

**SUPERIOR COURT**  
(Class Action)

CANADA  
PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL

No: 500-06-000938-189

DATE: July 12, 2022

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**BY: THE HONOURABLE THOMAS M. DAVIS, J.S.C.**

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**PANAGIOTIS LEVENTAKIS**  
Plaintiff

v.

**FACEBOOK, INC.**  
Defendant

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**JUDGMENT ON AN APPLICATION TO DISCONTINUE**

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[1] **CONSIDERING** the Application to Authorize a Class Action filed on or about July 31, 2018 (the **Quebec Action**);

[2] **CONSIDERING** that on May 6, 2019 the Court granted an *Application to Temporarily Stay the Class Action*, and temporarily stayed the action for a period ending sixty (60) days after the final certification judgment to be rendered in the BC Action;

[3] **CONSIDERING** that a parallel class action was commenced on the same day as the Quebec Action, in British Columbia in *Chow et al. v. Facebook, Inc.*, court docket

number VLC-S-S-188374 (the “**BC Action**”) which raised the same issues and whose class definition includes the members of the Quebec Action;

[4] **CONSIDERING** that the BC Action was actively advanced and litigated, the certification hearing taking place from September 8-10, 2021.

[5] **CONSIDERING** that on January 27, 2022, Mr. Justice Skolrood’s denied the certification application in the BC action;<sup>1</sup>

[6] **CONSIDERING** that the plaintiffs in the BC Action have not sought to appeal the certification decision.

[7] **CONSIDERING** that certification of the BC Action was denied due to the absence of any evidence that the Defendant used the plaintiffs’ information for its own benefit and that the plaintiffs failed to establish any basis in fact to conclude that the proposed common issues are capable of determination on a class-wide basis or that a class proceeding is the preferable process.

[8] **CONSIDERING** that following this judgment, Plaintiff has requested that the Court authorize a discontinuance in the present class action;

[9] **CONSIDERING** that Plaintiff’s counsel has not been contacted by any putative class members in this action;

[10] **CONSIDERING** that Plaintiff’s lawyers have undertaken to post a copy of the present discontinuance judgment on their website and said judgment will also be posted on the Quebec Class Action Registry;

[11] **CONSIDERING** that Defendant does not oppose the discontinuance;

[12] **CONSIDERING** that granting a discontinuance is in the interests of justice;

**FOR THESE REASONS, THE COURT:**

[13] **GRANTS** Plaintiff’s *Application to Discontinue the Class Action*;

[14] **AUTHORIZES** the Plaintiff to discontinue his action as against the Defendant, Facebook, Inc. without notice and without costs;

[15] **DECLARES** that the discontinuance does not affect the rights of the parties;

[16] **AUTHORIZES** Plaintiff to file a Notice of Discontinuance in favor of the Defendant, Facebook, Inc., within fifteen (15) days of the present judgement;

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<sup>1</sup> *Chow v Facebook, Inc.*, 2022 BCSC 137.

[17] **TAKES ACTE** of the undertaking of Plaintiff's lawyers to post a copy of the present judgment on their website and to post it on the Quebec Class Action Registry;

[18] **WITHOUT COSTS.**

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THOMAS M. DAVIS, J.S.C.

Mtre Careen Hannouche  
**KLEIN AVOCATS PLAIDEURS INC.**  
Attorneys for the Plaintiff

Mtre Éric Préfontaine  
Mtre Jessica Harding  
Mtre Yasmine Sentissi  
**OSLER, HOSKIN & HARCOURT, S.E.N.C.R.L./S.R.L.**  
Attorneys for the Defendant