

Notice of Proposed Settlement and Settlement Approval Hearing

DID YOU PURCHASE PIEPS BRANDED AVALANCHE BEACONS IN CANADA FROM JANUARY 1, 2013 TO APRIL 12, 2021?

YOUR LEGAL RIGHTS MAY BE AFFECTED

Why did I get this Notice?

All Canadian residents who purchased a PIEPS DSP Sport, a PIEPS DSP Pro, or a PIEPS DSP Pro Ice (the “**Beacons**”) in Canada from January 1, 2013 to April 12, 2021 (the “**Class**” or “**Class Members**”) have the right to know about a proposed settlement that has been reached in a lawsuit *Rawski v. Black Diamond Equipment et al.*, S.C.B.C. No. VLC S-2010419 (the “**Class Action**”).

On June 13, 2025, the BC Supreme Court certified the Class Action for the purpose of settlement. A copy of the Court’s Order can be obtained here (www.AvalancheBeaconsSettlement.ca).

The proposed settlement of the Class Action must be approved by the Court to become binding. The settlement is a compromise of disputed claims and is not an admission of liability or wrongdoing or fault by any of the Defendants.

The Plaintiff who filed the lawsuit on behalf of the Class Members is Adam Rawski (called the “**Representative Plaintiff**”).

The lawyers for the Class are Rice Harbut Elliott LLP (“**Class Counsel**”).

What is the Class Action about?

The Class Action alleges that PIEPS branded Beacons were not safe for their intended use and the Defendants failed to warn consumers about the risks of a defective locking mechanism on the Beacons which caused the Beacons to unexpectedly change modes from “send” to “search” or “off”.

The Defendants deny the allegations, which have not been proven, and are defending the lawsuit.

Who are the Class Members affected by the settlement?

The Class consists of:

All persons resident in Canada, except for the Defendants and their officers and directors and any of the heirs, successors and assigns of the Defendants and their officers and directors (the “**Excluded Persons**”), who purchased electronic avalanche transceivers in one of the following three (3) models: 1) PIEPS DSP Sport, 2) PIEPS DSP Pro, or 3) PIEPS DSP Pro Ice (the “**Beacons**”) in Canada from January 1, 2013 to April 12, 2021 (the “**Class Period**”).

If you are not sure whether you are included in the Class, you can ask for free help by calling the settlement administrator at 1-833-777-7763 for more information. You can also visit www.AvalancheBeaconsSettlement.ca for more information or send an email to avalanchebeaconssettlement@veritaglobal.com.

Will I receive compensation from this settlement if it is approved?

The amount of compensation each Class Member is entitled to depends on the particular circumstances of the Class Member and will be determined by reference to a settlement distribution protocol to be approved by the Court, a draft of which can be found here: www.AvalancheBeaconsSettlement.ca.

The current projection is that Class Members who purchased a replacement Beacon (between October 1, 2020 and April 12, 2021) will receive a Compensatory Payment of \$300, whereas Class Members who did not purchase a replacement Beacon will receive a Compensatory Credit of \$50 toward any purchase on the Defendants' online stores.

The precise amount of claims may be reduced depending upon the number of claims that are made.

Note: The proposed settlement does not include claims for personal injury or death in relation to the Beacons.

What if I wish to advance a claim for personal injury or death? Can I still participate in the Class Action settlement?

Yes. Class Members with personal injury claims may receive a Compensatory Payment or a Compensatory Credit from the settlement without jeopardizing any potential claims for personal injury damages.

What are the terms of the settlement?

The settlement provides for the payment of up to \$338,120 by the Defendants, in exchange for a full release of all claims (except personal injury claims) against them by the Class.

A further Court hearing will be held to seek approval of the Settlement Agreement by the Court (the "**Settlement Approval Hearing**"). The Settlement Approval Hearing will take place on December 5, 2025.

If the Court approves the proposed settlement, it will be binding on all Class Members who do not opt out of the proceeding.

The full settlement terms and court documents are available at the following link:

www.AvalancheBeaconsSettlement.ca

How do I participate?

If you are a Class Member and you want to participate in the settlement, you do not need to do anything. You are automatically included as a Class Member unless you opt out of the applicable proceeding.

After the Court approves the settlement, you will be notified in writing regarding how to apply for compensation.

You may contact Class Counsel if you would like to be notified when this information becomes available.

What if I do NOT want to participate in the settlement?

If you do not want to participate in the settlement, you may exclude yourself (“**Opt Out**”) from this Action. Any Class Member who elects to Opt Out of the settlement of this Action and does so successfully (the “**Opt Out Individuals**”) will have the option to start their own individual action against the Defendants **at their own expense**. Class Counsel warns those individuals who are contemplating Opting Out that if they choose to Opt Out and pursue their own individual lawsuit at their own cost, they will likely face significant **challenges proving their case**, as did the Plaintiffs in this Action. If unsuccessful in prosecuting their own action, the Opt Out Individuals may be responsible for the payment of costs to the Defendants. Such costs will be the **sole responsibility** of the Opt Out Individuals.

If you Opt Out, you will **not** be able to make a claim for compensation under the proposed settlement.

In order to Opt Out, you must complete and sign an Opt-Out form and deliver it to the Claims Administrator (RicePoint) by pre-paid mail, courier, or email no later than the Opt-Out Deadline, which is 60 days after the date on which this Notice was first published, or **November 24, 2025**. The Opt-Out form is available at www.AvalancheBeaconsSettlement.ca.

The Opt-Out form must be emailed to avalanchebeaconssettlement@veritaglobal.com or mailed or couriered to:

BLRQ Claims Administrator
c/o Verita Global
1480 Richmond St. Unit 204
London, ON N6G 0J4

What are the legal fee arrangements?

Class Counsel will seek approval of a legal fee of \$57,120, disbursements of \$106,000, and an honorarium of \$5,000 to the Representative Plaintiff. The amounts sought for legal fees, disbursements and the honorarium are independent of, and do not reduce, the funds available to Class Members for Compensatory Payments and Compensatory Credits under the proposed Settlement Agreement.

Class Counsel fees, disbursements and any payments to the Representative Plaintiff are also subject to Court approval to ensure fairness.

What if I want to object to the settlement or legal fee?

All Class Members have the right to let the Court know of any objection they have to the approval of the Settlement Agreement, claims administration and distribution protocol, Class Counsel fees, disbursements, administration expenses or the payment of an honorarium to the Representative Plaintiff. To make an objection, you must deliver a letter or written objection by pre-paid mail, courier, or email to the Claims Administrator (RicePoint) no later than 60 days after the date on which this Notice was first published, or on or before 5:00 pm PST on **November 24, 2025**.

If a Class Member wishes to object, the following information must be included in the letter or written objection delivered to the Claims Administrator:

- a) The objector's full name, current mailing address, telephone number and email address;
- b) A brief statement of the nature and reasons for the objection;
- c) A declaration that the person believes they are a member of the Class and the reason for that belief; and
- d) Whether the objector intends to appear at the Approval Hearing or intends to appear by counsel, and if by counsel, the name, address, telephone number, fax number, and email address of counsel.

For more information or a copy of the Settlement Agreement, go to the following website:

www.AvalancheBeaconsSettlement.ca

You may also contact Class Counsel at classactions@rhelaw.com or via mail at the address above.

This notice has been authorized by an order of the Supreme Court of British Columbia.