

C A N A D A

PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL

(Class Actions)  
SUPERIOR COURT

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N°: 500-06-001173-216

**TARIQUE PLUMMER**

Applicant

v.

**NUVEI CORPORATION  
PHILIP FAYER  
DAVID SCHWARTZ  
PRICewaterhouseCOOPERS LLP**

Defendants

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**AMENDED APPLICATION TO AUTHORIZE THE ACTION AS AGAINST  
PRICewaterhouseCOOPERS LLP FOR PURPOSES OF SETTLEMENT AND TO  
APPROVE THE CONTENT, DATE, FORM AND METHOD OF PUBLICATION OF THE  
NOTICE OF HEARING TO SETTLEMENT CLASS**  
(ARTS. 575, 579 & 590 CCP, AND 225.4 & 225.5 QSA)

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TO THE HONOURABLE CHRISTIAN IMMER OF THE SUPERIOR COURT, DISTRICT OF MONTREAL, DESIGNATED AS CASE-MANAGEMENT JUDGE OF THE PRESENT MATTER, THE APPLICANT TARIQUE PLUMMER RESPECTFULLY SUBMITS THE FOLLOWING:

**I. INTRODUCTION**

1. On December 8, 2021, the Applicant filed an *Application for Authorization of a Class Action and for Authorization to Bring an Action Pursuant to Section 225.4 of the Quebec Securities Act* against the Defendants, as it appears from the Court record.
2. On June 30, 2022, the Applicant filed an *Amended Application for Authorization of a Class Action and for Authorization to Bring an Action Pursuant to Section 225.4 of the Quebec Securities Act* (the “**Amended Application**”) against certain defendants, as it appears from the Court record.
  - 2.1 On October 13, 2022, further to the execution of a Settlement Agreement with Defendant PricewaterhouseCoopers LLP (“PwC” or the “Settling Defendant”) and for the purposes of answering certain concerns raised by this Honourable Court upon the hearing of the initial version of this Application, the Applicant filed a Notice

of Communication of an Additional Exhibit (P-11), as it appears from the Court record. New Exhibit P-11 is a copy of Nuvei's Registration Statement Form F-10 - preliminary prospectus supplement dated October 4, 2021, and is filed herewith as Exhibit R-5;

3. By way of the Amended Application, the Applicant proposes to institute a class action on behalf of the following class:

“All persons and entities who acquired Nuvei Corporation securities on or after September 21, 2020 to December 7, 2021, and held some or all of those securities until after the close of trading on December 7, 2021. Excluded from the Class are the Defendants, the officers and directors of Nuvei, at all relevant times, members of their immediate families and their legal representatives, heirs, successors or assigns.

or any other Class to be determined by the Court.”

4. The Amended Application alleges, *inter alia*, that the Defendants made certain misrepresentations of material facts through affirmative false and/or misleading statements and/or through their failure to disclose the facts included in a report made public by Spruce Point Capital Management LLC on December 8, 2021 (the “**Report**”).
5. As against PwC, the Applicant alleges that PwC ought to have detected the issues raised in the Report and asserts his claim under section 225.8 of the *Quebec Securities Act* (“**QSA**”) with respect to Nuvei's annual statements and other financial disclosure documents.
6. The Applicant alleges that PwC is liable in its capacity as an expert whose reports, statements or opinions were included, summarized or quoted from, with its written consent, in Nuvei's documents containing the misrepresentations alleged.
7. The Defendant PwC denies any and all allegations of wrongdoing, fault, liability, or damage of any kind, or that it acted improperly or wrongfully in any way whatsoever.
8. On September 28 and 29, 2022, an out-of-court settlement agreement was executed between the Applicant and the Settling Defendant (the “**Settlement Agreement**”), as appears from a copy of said Settlement Agreement communicated herein as **Exhibit R-1**.
9. The Settlement Agreement applies to persons who are members of the following Class (Section 1.32 of the Settlement Agreement):

“All persons and entities, other than the Excluded Persons, who acquired Nuvei Corporation securities on or after September 17, 2020 to December 7, 2021, and held some or all of those securities

until after the close of trading on December 7, 2021.” (“**Settlement Class**”)

