

CANADA  
PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL

(CLASS ACTION)  
SUPERIOR COURT OF QUEBEC

No.: 500-06-001202-221

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A [REDACTED] K [REDACTED], residing and domiciled  
at [REDACTED]

*Plaintiff*

vs.

**BARILLA CANADA INC.**, a legal person constituted according to the law, having its head office located at 200-140 Allstate Parkway, in the City of Markham, Province of Ontario, L3R 5Y8, and having its *fondé de pouvoir* at 1 Place-Ville-Marie, Suite 4000, in the City and District of Montreal, Province of Quebec, H3B 4M4;

*Defendant*

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**APPLICATION FOR AUTHORIZATION TO INSTITUTE A CLASS ACTION  
(Art. 574 C.C.P. and following)**

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**TO ONE OF THE HONOURABLE JUDGES OF THE SUPERIOR COURT OF QUEBEC, SITTING IN AND FOR THE DISTRICT OF MONTREAL, THE PLAINTIFF STATES THE FOLLOWING:**

**Introduction:**

1. Plaintiff wishes to institute a class action on behalf of the following group, of which Plaintiff is a member, namely:

All residents of Canada who have purchased at least one of the Defendant's pasta products, which products were not produced in Italy but which bear the phrase "ITALY'S #1 BRAND OF PASTA" and/or "LA MARQUE de PÂTES No 1

EN ITALIE" and/or which display the Italian flag colors on the front label of the packaging, or any other group to be determined by the Court.

(hereinafter referred to as **Plaintiff(s)**”, the “Class Member(s)”, the “Class”, the “Group Member(s)”, the “Group”, or the “Consumer(s)”).

2. Defendant Barilla Canada Inc. is a Canadian corporation, headquartered in Markham, Ontario with its *fondé de pouvoir* in the District of Montreal, Province of Quebec, the whole as more fully appears from the *Registraire des entreprises* report regarding Defendant, communicated herewith as **Exhibit R-1** (hereinafter “**Defendant**” or “**Barilla Canada**”).

**The situation:**

3. Defendant markets, commercializes, distributes and sells its various well-known pasta products through many grocery stores across Canada, including Quebec.
4. The Defendant’s pasta products in issue in the present proceeding include without limitation the following products:
  - (a) Barilla® Classic Blue Box Pastas, including Angel Hair, Campanelle, Cellentani, Ditalini, Elbows, Farfalle, Fettuccine, Fideo Cut Spaghetti, Gemelli, Jumbo Shells, Large Shells, Linguine, Linguine Fini, Manicotti, Medium Shells, Mezzi Rigatoni, Mini Farfalle, Mini Penne, Mini Wheels, Mostaccioli, Orzo, Pastina, Penne, Pipette, Rigatoni, Rotini, Spaghetti, Spaghetti Rigati, Thick Spaghetti, Thin Spaghetti, Tri-Color Penne, Tri-Color Rotini, Wavy Lasagne, and Ziti;
  - (b) Barilla® Collezione Artisanal Pastas, including Bucatini, Casarecce, Orecchiette, Penne, Rigatoni, and Spaghetti;

(c) Barilla® Gluten Free Pastas, including Elbows, Fettuccine, Penne, Rotini, and Spaghetti;

(d) Barilla® Veggie Pastas, including Rotini, and Spaghetti;

(e) Barilla® Whole Grain Pastas, including Elbows, Lasagne, Linguine, Penne, Rotini, Spaghetti, and Thin Spaghetti;

(hereinafter the "**Product(s)**").

5. Plaintiff files copies of the front and back labels of the boxes of certain Products in question, communicated herewith as **Exhibit R-2, en liasse**.
6. Defendant primary marketing message for its pasta Products focuses on its "ITALY'S #1 BRAND OF PASTA" (and in French: "LA MARQUE de PÂTES No 1 EN ITALIE") claim and representation which appears prominently on the front label of each Product as depicted below:



7. As appears from Exhibit R-2, Defendant reinforces its deceiving message by replicating Italy's national flag's green, white, and red colors, perpetuating the notion that its Products are in fact produced in Italy, which is not in fact the case.
8. The wide range of Defendant's Products sold to Canadian Class Members are labeled as "Italy's #1 Brand of Pasta", although said Products are made outside of Italy, namely in the United States and/or in Canada, as appears from Exhibit R-2.
9. Defendant's advertising and marketing campaign for the Products has been

extensive and Defendant has spent a significant amount of money to convey its deceptive messages to Consumers, namely that its Products sold in Canada are in fact produced in Italy.

