

### WHAT IS THIS CLASS ACTION ABOUT

If you purchased or leased a snowmobile with a 7000 or 1049cc engine of the following models, for the years **2014 to 2018**, your rights could be affected by a proposed national class action settlement:

From Arctic Cat	From Yamaha
ZR 7000 LXR	The Viper series
ZR 7000 Sno Pro	
ZR 7000 Limited	
ZR 7000 El Tigre	
ZR 7000 RR	
Pantera 7000	
Pantera 7000 Limited	
M 7000 Sno Pro	
XF 7000 Cross Country	
XF 7000 Crosstour	
XF 7000 High Country	
XF 7000 Limited	
XF 7000 LXR	
XF 7000 Sno Pro	
XF 7000 Cross Country Sno Pro	

(collectively, the “Affected Snowmobiles”)

A national class action lawsuit was commenced in Québec (the “Class Action”) against Arctic Cat and Yamaha (the “Defendants”) in relation to the Affected Snowmobiles.

The Plaintiff in the Class Action alleges that the starter installed in the Affected Snowmobiles was deficient and seeks damages from the Defendants. The Defendants deny any wrongdoing or liability. Nonetheless, a national settlement has been reached whereby all claims by those who purchased or leased the Affected Snowmobiles will be settled (the “NSA”).

You are included in the Class Action if you currently own or lease an Affected Snowmobile or if you were the owner of an Affected Snowmobile **prior to September 14, 2020**.

Please visit **[www.ArcticCatYamahaNationalClassAction.ca](http://www.ArcticCatYamahaNationalClassAction.ca)** or contact the Claims Administrator at the contact information below for a full copy of the NSA and to obtain more information about:

- a) The benefits of the NSA for the Settlement Class Members;
- b) The approval process of the NSA before the Court and the hearing scheduled for that purpose, how to attend or make comments on the NSA, as the case may be;
- c) How to formulate a claim if the NSA is approved by the Court;
- d) How to opt out of the NSA and the Class Action, as the case may be;
- e) The legal fees of the lawyers advancing the Class Action.

## **RIGHT TO PARTICIPATE AND RIGHT TO OPT OUT**

You may opt out of the NSA and Class Action **no later than April 21, 2021**. This is the only opportunity for Class Members to do so. Information on how to opt out is provided at **[www.ArcticCatYamahaNationalClassAction.ca](http://www.ArcticCatYamahaNationalClassAction.ca)**.

A virtual Court hearing to approve the NSA has been scheduled for **June 18, 2021 at 9am EST**.

To join the hearing on your computer or mobile device – [click here](#)

To join the hearing on your telephone (audio only): dial 1-833-450-1741, 110273073#.

If you wish to object to the approval, you may do so by providing your comments or notice of objection in writing to either addresses below **no later than June 4, 2021, 5pm EST**:

The Clerk of Superior Court of Québec  
300 Boulevard Jean Lesage  
Québec QC G1K 8K6

**OR**

SISKINDS, DESMEULES, AVOCATS  
Attention: Mtre Karim Diallo  
43 Buade Street – Office 320  
Québec QC G1R 4A2

Information on how to object is provided at **[www.ArcticCatYamahaNationalClassAction.ca](http://www.ArcticCatYamahaNationalClassAction.ca)**.

Another notice will be published and additional information will be provided if the NSA is approved by the Court.

## **DO YOU REQUIRE MORE INFORMATION?**

To obtain more information about the Class Action, the NSA, this notice and the topics above, visit **[www.ArcticCatYamahaNationalClassAction.ca](http://www.ArcticCatYamahaNationalClassAction.ca)**, which will be periodically updated.

To communicate with the **Claims Administrator**:

Arctic Cat Yamaha National Class Action Settlement Claims Administrator  
P.O. Box 507 STN B  
Ottawa ON K1P 5P6  
Email: [info@ArcticCatYamahaNationalClassAction.ca](mailto:info@ArcticCatYamahaNationalClassAction.ca)  
Telephone: 1-833-683-5866  
Fax: 1-866-262-0816

To communicate with **Class Counsel**, the lawyers who are advancing the Class Action:

SISKINDS, DESMEULES, AVOCATS  
Attention: Mtre Karim Diallo  
43 Buade Street – Office 320  
Québec QC G1R 4A2  
Email: [karim.diallo@siskinds.com](mailto:karim.diallo@siskinds.com)  
Tel: 1-418-694-2009  
Fax: 1-418-694-0281

**- This notice has been approved by the Court.-**