10. The Settlement Agreement defines Excluded Persons as follows (Section 1.14):

“Excluded Persons means PwC and the Non-Settling Defendants, members of the immediate families of the Individual Defendants, and the directors, officers, subsidiaries and affiliates of Nuvei and its subsidiaries.”
11. The Settlement Class (Section 1.32 of the Settlement Agreement) includes persons and entities who acquired Nuvei Corporation securities on or after September 17, 2020, rather than on or after September 21, 2020, as described at paragraph 1 of the Amended Application, since the Subordinate Voting Shares began trading on the Toronto Stock Exchange on September 17, 2020, not on September 21, 2020, as it appears from the Expert Report prepared by Frank C. Torchio communicated as Exhibit P-8 in support of the Amended Application.
12. The Applicant and the Settling Defendant have agreed to the terms of the Settlement Agreement, the whole subject to the approval of this Honourable Court.
13. The Applicant and the Settling Defendant hereby respectfully ask this Honourable Court, *inter alia*, to:
  - a) Authorize the bringing of a class action against the Settling Defendant for settlement purposes only pursuant to 575 of the *Civil Code of Quebec* (“**CCQ**”) and 225.4 QSA;
  - b) Approve the content and the form of the Notice of Hearing required by Articles 579 and 590 of the *Civil Code of Procedure* (“**CCP**”), including the Long Form Notice and the Short Form Notice, copies of which are communicated in support of the present Application in English and in French as **Exhibit R-2** and **Exhibit R-3**, respectively;
  - c) Approve the content and the form of the Press Release required by Section 225.5 QSA, a copy of which is communicated in support of the present Application in English and in French as **Exhibit R-4**;
  - d) Approve the plan for the dissemination and publication of the Notice of Hearing and the Press Release, as described at Section 11.7 of the Settlement Agreement communicated herein as Exhibit R-1;
  - e) Confirm the date for the hearing of the Application for Approval of the Settlement Agreement on December 13, 2022, at 9:30 a.m.;
  - f) Set the Exclusion Period as thirty (30) days following the publication of the Notice of Hearing; and

g) Set the objection deadline to seven (7) days before the hearing of the Application for Approval of the Settlement Agreement.

14. As of October 13, 2022, counsel for the Applicant and for PwC are not aware of any other proceedings involving the same facts or the same cause of action as against all or any of the named Defendants to the Amended Action.

**II. AUTHORIZATION OF THE CLASS ACTION AS AGAINST PWC FOR SETTLEMENT PURPOSES (225.4 QSA AND 575 CCP)**

15. The Applicant respectfully asks that this Honourable Court authorize the bringing of the class action pursuant to article 575 CCP, as well as to authorize the action pursuant to Section 225.4 QSA as against PwC for the purposes of settlement only, and to appoint him as Representative Plaintiff of the Settlement Class.

16. The Settling Defendant consents to the authorization of the present case as a class proceeding for the purposes of settlement only, subject to the terms of the Settlement Agreement and approval of same by this Honourable Court.

17. Where the Settling Defendant consents to the authorization of the class action for settlement purposes, the criteria set forth at Section 225.4 QSA and Article 575 CCP must nonetheless be met. However, the analysis of the criteria must be conducted in a flexible manner, taking into account the settlement.

**A. *The Claims of the Members of the Class Raise Identical, Similar or Related Issues of Law or Fact (575(1) CCP)***

18. The common questions as appears in the Amended Application dated June 30, 2022 (para. 26), are identical, similar or related issues of law or fact that would have advanced the litigation in a significant way for all the members of the class:

- a) Are class members entitled to damages and in what amount?
- b) Did any of the Defendants commit a fault, including under article 1457 of the CCQ?
- c) Did the impugned documents contain one or more misrepresentations within the meaning of the QSA?
- d) Are any of the Defendants liable to Class Members under Title VIII, Chapter II (Division I or Division II) of the QSA?

19. The Applicant and the Settling Defendant have agreed to authorize the present class action for settlement purposes only on the basis of a single Common Issue (to which all of the proposed principal questions of fact and law are subsumed as per Section 11.1 of the Settlement Agreement):

“Is PwC liable to the Settlement Class Members for damages for misrepresentation under Title VIII, Chapter II, Divisions I or II of the

QSA, or for civil fault pursuant to article 1457 of the CCQ and, if so, in what amount?"