10. Contrary to the labeling, the Products are not produced in Italy and are not manufactured with ingredients from Italy.
11. Defendant deliberately designed and executed a decades long marketing campaign to identify its Barilla brand, company, and Products at issue in this case, as authentic, genuine Italian pastas, made from ingredients sourced in Italy (like durum wheat) and manufactured in Italy.
12. Defendant's advertising is misleading since Defendant sought to take advantage of Consumers' desire for authentic Italian pasta in an effort to gain market share and increase sales.
13. In fact, Defendant knew that its target audience would be eager to accept claims that the Products are made in Italy since Italian products are generally viewed as a higher quality product. Defendant used this opportunity to lure Customers into buying the Products and/or paying a higher price for the Products, by making prominent misleading representations in the marketing materials for the Products, most notably on the front labels for the Products.
14. The Consumer's general impression is therefore that each Product was made in Italy from ingredients sourced in Italy.
15. Accordingly, Defendant has made deceptive claims about the Products, in various ways including in television, in magazines, on the Internet, and as mentioned on the front labels of the Products themselves, which is typically the first and sometimes only exposure Consumers will have to Defendant's claims and representations before purchasing the products.
16. In fact, Defendant's website, [www.barilla.com](http://www.barilla.com), which serves all Canadian

users, reiterates the same central marketing theme, and provides consumers access 24 hours a day, 7 days a week, to Defendant's deceptive advertising campaign for the Products.

17. For instance and in order to further reinforce this deceiving marketing scheme, Defendant describes itself as follows on its website: "an Italian family-owned food company" that is a "world leader in the markets of pasta and ready-to-use sauces in continental Europe, bakery products in Italy and crispbread in Scandinavia, the Barilla Group is recognized worldwide as a symbol of Italian know-how."; and at the top of the Classic Blue Box product line webpage, Defendant claims that Italians recognize the Barilla® brand Products merely from their signature dark blue box packaging and that Italians have favored the Products for more than one hundred years, representing that: "Italians know the familiar Blue Box means quality, perfectly al dente pasta every time. That's why Barilla has been an Italian favorite for over 140 years, and continues to be the #1 pasta in Italy today.", the whole as more fully appears from excerpts from Defendant's website, communicated herewith as **Exhibit R-3**.

18. Defendant's misleading labels and therefore its false advertising about the Products are also reiterated, circulated and promulgated by Defendant's own distributors, to Defendant's knowledge and with its approval. For instance, the well-known Walmart, IGA and amazon.ca websites each offer, depict and list some of Defendant's Products bearing the same "Italy's #1 Brand of Pasta" and Italian flag colors on the front labels, the whole as more fully appears from excerpts from the Walmart, IGA and amazon.ca websites, communicated herewith as **Exhibit R-4, en liasse**. The same can be seen on other distributors selling the Defendant's Products online.

19. As a result of its deceptive conduct, Defendant charges a premium for its Products, which premium Plaintiff and other Consumers paid, and many Consumers continue to pay, with the specific understanding, based upon

Defendant false and misleading labeling, advertising, and representations, that said Products are from Italy.

20. These actions were and are intended to induce unsuspecting Consumers, including Plaintiff and Class Members, into over-paying for Italian Products, but receive Products that are not from Italy.
21. In fact, these false claims served as the basis of Consumers' decisions to purchase the Products, instead of other pastas sold on the market, which do not purport to be Italian-made.
22. Until such time that Defendant cease to engage in deceptive and misleading advertising of the Products, Class Members will continue to suffer harm and prejudice, hence the injunctive relief being sought herein.
23. Defendant succeeded in its deceit and has in fact enjoyed massive profits from its deceptive campaigns. Such enormous profits would not have been as large but for Defendant's deceptive and misleading marketing and advertising campaign.
24. Defendant set the price and charge a premium for the Products. Plaintiff and the other Class Members would not have paid premium prices for the Products, or would not have bought them at all, had they not been exposed to Defendant's false and deceptive advertising about the Products and had, instead, known the truth regarding Defendant's deceptive marketing promises and omissions relating thereto.
25. Moreover, Plaintiff and other Class Members relied upon Defendant's representations and they believed that the Products were made in Italy from ingredients sourced in Italy. In reality, although Plaintiff and the other Class Members paid premium prices, they did not get what they paid or bargained for.

