

# **EDMONTON YOUTH DEVELOPMENT CENTRE CLASS ACTION**

**Were you imprisoned at the Edmonton Youth Development Centre from 1985 to 1990?**

**Were you sexually abused by Father Gordon William Dominey while at the Edmonton Youth Development Centre?**

**If YES, a class action may affect your rights.**

**A court authorized this notice. You are not being sued.**

- **You could be affected by a class action.**
- **Your rights are affected, and you have a choice to make now. This notice is to help you make that choice.**
- **Nanda & Company was appointed by the court as the lawyers for survivors of Father Gordon William Dominey at the Edmonton Youth Development Centre. You should contact the lawyers at 587-400-1253 or email them at [EYDC@nandalaw.ca](mailto:EYDC@nandalaw.ca) to get more information.**

## **Introduction**

The Court of King's Bench of Alberta has certified the following action as a class proceeding: *VLM v Estate of Gordon William Dominey, The Synod of the Diocese of Edmonton, and Her Majesty the Queen in Right of Alberta*, Court of King's Bench of Alberta File No. 1703 18813, in the Judicial Centre of Edmonton.

The class consists of all persons described as:

All persons who were incarcerated at the EYDC from 1985 to 1990 and claim to have been sexually assaulted by Gordon William Dominey while imprisoned at the EYDC.

If you were incarcerated at the Edmonton Youth Development Centre ("EYDC") from 1985 to 1990, you may be a member of the class. If you are not sure whether you are a member of the class, you should speak to Class Counsel, whose information is listed below.

## **What is the Case About?**

The EYDC was a youth correctional facility operated by His Majesty the King in Right of Alberta ("Alberta") in Edmonton, Alberta. From 1985 to 1990, Gordon William Dominey ("**Dominey**"), an Anglican priest with the Synod of the Diocese of Edmonton (the "**Diocese**"), worked at the EYDC as a prison chaplain. Dominey died in 2020.

The lawsuit alleges that Dominey sexually abused youth incarcerated at the EYDC during the time he worked there as a chaplain. The individuals were minors at the time of the abuse, under the age of 18.

The lawsuit seeks compensation from Dominey, Alberta, and the Diocese for the abuse the survivors endured at the EYDC.

On September 8, 2023, this action was allowed to proceed as a class action, and a Representative Plaintiff has been appointed.

## **How Do I Participate in the Class Action?**

If you wish to participate in the class action, you do not need to do anything at this time. You are automatically included in the class action. However, it is important you contact class counsel at the details listed below to ensure you can be kept informed and included in any resolution of this lawsuit.

## **What If I Do Not Want to Participate in the Class Action?**

If you do not wish to participate in this lawsuit, you must opt out. To opt out of the class action, you must fill out, sign, and send the written opt-out form below to class counsel — opt-out forms must be sent by pre-paid mail, courier, or e-mail to:

Avnish Nanda  
Nanda & Company  
10007 80 Avenue NW  
Edmonton, Alberta T6E 1T4  
587-400-1253  
EYDC@nandalaw.ca  
avnish@nandalaw.ca

The written opt-out form must be received by class counsel no later than May 31, 2024, and no class member will be permitted to opt out of the class action after that date.

If you opt out of the class action, you will take full responsibility for initiating your own lawsuit against the Defendants, including obtaining any necessary leave of the Court to do so, and for taking all legal steps necessary to protect your claim, if you wish to proceed with a claim.

## **What are the Costs?**

If you are part of the class action, you will not be personally liable to pay any legal fees or disbursements to class counsel.

If the class action is successful in proving that the Defendants are liable to pay money to the class members, further determination may be made including which class members may be entitled to that money, and how such amounts should be distributed to those class members.

If the class action is successful, legal costs will be deducted from the amounts recovered on behalf of the class members. Class counsel is seeking 30% of any amount that is recovered for the class members, plus disbursements and taxes. All legal costs must be approved by the court.

The Representative Plaintiff has retained class counsel to represent him and the class in this lawsuit. Class counsel will only be paid legal fees if the lawsuit is successful. If the lawsuit is successful, class counsel will request that legal fees be set by the court.

## **How do I Find Out More About this Class Action?**

Questions about the matters in this Notice must **not** be directed to the Court. The certification order and other information with respect to the class action can be obtained at the following website:

**[www.nandalaw.ca/eydc](http://www.nandalaw.ca/eydc)**

In addition, questions for Class Counsel may be directed by mail, e-mail, or telephone to him at the contact coordinates listed above.

**EDMONTON YOUTH DEVELOPMENT CENTRE CLASS ACTION  
OPT OUT FORM**

**This form is not a registration form or a claim form. This form excludes you from participation in the class action against the Estate of Gordon William Dominey, The Synod of the Diocese of Edmonton, and His Majesty the King in Right of Alberta for the abuse Father Gordon William Dominey while working as chaplain at the Edmonton Youth Development Centre. If you complete and submit this form, you will not be eligible to remain in the class action and must file your own lawsuit to recover any damages that you may be entitled to against the Estate of Gordon William Dominey, The Synod of the Diocese of Edmonton, and His Majesty the King in Right of Alberta.**

**Do not use this form if you want to remain in the class action. If you want to be excluded from the class action, this form must be received by Nanda & Company at the address below by no later than May 31, 2024.**

<b>Last Name:</b>
<b>First Name:</b>
<b>Current Address:</b>
<b>City:</b>
<b>Province/State:</b>
<b>Postal Code/ZIP:</b>

<b>Telephone Number (Cell):</b>
<b>Telephone Number (Home):</b>
<b>Email:</b>

**Identification of person signing Opt-Out Form (please check):**

- I represent that I was incarcerated at the Edmonton Youth Development Centre from 1985 to 1990 and was sexually assaulted by Father Gordon William Dominey.

**Purpose for Opting Out [Completion of this section of the Opt-Out Form is voluntary, will not be binding on you if you choose to complete it and has no bearing on the validity of the Opt-Out Form] – (check only one):**

- My current intention is to begin individual litigation against Gordon William Dominey, The Synod of the Diocese of Edmonton, and Her Majesty the Queen in Right of Alberta.

- I am opting out of the class action for a reason other than to begin individual litigation against Gordon William Dominey, The Synod of the Diocese of Edmonton, and Her Majesty the Queen in Right of Alberta in relation to the matters alleged in the Proceeding. I am opting out for the following reason(s):

**I UNDERSTAND THAT BY OPTING OUT I WILL NEVER BE ELIGIBLE TO RECEIVE BENEFITS OBTAINED IN THIS CLASS ACTION.**

**I FURTHER UNDERSTAND THAT BY OPTING OUT, I WILL BE RESPONSIBLE FOR ALL LEGAL FEES AND COSTS THAT MAY BE INCURRED BY ME IF I CHOOSE TO PURSUE MY OWN INDIVIDUAL CLAIM**

<b>Signature:</b>	<b>Date Signed:</b>
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This completed Opt-Out Form must be received by class counsel by opt-out forms must be sent by pre-paid mail, courier, or e-mail to no later than May 31, 2024. Class counsel can be reached at:

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10007 80 Avenue NW  
Edmonton, Alberta T6E 1T4  
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