**B. *Conditions of Sufficiency of the Alleged Facts (575(2) CCP) and of Reasonable Possibility of Success (225.4 QSA)***

20. The Amended Application is brought in good faith.
21. It is disputed that the facts alleged in the Amended Application would appear to justify the conclusions sought and demonstrate a reasonable possibility of success for the purposes of authorization as against PwC. However, PwC agrees that this criterion is satisfied for settlement purposes only and in reserve of all rights should the Settlement Agreement not be approved.
22. The Settlement Agreement was reached further to the Applicant's and the Settling Defendant's analysis of the facts and law applicable to the Applicant's claims, and having regard to the burden and expenses in prosecuting the Amended Application, including the risks and uncertainties associated with trials and appeals, and the obstacles to the eventual success of the action as against PwC, which is not guaranteed on the merits of the case.

**C. *The Composition of the Class (575(3) CCP)***

23. The composition of the class makes it difficult or impracticable to apply the rules for mandates to sue on behalf of others for consolidation of proceedings because (see paras. 27 to 32 of the Amended Application):
  - a) Potential Class Members, of which there are many, are dispersed across the world;
  - b) Given the costs and risks inherent in instituting an action before the courts, people could hesitate to institute individual actions against the Settling Defendant;
  - c) Individual litigation of the factual and legal issues raised would increase delay and expenses to all parties and would place an unjustifiable burden on the court system.

**D. *The Class Member Requesting to be Appointed as Representative Plaintiff is in a Position to Properly Represent the Class Members (575(4) CCP)***

24. The Applicant is an adequate representative notably for the following reasons (see para 33 of the Settlement Agreement):
  - a) He is a member of the Class and has a personal interest in seeking the conclusions that he proposes herein;
  - b) He is competent, in that he has the potential to be the mandatary of the action if it had proceeded under article 91 of the Code of Civil Procedure;

- c) His interests are not antagonistic to those of other Class members;
- d) He brings the action in good faith.

**E. *This Honourable Court has Jurisdiction to Grant the Authorization of an International Class***

- 25. In Quebec, the prevalent view is that jurisdiction must be demonstrated vis-à-vis each of the proposed class members, rather than solely vis-à-vis the prospective representative plaintiff.
- 26. Nuvei Corporation has its head office in Montreal, Quebec.
- 27. PwC, the Settling Defendant, has an establishment in Montreal, Quebec, and the dispute relates to activities in Quebec, as appears from: **(i)** the Independent auditor's report incorporated in Nuvei Corporation's 2020 Annual Report (Exhibit P-2<sup>1</sup> in support of the Amended Application); **(ii)** from Nuvei's Supplemented Prep Prospectus (Initial Public Offering and Secondary Offering) dated September 16, 2020 (Exhibit P-7<sup>2</sup>); and **(iii)** from Nuvei's Registration Statement Form F-10, (Exhibit P-11<sup>3</sup>) also filed herewith as Exhibit R-5.
- 28. In addition to the jurisdiction of this Honourable Court being established through valid connecting factors under article 3148 CCQ, the preservation of members' rights (residents and non-residents of Quebec alike) will be guaranteed by the existence of the opt-out mechanism and the adequacy of the notices.

**III. NOTICE OF HEARING, PRESS RELEASE AND PLAN OF DISSEMINATION**

- 29. Should this Honourable Court grant the authorization of the class action as against PwC for the purposes of settlement, the Applicant will send a written notice to the Authority within seven (7) days of the authorization, together with a copy of a Press Release disclosing the authorization of the action pursuant to the QSA as described at Section 10 of the Settlement Agreement and in compliance with Section 225.5 QSA, a copy of which is communicated herein as Exhibit R-4.
- 30. Promptly thereafter, the Applicant will issue the Press Release in accordance with the plan of dissemination.
- 31. The Settlement Agreement also provides that a Notice of Hearing shall be disseminated as follows (Section 11.7 of the Settlement Agreement):

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<sup>1</sup> See pp 79 and 83.

<sup>2</sup> See pp 169, F-17, F-19, F-20, and F-22 (p.176, 217, 219, 220, 222 of the pdf document)

<sup>3</sup> See p. S-40 and S-41 of the Prospectus Supplement (p. 47/78 and 48/78 of the pdf document) and p.22 of the Base Shelf Prospectus (p.73/78 of the pdf document). See also the following exhibits listed at p. II-2 (p. 75/78 of the document) : Audited Consolidated Annual Financial Statements of the Registrant as at and for the years ended December 31, 2020 and December 31, 2019, together with the notes thereto and the auditor's report thereon (Exhibit 4.2 to the Registration Statement) and Consent of PricewaterhouseCoopers LLP (Exhibit 5.1 to the Registration Statement).