26. Finally, it appears that some of Defendant's related entities, in other countries, are also engaging in the same deceptive marketing and advertising schemes. In this regard, Plaintiff refers this Honorable Court to a US class action lawsuit alleging that Defendant's US sister-company Barilla America Inc. has engaged in the same false advertising concerning the same Barilla branded pasta products being sold in the USA as well, the whole as more fully appears from the First Amended Class Action Complaint filed on July 20, 22 in the United States District Court Northern District of California, communicated herewith, as though recited at length herein, as **Exhibit R-5**, (hereinafter the "**US Class Action**").
27. On October 17, 2022, the Barilla America Inc. Motion to Dismiss the US Class Action was mostly dismissed by the United States District Court Northern District of California, the whole as more fully appears from the October 17, 2022 Judgment, communicated herewith, as though recited at length herein, as **Exhibit R-6**.

#### **FACTS GIVING RISE TO AN INDIVIDUAL ACTION BY THE PLAINTIFF**

28. Plaintiff has regularly purchased, from here local IGA store, Defendant's Products bearing the "Italy's #1 Brand of Pasta" tagline and displaying images of the Italian flag, for herself, her husband and five (5) daughters.
29. Although not having retained the sales receipts from those purchases, Plaintiff has spent over \$100 this year alone for said Products, which amount she claims from Defendant in addition to the punitive damages claimed herein.
30. Plaintiff only purchased the products in question after reading and believing the "Italy's #1 Brand of Pasta" tagline on the front labels, as detailed above, which gave her the impression that said Products were in fact produced in

Italy.

31. In fact, Plaintiff also noticed that the labels displayed the Italian flag, which convinced her even more that said Products were indeed made in Italy.
32. Plaintiff trusted and relied upon Defendant's representations and/or the general impression to the effect that the Products were made in Italy from ingredients sourced in Italy.
33. In fact, the said claims on the labels of the Pasta Products convinced Plaintiff to purchase said products instead of any other similar pasta products.
34. Plaintiff would not have purchased the Defendant's Products at all if it were not for the false representations and false impressions made by Defendant on the labels of the boxes (as detailed above).

**FACTS GIVING RISE TO AN INDIVIDUAL ACTION BY EACH OF THE MEMBERS OF THE GROUP**

35. Each Class Member has purchased Defendant's Products.
36. Every Class Member's consent when purchasing the Products was vitiated as a result of the false and/or misleading statements made by Defendant, which are described hereinabove and which are prominently included on the front labels of the Products' boxes.
37. Every Class Member would not have purchased the Products at all, or would not have paid the inflated price paid for the Products, if it were not for Defendant's misleading marketing campaign, representations and claims described above regarding the Products.



38. For all of the reasons more fully detailed hereinabove, Plaintiff respectfully submits that Defendant intentionally promulgated and used its Products marketing in an abusive manner, making it liable to pay punitive and exemplary damages to the Class Members, in an amount to be determined by the Court.
39. Defendant's said actions show a malicious, oppressive and high-handed conduct that represents a marked departure from ordinary standards of decency when dealing with customers. In that event, punitive damages should be awarded to Class Members.
40. Furthermore, Defendant knowingly continued and continues to make such false representations to the Class Members, notwithstanding the U.S. Class Action proceeding filed.

#### **CONDITIONS REQUIRED TO INSTITUTE A CLASS ACTION**

41. The composition of the Group makes it difficult or impracticable to apply the rules for mandates to sue on behalf of others or for consolidation of proceedings (Article 575 (3) C.C.P.) for the following reasons.
42. Plaintiff is unaware of the specific number of persons who purchased the Products. However, Defendant's Products are sold and distributed in most groceries stores in Quebec and Canada (for example at IGA) and through national department stores and websites (such as Walmart and amazon.ca). Accordingly, Plaintiff estimates that tens of thousands of people are included in the putative Class in Quebec and Canada.
43. Class Members are numerous and are scattered across the entire province and country.

