

## **NOTICE OF PROPOSED SETTLEMENT APPROVAL AND SETTLEMENT APPROVAL HEARING**

Your legal rights may be affected.

### **IMPORTANT NOTICE TO CURRENT AND FORMER WESTJET FEMALE FLIGHT ATTENDANTS**

If you worked as a flight attendant for WestJet Airlines Ltd. during the period **April 4, 2014 and February 28, 2021** (the “Class Period”), you may be affected by a proposed class action settlement that has been reached in **LEWIS v. WESTJET AIRLINES LTD.**, Supreme Court of British Columbia, Court File No. S-162957 (the “Class Action”).

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

A copy of the Notice of Certification is also attached for reference.

A hearing to determine if the proposed settlement is fair, reasonable, and in the best interests of the Class Members (“Approval Hearing”) has been requested for February 12, 2026, at 10 a.m. PT at the Supreme Court of British Columbia in Vancouver, BC (address below).

The Plaintiff who filed the lawsuit on behalf of the Class Members is Mandalena Lewis (called the “Representative Plaintiff”).

The lawyers for the Class are JFK LAW LLP (“Class Counsel”).

### **WHAT IS THE CLASS ACTION ABOUT?**

The claim alleges WestJet systemically breached the employment contracts of female flight attendants who were employed at WestJet mainline between April 4, 2014 and February 28, 2021 by failing to implement and enforce an alleged contractual term to create and maintain a workplace free from harassment (the “Anti-Harassment Promise”).

WestJet denies the allegations. The allegations have not been proven in court, and the proposed settlement does not include any admission of liability by WestJet.

### **AN ACCOUNT OF THE CONDUCT OF THE PROCEEDING**

The Class Action was commenced in 2016. In December 2017, the Supreme Court of British Columbia dismissed WestJet’s application to strike the claim. WestJet’s appeal of that decision was dismissed by the British Columbia Court of Appeal in February 2019, and its application for leave to appeal to the Supreme Court of Canada was dismissed in July 2019.

In February 2021, the Representative Plaintiff’s certification application was dismissed at first instance. That decision was appealed, and in April 2022 the British Columbia Court of Appeal allowed the appeal and certified the proceeding as a class action.

Following certification, the parties engaged in extensive procedural steps, including applications relating to the scope of the Class Period, document production, pleadings amendments, and notice to the Class. There has been a significant amount of discovery evidence and the parties conducted lengthy examinations for discovery, including multi-day examinations of WestJet witnesses and the Representative Plaintiff.

The parties participated in a mediation in December 2025. Following mediation, additional procedural steps were taken in preparation for trial, including applications for interprovincial subpoenas and remote attendance in January 2026. The litigation also involved extensive expert evidence.

The proposed settlement was reached after these extensive steps had been completed and reflects the risks, costs, and uncertainties of continued litigation for both sides. The Plaintiff is asking the Court to approve the proposed settlement agreement reached between the parties.

### **WHO IS INCLUDED IN THE SETTLEMENT CLASS?**

The settlement class includes current and former female flight attendants employed by WestJet Airlines Ltd. at any point during the period of April 4, 2014 to February 28, 2021 who did not opt out of the Class Action by the expiry of the Opt-Out deadline on June 8, 2024.

### **WHAT ARE THE TERMS OF THE PROPOSED SETTLEMENT?**

Subject to Court approval, WestJet has agreed to the following:

#### **Monetary Settlement**

- WestJet will pay a settlement in the global amount of \$4.5 million CAD, inclusive of class member compensation, Class Counsel fees, disbursements, applicable taxes, and an honorarium for the Representative Plaintiff.
- The net settlement amount, after Court-approved deductions, will be distributed to eligible Class Members in accordance with a Court-approved distribution protocol.

#### **Non-Monetary Settlement**

- Following approval of the settlement, WestJet has agreed to conduct a workplace assessment focused on harassment reporting mechanisms and barriers to reporting.
- The assessment will be conducted by an independent qualified professional of WestJet's choosing who will report the results to WestJet.

## **CAN I MAKE A CLAIM NOW?**

No. Claims cannot be submitted unless and until the settlement is approved by the Court.

If the settlement is approved, further notice will be issued explaining:

- who is eligible to make a claim;
- how to submit a claim;
- applicable deadlines; and
- how settlement funds will be distributed.

## **WHEN IS THE SETTLEMENT APPROVAL HEARING?**

The Court will hold a hearing to decide whether the proposed settlement is fair, reasonable, and in the best interests of the class.

- **Date Requested:** February 12 and 13, 2026 (the Class will be notified if these dates change)
- **Location:** Vancouver Law Courts, 800 Smithe Street, Vancouver, British Columbia

## **WHAT ARE THE LEGAL FEE ARRANGEMENTS?**

Under the terms of their retainer agreement with the Representative Plaintiff, Class Counsel will seek approval of a legal fee of 35% of the global settlement amount, plus disbursements, applicable taxes, and administration expenses. Class Counsel will also seek an honorarium payment of \$20,000 for the Representative Plaintiff.

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 PROPOSED SETTLEMENT OR LEGAL FEE?**

Class Members have the right to object to the approval of the proposed settlement agreement and distribution protocol, Class Counsel fees, disbursements, administration expenses or the payment of an honorarium to the Representative Plaintiff. If you wish to object, you must provide a letter or written objection to Class Counsel by no later than **February 9, 2026**.

The following information must be included in your objection delivered to Class Counsel:

- The objector's full name, current mailing address, telephone number and email address;
- A brief statement of the nature and reasons for the objection;
- A declaration that the person believes they are a member of the Class and the reason for that belief; and

- 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.

Class Counsel may be contacted at:

JFK Law LLP  
Barristers & Solicitors  
260 - 200 Granville Street  
Vancouver, BC V6C 1S4

**Karey Brooks, KC and Soudeh Alikhani**

Tel: 604-687-0549

Fax: 604-687-2696

kbrooks@jfkllaw.ca

salikhani@jfkllaw.ca

www.jfkllaw.ca

## **IMPORTANT INFORMATION**

This Notice is a summary only. If there is any conflict between this Notice and the Settlement Agreement, the terms of the Settlement Agreement will prevail.

For further information, including access to the Settlement Agreement and other key documents as they become available, please visit:

[WestJet Class Action Information | JFK Law LLP of Canada.](#)