

IPHONE POWER MANAGEMENT CLASS ACTION
SHORT-FORM NOTICE OF CERTIFICATION AND SETTLEMENT HEARING
www.SmartphonePerformanceSettlement.ca

This notice is directed to all individuals, both corporate and natural persons, who are or were domiciled in Canada, excluding persons who are Quebec residents as of **June 15, 2023**, who (i) purchased and/or owned iPhone 6, 6 Plus, 6s, 6s Plus, SE, 7 or 7 Plus smartphones, and (ii) installed or downloaded iOS version 10.2.1 or later (for iPhone 6, 6 Plus, 6s, 6s Plus, and SE) or iOS version 11.2 or later (for iPhone 7 and 7 Plus) **before December 21, 2017**, and their estates, administrators or other legal representatives, heirs or beneficiaries, but excluding (i) directors, officers, and employees of Apple or its subsidiaries and affiliated companies, as well as Apple's legal representatives, heirs, successors, or assigns, (ii) any member of the judiciary presiding over this matter, and (iii) any other individuals whose claims already have been adjudicated to a final judgment (the **"Class Members"**).

WHAT IS THE CLASS ACTION ABOUT?	Proposed class action proceedings were brought against the defendants Apple Canada Inc. and Apple Inc. (together, "Apple") in British Columbia, Ontario, Saskatchewan and Alberta (the "Proceedings") in connection with allegations of (i) performance mitigation features of iOS operating software versions 10.2.1, 10.3, 11 and/or 11.2 for iPhones; (ii) defects causing the iPhones to prematurely age, degrade and shut down unexpectedly; (iii) defects in the performance of the iPhone batteries; and (iv) misrepresentations or intentional concealment concerning the foregoing. The Proceedings included a class action proceeding <i>Nicholas Stephen Crema v. Apple Inc. and Apple Canada Inc.</i>, British Columbia Supreme Court Vancouver Registry Action No. S-188008 (the "Class Action").
CERTIFICATION	On June 28, 2023, the British Columbia Supreme Court certified the Class Action as a multi-jurisdictional class proceeding for settlement purposes and authorized Nicholas Stephen Crema to act as representative plaintiff on behalf of the Class Members.
WHO IS AFFECTED BY THE CLASS ACTION?	The Class Action is brought on behalf of all Class Members. If you are a Class Member, you are automatically included in the Class Action unless you choose to exclude yourself (opt out) by completing an Opt-Out Form, which must be received by the Claims Administrator by no later than December 27, 2023.

WHAT SETTLEMENT HAS BEEN REACHED?	Under the proposed settlement, Apple will make a minimum, non-reversionary payment of \$11,137,500 CAD and a maximum payment of \$14,427,500 CAD, depending on the number of claims submitted. Each Class Member who does not opt out and who submits a valid claim is to receive a cash payment (the “Settlement”). The amount of the cash payment will depend on the total number of approved claims and other factors. The Settlement is a compromise of disputed claims and is not an admission of liability or wrongdoing by Apple. The Settlement is subject to approval of the court, and Class Members have a right to opt out of the Class Action or, if they do not opt out, to object to the Settlement.
HOW CAN I OPT OUT?	Class Members who do not wish to participate in the Class Action and Settlement must opt out by December 27, 2023. A Class Member who opts out will not be entitled to participate in the Class Action or the Settlement. However, their right to pursue a claim in a separate proceedings will not be affected. If you would like to exclude yourself from the Class Action, you can opt out by submitting a written request to the Claims Administrator: Epiq Class Action Services Canada, Inc. If your request to opt out is not received by December 27, 2023, it will not be considered valid and you will be bound by the Settlement. Your request should include your full name, current address, and email address, and a statement that you wish to be excluded from the Class Action. If a Class Member does not timely and properly opt out of the Class Action, or does not timely and properly file a claim form with the Claims Administrator, the Class Member will be forever barred from receiving any benefits under the Settlement, and from commencing or continuing any action against Apple relating to the subject of the Class Action.
HOW CAN I OBJECT?	The Settlement is subject to approval of the court, and Class Members who do not opt out may object to the Settlement. To do so, you must deliver your objection in writing to Class Counsel at the address below by no later than 5 PM local time on December 27, 2023. The settlement approval hearing will take place on January 29, 2024 at the courthouse at 800 Smithe Street, Vancouver, British Columbia.
WHERE CAN I GET MORE INFORMATION?	This notice is a summary. For more information about your rights and how to exercise them, please see the long-form notice at: www.SmartphonePerformanceSettlement.ca
WHO ARE THE LAWYERS FOR THE CLASS?	The law firms representing the Class Members are: Garcha & Company Attention: iPhone Power Management Class Action Mail: #405 – 4603 Kingsway, Burnaby, BC V5H 4M4 Email: iphonesettlement@garchalaw.ca Telephone (toll-free): 1-844-878-0444 Rochon Genova LLP Attention: Jon Sloan Mail: 121 Richmond Street West, Suite #900, Toronto, ON M5H 2K1 Email: jsloan@rochongenova.com

This notice was authorized by the Supreme Court of British Columbia.