44. In addition, given the costs and risks inherent in an action before the courts, many people will hesitate to institute an individual action against the Defendant. Even if the Class Members themselves could afford such individual litigation, the court system could not as it would be overloaded. Further, individual litigation of the factual and legal issues raised by the conduct of the Defendant would increase delay and expense to all parties and to the court system.
45. Moreover, a multitude of actions instituted risks leading to contradictory judgments on questions of fact and law that are similar or related to all Class Members.
46. These facts demonstrate that it would be impractical, if not impossible, to contact each and every Class Member to obtain mandates and to join them in one action.
47. In these circumstances, a class action is the only appropriate procedure for all of the Class Members to effectively pursue their respective rights and have access to justice.
48. The damages sustained by the Class Members flow, in each instance, from a common nucleus of operative facts, namely Defendant's misconduct and false advertising.
49. The claims of the Class Members raise identical, similar or related issues of law and fact (Article 575 (1) C.C.P.), namely:
  - a) Did Defendant engage in unfair, misleading, or deceptive acts or practices regarding the marketing and sale of the Products?
  - b) Is Defendant liable to the Class Members for reimbursement of the

purchase price of the Products as a result of this misconduct?

- c) Should injunctive relief be ordered to prohibit the Defendant from continuing to perpetrate their unfair, false, misleading, and/or deceptive conduct?
- d) Is Defendant responsible to pay compensatory and/or punitive/exemplary damages to the Class Member and in what amount?

50. The majority of the issues to be dealt with are issues common to every Class Member.

51. The interests of justice favor that this motion be granted in accordance with its conclusions.

### **NATURE OF THE ACTION AND CONCLUSIONS SOUGHT**

52. The action that the Plaintiff wishes to institute for the benefit of the Class Members is an action in damages, consumer protection, restitution, and injunctive relief.

53. The facts alleged herein appear to justify the conclusions sought by the Plaintiff (Article 575 (2) C.C.P.), namely the following conclusions that Plaintiff wishes to introduce by way of an originating application:

**GRANT** the class action of the Representative Plaintiff and each of the Class Members;

**ORDER** Defendant to cease from continuing their unfair, false, misleading, and/or deceptive conduct concerning the Products;

**ORDER** Defendant to cease selling any products in Canada bearing the phrase "ITALY'S #1 BRAND OF PASTA" and/or the phrase "LA MARQUE de PÂTES No 1 EN ITALIE" and/or displaying the Italian flag colors, unless said products are produced in Italy;

**DECLARE** the Defendant liable for the damages suffered by the Representative Plaintiff and each of the Class Members;

**CONDEMN** the Defendant to pay to each of the Class Members a sum to be determined in compensation of the damages suffered, including the purchase price paid for the Products, and **ORDER** collective recovery of these sums;

**CONDEMN** the Defendant to pay to each of the Class Members a sum to be determined in punitive and/or exemplary damages, and **ORDER** collective recovery of these sums;

**CONDEMN** the Defendant to pay interest and additional indemnity on the above sums according to the Law from the date of service of the original Application for Authorization;

**ORDER** the Defendant to deposit in the office of this Court the totality of the sums which forms part of the collective recovery, with interest, additional indemnity, and costs;

**ORDER** that the claims of individual class members be the object of collective liquidation if the proof permits and alternately, by individual liquidation;

**CONDEMN** the Defendant to bear the costs of the present action

including experts' fees and notice fees;

**RENDER** any other order that this Honourable Court shall determine and that is in the interest of the Class Members;

**THE WHOLE** with interest and additional indemnity provided for in the Civil Code of Quebec and with full costs and expenses including expert's fee and publication fees to advise members.

54. Plaintiff suggests that this class action be exercised before the Superior Court in the District of Montreal for the following reasons:

- a. Many Class Members, including Plaintiff, are domiciled in the District of Montreal;
- b. Defendant's *fondé de pouvoir* is in the District of Montreal;
- c. The Plaintiff's legal counsel practice in the District of Montreal.