- a) By Class Counsel posting the long form Notice of Hearing, in English and French, on its website and by delivering a copy of the long form Notice of Hearing electronically to all individuals and entities who signed up on Class Counsel's website dedicated to this Action ([www.lpclex.com/nuvei](http://www.lpclex.com/nuvei)) at any time before the Judgment authorizing the Action for purposes of settlement and approving the content, date, form and method of publication of the Notice of Hearing to the Settlement Class;
- b) By Class Counsel posting the short form Notice of Hearing online in abbreviated form, in English and French, on its website dedicated to this Action;
- c) By publishing the short form Notice of Hearing online in abbreviated form, in English and French, on the websites listed in **Schedule 1**, with a URL leading to more information;
- d) By publishing the short form Notice of Hearing through Cision (formerly Canada NewsWire), worldwide, in English and French within the Press Release contemplated by Section 10.1;
- e) By Class Counsel publishing the long form Notice of Hearing, in English and French, on the Quebec Class Action Registry; and
- f) PwC shall cause copies of the Long Form Notice to be notified by registered mail or by email to the brokers identified in **Schedule 2** (the "**Brokers**") requesting that, within 14 business days of receipt of the Long Form Notice, the Broker forwards copies of the Long Form Notice to all persons or entities for whose benefit the Broker purchased or otherwise acquired Nuvei Securities during the period of September 17, 2020 to December 7, 2021 (the "**Beneficial Owners**"). For those Beneficial Owners whose email addresses are known to the Broker, the Broker may forward the Long Form Notice by email. Where the Broker does not have a valid email address for one or more Beneficial Owners, the Broker may request from PwC sufficient copies of the Long Form Notice to mail to all such Beneficial Owners whose email addresses are not known to them. The Brokers who elect to send the Long Form Notice to their Beneficial Owners shall send a statement to PwC confirming that the mailing, by email or regular mail, was made and shall retain their mailing records for use in connection with any further notices that may be provided in the action. Upon full compliance with this provision, the Brokers may seek reimbursement of their reasonable expenses actually incurred by providing PwC with proper documentation supporting the expenses for which reimbursement is sought, provided that the Brokers may only cumulatively request up to \$15,000 in total for the expenses relating to the distribution of the Long-Form Notice to Class Members. If the amounts submitted in aggregate exceed \$15,000, each Broker's claim shall be reduced on a pro rata basis. Each brokerage firm must submit its account by a date to be determined by the parties and to be included in the Long Form Notice in order to be entitled to a pro rata payment.

32. The Notice of Hearing, including the Long Form Notice and the Short Form Notice, copies of which are communicated in support of the present Application in English and in French as Exhibit R-2 and Exhibit R-3, respectively, indicates, in particular, the following:
- a) The existence of the Amended Application and the definition of the Settlement Class;
  - b) the authorization of the Action as class proceedings as against PwC for settlement purposes;
  - c) the right to opt out of the Action, the process by which the Settlement Class Members may opt out, and the delay to do so;
  - d) the date and location of the hearing at which the Superior Court of Quebec will be asked to approve the Settlement Agreement;
  - e) the principal elements of the Agreement; and
  - f) the process by which the Settlement Class Members may object to the Settlement, and in what delay.
33. It should be noted that the Applicant and the Settling Defendant have agreed to include the information contained in the Short Form Notice into the Press Release contemplated by the QSA in order for its publication to contribute to the larger dissemination of the Notice of Hearing and to enhance the reach of the Settlement Class Members.