55. Plaintiff, who is requesting to be appointed as Representative Plaintiff, is in a position to properly represent the Class Members (Article 575 (4) C.C.P.) since Plaintiff;

- a. is a member of the class who purchased the Products relying upon Defendant's false representations, as detailed above;
- b. understands the nature of the action and has the capacity and interest to fairly and adequately protect and represent the interests of the Class Members;
- c. is available to dedicate the time necessary for the present action

before the Courts of Quebec and to collaborate with Class Counsel in this regard;

- d. is ready and available to manage and direct the present action in the interest of the Class Members and is determined to lead the present file until a final resolution of the matter, the whole for the benefit of the Class Members;
- e. does not have interests that are antagonistic to those of other Class Members;
- f. has given the mandate to the undersigned attorneys to obtain all relevant information to the present action and intends to keep informed of all developments;
- g. has given the mandate to the undersigned attorneys to post the present matter on their firm website in order to keep the Class Members informed of the progress of these proceedings and in order to more easily be contacted or consulted by said Class Members;
- h. is, with the assistance of the undersigned attorneys, ready and available to dedicate the time necessary for this action and to collaborate with other Class Members and to keep them informed;

56. The present application is well founded in fact and in law.

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

**GRANT** the present Application;

**AUTHORIZE** the institution of a class action in the form of an originating application in damages, consumer protection, restitution, and injunctive relief;

**APPOINT** the Plaintiff as the Representative Plaintiff representing all persons included in the Class herein described as:

All residents of Canada who have purchased at least one of the Defendant's pasta products, which products were not produced in Italy but which bear the phrase "ITALY'S #1 BRAND OF PASTA" and/or "LA MARQUE de PÂTES No 1 EN ITALIE" and/or which display the Italian flag colors on the front label of the packaging, or any other group to be determined by the Court.

**IDENTIFY** the principle issues of law and fact to be treated collectively as the following:

- a) Did Defendant engage in unfair, misleading, or deceptive acts or practices regarding the marketing and sale of the Products?
- b) Is Defendant liable to the Class Members for reimbursement of the purchase price of the Products as a result of this misconduct?
- c) Should injunctive relief be ordered to prohibit the Defendant from continuing to perpetrate their unfair, false, misleading, and/or deceptive conduct?
- d) Is Defendant responsible to pay compensatory and/or punitive/exemplary damages to the Class Member and in what amount?

**IDENTIFY** the conclusions sought by the class action to be instituted as

being the following:

**GRANT** the class action of the Representative Plaintiff and each of the Class Members;

**ORDER** Defendant to cease from continuing their unfair, false, misleading, and/or deceptive conduct concerning the Products;

**ORDER** Defendant to cease selling any products in Canada bearing the phrase "ITALY'S #1 BRAND OF PASTA" and/or the phrase "LA MARQUE de PÂTES No 1 EN ITALIE" and/or displaying the Italian flag colors, unless said products are produced in Italy;

**DECLARE** the Defendant liable for the damages suffered by the Representative Plaintiff and each of the Class Members;

**CONDEMN** the Defendant to pay to each of the Class Members a sum to be determined in compensation of the damages suffered, including the purchase price paid for the Products, and **ORDER** collective recovery of these sums;

**CONDEMN** the Defendant to pay to each of the Class Members a sum to be determined in punitive and/or exemplary damages, and **ORDER** collective recovery of these sums;

**CONDEMN** the Defendant to pay interest and additional indemnity on the above sums according to the Law from the date of service of the original Application for Authorization;

**ORDER** the Defendant to deposit in the office of this Court the totality of the sums which forms part of the collective recovery, with interest,



additional indemnity, and costs;

**ORDER** that the claims of individual class members be the object of collective liquidation if the proof permits and alternately, by individual liquidation;

**CONDEMN** the Defendant to bear the costs of the present action including experts' fees and notice fees;

**RENDER** any other order that this Honourable Court shall determine and that is in the interest of the Class Members;

**THE WHOLE** with interest and additional indemnity provided for in the Civil Code of Quebec and with full costs and expenses including expert's fee and publication fees to advise members;

**DECLARE** that all Class Members who have not requested their exclusion from the Group in the prescribed delay to be bound by any judgment to be rendered on the class action to be instituted;

**FIX** the time limit for opting out of the class at thirty (30) days from the date of the publication or notification of the notice to the Class Members;

**ORDER** the publication and notification of a notice to the Class Members in accordance with Article 579 C.C.P., pursuant to a further order of the Court and

**ORDER** Defendant to pay for all said publication costs;

**ORDER** that said notice be available on the Defendant's websites, Facebook page(s), and Twitter account(s), with a link stating "Important notice to all past or present purchasers/users of Barilla pasta products";

**THE WHOLE** with costs including the Court filing fees herein and all costs related to the preparation, publication and dissemination of the notices to the Class Members.

**MONTREAL, OCTOBER 24, 2022**  
**LEX GROUP INC.**

*Lex Group Inc.*

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Per: David Assor  
Attorneys for Plaintiff

## **SUMMONS**

### **(Articles 145 and following C.C.P.)**

#### **Filing of a judicial application**

Take notice that the Plaintiff(s) has filed this application in the office of the Superior Court of Quebec in the judicial district of Montreal.

#### **Defendant's answer**

You must answer the application in writing, personally or through a lawyer, at the courthouse of Montreal, situated at 1, Notre-Dame Est, Montréal, Québec within 15 days of service of the application or, if you have no domicile, residence or establishment in Québec, within 30 days. The answer must be notified to the Plaintiff's lawyer or, if the Plaintiff is not represented, to the Plaintiff.

#### **Failure to answer**

If you fail to answer within the time limit of 15 or 30 days, as applicable, a default judgment may be rendered against you without further notice and you may, according to the circumstances, be required to pay the legal costs.

#### **Content of answer**

In your answer, you must state your intention to:

- negotiate a settlement;
- propose mediation to resolve the dispute;
- defend the application and, in the cases required by the Code, cooperate with the Plaintiff in preparing the case protocol that is to govern the conduct of the proceeding. The protocol must be filed with the court office in the district specified above within 45 days after service of the summons or, in family matters or if you have no domicile, residence or establishment in Québec, within 3 months after service;
- propose a settlement conference.

The answer to the summons must include your contact information and, if you are represented by a lawyer, the lawyer's name and contact information.

#### **Change of judicial district**

You may ask the court to refer the originating application to the district of your domicile or residence, or of your elected domicile or the district designated by an agreement with the Plaintiff.

If the application pertains to an employment contract, consumer contract or insurance contract, or to the exercise of a hypothecary right on an immovable serving as your main residence, and if you are the employee, consumer, insured person, beneficiary of the insurance contract or hypothecary debtor, you may ask for a referral to the district of your domicile or residence or the district where the immovable is situated or the loss occurred. The request must be filed with the special clerk of the district of territorial jurisdiction after it has been notified to the other parties and to the office of the court already seized of the originating application.

### **Transfer of application to Small Claims Division**

If you qualify to act as a Plaintiff under the rules governing the recovery of small claims, you may also contact the clerk of the court to request that the application be processed according to those rules. If you make this request, the Plaintiff's legal costs will not exceed those prescribed for the recovery of small claims.

### **Calling to a case management conference**

Within 20 days after the case protocol mentioned above is filed, the court may call you to a case management conference to ensure the orderly progress of the proceeding. Failing this, the protocol is presumed to be accepted.

### **Exhibits supporting the application**

In support of the application, the Plaintiff intends to use the following exhibits:

- Exhibit R-1:** Copy of the *Registraire des entreprises* CIDREQ reports regarding Defendant Barilla Canda Inc;
- Exhibit R-2:** Various copies of the front and back labels of the boxes of certain Products, *en liasse*;
- Exhibit R-3:** Excerpts from Barilla website;
- Exhibit R-4:** Excerpts from the Walmart, IGA and amazon.ca websites;
- Exhibit R-5:** First Amended Class Action Complaint filed on July 20, 22 in the United States District Court Northern District of California;
- Exhibit R-6:** Judgment from the United States District Court Northern District of California, rendered on October 17, 2022;

These exhibits are available on request.

**Notice of presentation of an application**

If the application is an application in the course of a proceeding or an application under Book III, V, excepting an application in family matters mentioned in article 409, or VI of the Code, the establishment of a case protocol is not required; however, the application must be accompanied by a notice stating the date and time it is to be presented.

**DO GOVERN YOURSELF ACCORDINGLY.**

**MONTREAL, October 24, 2022**

*Lex Group Inc.*

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**Lex Group Inc.**  
Per: David Assor  
Class Counsel / Attorneys for Plaintiffs

N<sup>o</sup>.: 500-06-001202-221

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**SUPERIOR COURT  
(CLASS ACTION)**

**PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL**

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A ■■■ K ■■■

*Plaintiff*

-VS-

**BARILLA CANADA INC.**

*Defendant*

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**APPLICATION FOR AUTHORIZATION TO  
INSTITUTE A CLASS ACTION**

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**COPY**

*Me David Assor*

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