**PAR CES MOTIFS, PLAISE AU TRIBUNAL:**

**ACCUEILLIR** la présente Demande;

**ORDONNER** que pour l'application du présent Jugement, les définitions énoncées à l'Entente de Règlement s'appliquent et y sont incorporées par renvoi;

**DÉCLARER** qu'en cas de conflit entre le présent Jugement et l'Entente de Règlement, ce Jugement prévaudra;

**AUTORISER** l'exercice d'une action collective en vertu de l'article 575 du *Code de procédure civile* et d'une action

**FOR THESE REASONS, MAY IT PLEASE THE COURT TO:**

**GRANT** the present Application;

**ORDER** that for the purposes of this Judgment, the definitions contained in the Settlement Agreement, shall apply and are incorporated by reference;

**DECLARE** that in the event of a conflict between this Judgment and the Settlement Agreement, this Judgment shall prevail;

**AUTHORIZE** the bringing of a class action pursuant to article 575 of the *Civil Code of Procedure* and of an action



en vertu de l'article 225.4 de la *Loi sur les valeurs mobilières* du Québec contre PricewaterhouseCoopers LLP pour les fins de règlements seulement;

**ATTRIBUER** au Requérant le statut de représentant du groupe décrit ci-après :

« Toutes les personnes et entités, à l'exception des Personnes Exclues, qui ont acquis des titres de Corporation Nuvei entre le 17 septembre 2020 et le 7 décembre 2021, et qui ont détenu une partie ou la totalité de ces titres jusqu'après la clôture des marchés financiers le 7 décembre 2021.

Les Personnes Exclues sont PwC et les autres défendeurs nommés à l'action qui ne sont pas partis à l'Entente de Règlement; les membres de la famille immédiate des défendeurs individuels, et les administrateurs, directeurs, filiales et sociétés liées de Nuvei et de ses filiales. »;

**DÉTERMINER** que la question commune pour l'autorisation de l'action collective aux fins de règlement seulement est la suivante :

« Est-ce que PwC est responsable à l'égard des Membres du Groupe aux fins de Règlement pour des dommages découlant d'une fausse représentation aux termes du Titre VIII, Chapitre II, Divisions I et II de la Loi sur les valeurs mobilières ou d'une faute civile aux termes de l'articles 1457 CCQ et, dans l'affirmative, pour quel montant? »

**FIXER** l'audition de la Demande d'approbation de l'Entente de Règlement (l'« **Audience pour approuver l'Entente de Règlement** ») qui aura lieu le 13 décembre 2022, à 9h30, dans une salle du palais de justice de Montréal et par vidéoconférence;

pursuant to section 225.4 of the *Quebec Securities Act* against PricewaterhouseCoopers LLP for the purposes of the settlement only;

**APPOINT** the Applicant the status of representative of the class herein described as:

“All persons and entities, other than the Excluded Persons, who acquired Nuvei Corporation securities on or after September 17, 2020 to December 7, 2021, and held some or all of those securities until after the close of trading on December 7, 2021.

Excluded Persons means PwC and the Non-Settling Defendants, members of the immediate families of the Individual Defendants, and the directors, officers, subsidiaries and affiliates of Nuvei and its subsidiaries.”;

**DETERMINE** that the common issue for authorization of the class action for the purposes of settlement only is the following:

“Is PwC liable to the Settlement Class Members for damages for misrepresentation under Title VIII, Chapter II, Divisions I or II of the QSA, or for civil fault pursuant to article 1457 of the CCQ and, if so, in what amount?”

**SET** the hearing of the Application for Approval of the Settlement Agreement (“**Hearing to Approve the Settlement Agreement**”) to be held on December 13, 2022, at 9:30 AM in a room of the Montreal Courthouse and by videoconference;

**ORDONNER** que la date et l'heure de l'Audience pour approuver l'Entente de Règlement soient indiquées dans l'Avis d'audience, mais qu'elles puissent être ajournées par cette Honorable Cour sans autre publication d'un avis aux Membres du Groupe autrement qu'en affichant une nouvelle date et heure pour cette audience sur le site Web des Avocats du groupe ([www.lpclex.com/fr/nuvei](http://www.lpclex.com/fr/nuvei));

**APPROUVER** la forme et le contenu du Communiqué de presse dans sa version française et anglaise, essentiellement en conformité avec le communiqué de presse communiqué comme Pièce R-4;

**APPROUVER** la forme et le contenu de l'Avis d'audience, incluant l'Avis abrégé et l'Avis détaillé, dans sa version française et anglaise, essentiellement en conformité avec les avis communiqués comme Pièces R-2 et R-3;

**ORDONNER** que l'Avis d'audience, incluant l'Avis abrégé et l'Avis détaillé, dans sa version française et anglaise, soient diffusés et publiés conformément au plan de diffusion prévu à l'Entente de Règlement;

**ORDONNER** que les frais du plan de diffusion soient payés par PwC, suivant les termes de l'Entente de Règlement;

**ORDONNER** que les Membres du Groupe peuvent s'exclure de l'action collective en envoyant une demande écrite d'exclusion à l'Avocat du groupe et au Greffe de la Cour supérieure du Québec à l'adresse suivante :

Greffe de la Cour supérieure du Québec  
Division des actions collectives  
Palais de justice de Montreal  
1, rue Notre-Dame Est

**ORDER** that the date and time of the Hearing to Approve the Settlement Agreement shall be set forth in the Notice of Hearing, but may be subject to adjournment by this Court without further publication of any notice to Class Members other than by posting any new date and time for that hearing on Class Counsel's website ([www.lpclex.com/nuvei](http://www.lpclex.com/nuvei));

**APPROVE** the form and content of the Press Release, in both French and English versions, substantially in conformity with the Press Release communicated as Exhibits R-4;

**APPROVE** the form and content of the Notice of Hearing, including the Long Form Notice and the Short Form Notice, in both French and English versions, substantially in conformity with the notices communicated as Exhibits R-2 and R-3;

**ORDER** that the Notice of Hearing, including the Long Form Notice and the Short Form Notice, in both French and English versions, be disseminated and published in accordance with the Notice Plan;

**ORDER** that the costs of the Notice Plan will be paid by PwC in accordance with the Settlement Agreement;

**ORDER** that Class Members may opt out of the class action by sending a written Request for Exclusion to either Class Counsel or the Clerk of the Superior Court of Quebec at the following address:

Clerk of the Superior Court of Quebec  
Class Action Division  
Montreal Courthouse  
1 Notre-Dame Street East

Bureau 1.120  
Montreal, Québec, H2Y 1B6  
N° de dossier : 500-06-001081-203

La demande d'exclusion doit contenir les informations spécifiées dans l'Avis d'audience. Les demandes écrites d'exclusion doivent être reçues ou postées, le cachet de la poste en faisant foi, au plus tard trente (30) jours après la publication de l'Avis d'audience;

**DÉCLARER** que tous les Membres du Groupe qui n'ont pas demandé leur exclusion sont liés par tout jugement à rendre sur l'action collective de la manière prévue par la loi;

**ORDONNER** que chaque Membre du Groupe qui souhaite s'exclure de l'action collective :

- a) ne sera pas lié par l'Entente de Règlement;
- b) n'aura pas le droit de recevoir une part des bénéfices payables en rapport avec celle-ci; et
- c) cessera d'être un Membre du Groupe;

**DÉCLARER** que les Membres du Groupe peuvent s'opposer à l'Entente de Règlement en informant par écrit les Avocats du Groupe de leur objection au moins sept (7) jours avant l'Audience pour approuver l'Entente de Règlement. Toutes les objections doivent contenir les informations spécifiées dans l'Avis d'audience pour l'approbation de l'Entente de Règlement.

**LE TOUT** sans frais de justice.

Room 1.120  
Montreal, Quebec, H2Y 1B6  
File No.: 500-06-001081-203

The request to opt out must contain the information specified in the Notice of Hearing. Written requests to opt out must be received or postmarked, if mailed, no later than thirty (30) Days following publication of the Notice of Hearing;

**DECLARE** that all Class Members that have not requested their exclusion be bound by any judgment to be rendered on the class action in the manner provided for by law;

**ORDER** that each Class Member who wishes to opt out of the class action:

- a) will not be bound by the Settlement Agreement;
- b) will not be entitled to receive any share of benefits payable in connection with same; and
- c) will cease to be a Class Member;

**DECLARE** that the Class Members may object to the Settlement Agreement by inform Class Counsel in writing of their objection at least seven (7) days before the Hearing to Approve the Settlement Agreement. All objections must contain the information specified in the Notice of Hearing;

**THE WHOLE** without legal costs.

Montreal, October 13, 2022

(s) *LPC Avocat Inc.*

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**LPC AVOCAT INC.**

Mtre Joey Zukran

Attorney for the Applicant

276 Saint-Jacques Street, Suite 801

Montreal, Quebec, H2Y 1N3

Telephone: (514) 379-1572

Telecopier: (514) 221-4441

Email: [jzukran@lpclex.com](mailto:jzukran@lpclex.com)

**NOTICE OF PRESENTATION**

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**Me Alain Riendeau**

Phone: +1 514 397 7678

Email: [ariendeau@fasken.com](mailto:ariendeau@fasken.com)

**Me Noah Boudreau**

Phone: +1 514 394 4521

Email: [nboudreau@fasken.com](mailto:nboudreau@fasken.com)

**Fasken Martineau DuMoulin LLP**

Attorneys for PricewaterhouseCoopers LLP

800 Victoria Square, Suite 3500

P.O. Box 242

Montréal, Quebec, H4Z 1E9

Fax number: +1 514 397 7600

**Me Stéphanie Lapierre**

Phone : +1 514 397 3029

Email : [slapierre@stikeman.com](mailto:slapierre@stikeman.com)

**Me Frédéric Paré**

Phone : +1 514 397 3690

Email : [fpare@stikeman.com](mailto:fpare@stikeman.com)

**Stikeman Elliott LLP**

Attorneys for Nuvei Corporation, Philip Fayer  
and David Schwartz

1155 boul. René-Lévesque Ouest

41e étage

Montréal, Québec, H3B 3V2

Fax number : +1 514 397 5429

**TAKE NOTICE** that the *Amended Application to Authorize the Action as Against PricewaterhouseCoopers LLP for Purposes of Settlement and to Approve the Content, Date, Form and Method of Publication of the Notice of Hearing to Settlement Class* shall be presented before the Honourable Christian Immer, Judge of the Superior Court of Quebec, at a date to be determined, at a time to be determined or as soon as counsel may be heard, in a room to be determined of the Montréal Courthouse situated at 1, Notre-Dame Street East, Montréal.

Montreal, October 13, 2022

(s) *LPC Avocat Inc.*

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**LPC AVOCAT INC.**

Mtre Joey Zukran

Attorney for the Applicant

276 Saint-Jacques Street, Suite 801

Montréal, Québec, H2Y 1N3

Telephone: (514) 379-1572

Telecopier: (514) 221-4441

Email : [jzukran@lpclex.com](mailto:jzukran@lpclex.com)

**C A N A D A**

**PROVINCE OF QUEBEC**  
DISTRICT OF Montreal  
LOCALITY OF Montreal

SUPERIOR COURT  
(Class Actions)

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Applicant

v.

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PHILIP FAYER  
DAVID SCHWARTZ  
PRICEWATERHOUSECOOPERS LLP**

Defendants

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**AMENDED LIST OF EXHIBITS**

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- EXHIBIT R-1:** Copy of the Settlement Agreement, Fully Executed on September 29, 2022 (English Original Version);
- EXHIBIT R-2:** Copy of the Long Form Notice, in English and in French;
- EXHIBIT R-3:** Copy of the Short Form Notice, in English and in French;
- EXHIBIT R-4:** Copy of the Press Release, in English and in French;
- EXHIBIT R-5:** Copy of Form F-10 Registration Statement - preliminary prospectus supplement » (4 octobre 2021).

Montreal, October 13, 2022

*(s) LPC Avocat Inc.*

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**LPC AVOCAT INC.**

Mtre Joey Zukran

Email: [jzukran@lpclex.com](mailto:jzukran@lpclex.com)

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(Class Action)  
SUPERIOR COURT OF QUEBEC  
DISTRICT OF MONTREAL

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Defendants

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**AMENDED APPLICATION TO AUTHORIZE THE ACTION AS AGAINST  
PRICEWATERHOUSECOOPERS LLP FOR PURPOSES OF SETTLEMENT AND  
TO APPROVE THE CONTENT, DATE, FORM AND METHOD OF PUBLICATION  
OF THE NOTICE OF HEARING TO SETTLEMENT CLASS  
(ARTS. 575, 579 & 590 CCP, AND 225.4 & 225.5 QSA)**

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**ORIGINAL**

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Mtre Joey Zukran  
**LPC AVOCAT INC.**  
276 Saint-Jacques Street, Suite 801  
Montréal, Québec, H2Y 1N3  
Telephone: (514) 379-1572 • Fax: (514) 221-4441  
Email: [jzukran@lpclex.com](mailto:jzukran@lpclex.com)

**BL 6059**

**N/D: JZ-236**

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