

**CLASS ACTION AGAINST THE CITY OF MONTRÉAL REGARDING  
PROTESTS HELD BETWEEN JUNE 7 2012 AND MARCH 15 2014**

**A SETTLEMENT HAS BEEN REACHED AND ITS APPROVAL WILL BE  
SUBMITTED TO THE COURT**

**IN THE FOLLOWING 8 FILES:**

500-06-000634-127, 500-06-000662-136, 500-06-000663-134, 500-06-000664-132, 500-06-000665-139, 500-06-000667-135, 500-06-000668-133 et 500-06-000694-147.

**WHY IS THIS NOTICE PUBLISHED?**

The purpose of this notice is to inform you that a settlement agreement (the "**Agreement**") has been reached between the plaintiffs Marcel Sévigny, Sandrine Ricci, Guillaume Perrier, Bernice Chabot-Giguère, Jennifer Cartwright, Sophie Desbiens and Perry Bisson (the "**Plaintiffs**") and the defendant Ville de Montréal (the "**City**") in eight (8) class actions concerning six demonstrations which took place in Montreal between June 7, 2012 and March 15, 2014.

The Plaintiffs, represented by the law firm Melançon, Marceau, Grenier and Cohen ("**MMGC**") in these eight (8) class actions, consider that the Agreement is fair and advantageous for all members. The parties must now apply to the Superior Court of Quebec to approve the Agreement, hence this notice.

The Superior Court will hold a virtual hearing to approve the Agreement, which would put an end to the eight (8) class actions mentioned above. You have the right to attend this hearing which will be held on **December 21**. The link to access the hearing will be posted as soon as possible on the MMGC website, <https://www.mmgc.quebec/>.

**Who are the people affected by this notice?**

You are affected by this notice if you were **detained** by the Montreal Police Department on **June 7, 2012** at around 6 p.m., on Notre-Dame Street, between des Seigneurs and Richmond streets in Montreal.

You are also affected by this notice if you have been **arrested and / or detained** in an encirclement carried out by the Montreal Police Department on any of the following dates and locations:

- **March 15, 2013**, on Sainte-Catherine Street, between Sainte-Élizabeth and Sanguinet street, from around 17h45;

- **March 15, 2013**, on Sainte-Catherine Street, between Sanguinet and Saint-Denis street, from around 18h30;
- **March 22, 2013**, on De Maisonneuve boulevard, between Saint-André and Saint-Timothée street, from around 18h20;
- **March 22, 2013**, on Saint-Timothée street, near the intersection with De Maisonneuve boulevard, from around 18h15;
- **April 5, 2013**, on De Maisonneuve boulevard, between Berri and St-Hubert street, in Montréal, around 18h35;
- **Mai 1, 2013**, around 19h15, on Place Royal, at the corner of de la Commune Ouest street;
- **March 15, 2014**, around 15h20, on Chateaubriand Street, between Jean-Talon and Bélanger street, in Montréal.

Please note that you are also affected by this notice if you are acting as an heir to a deceased person who was part of any of the groups mentioned.

#### **What are the aims of the 8 class actions?**

The class actions allege that the Service de police de la Ville de Montréal, during six demonstrations held between June 7, 2012 and March 15, 2014 in the City of Montreal, violated the fundamental rights of the plaintiffs and members of the groups by arresting and detaining them in several cases while participating in demonstrations.

The Plaintiffs claim the award of moral and punitive damages for all members of the groups concerned, damages having been caused by faults committed by the SPVM during the above-mentioned events, in particular with regard to the violation of their fundamental rights.

Through the Agreement, the City of Montreal undertakes to publish a letter of apology on its website, in which it acknowledges that certain actions taken by police forces and the municipal administration with regard to participants in the demonstrations covered by these class actions have infringed some of their fundamental rights, thereby causing them damages.

#### **What is the proposed amount of the Agreement?**

The City of Montreal agrees to pay a total sum of \$ 6,000,000 as moral damages in order to settle a total of sixteen (16) class actions, including all eight (8) class

actions mentioned in this notice and eight (8) other records based on facts and similar issues.

**The proportion of this amount attributable to the 8 class actions that are the subject of the present notice is \$3,104,841.30.**

This amount was determined in proportion to the number of people affected by the 8 class actions mentioned in this notice, compared to the total number of people affected by the 16 class actions that are the subject of the Agreement.

#### **How will the indemnity be shared?**

With the approval of the Superior Court, several amounts will first be deducted from the sum of \$ 3,104,841.30 in order to determine the compensation that will be shared between the members of the groups covered by this notice, namely:

- The fees and disbursements of **MMGC** lawyers to be approved by the Court;
- Administration and distribution costs of indemnities to group members by **MMGC**;
- Payment of amounts due to the Fonds d'aide aux actions collectives, as provided for by applicable law.

The costs of administering and distributing benefits to class members are estimated at \$ 25,000 plus applicable taxes.

As regards the legal fees that MMGC will ask the Court to approve, they correspond, in accordance with the fee agreements concluded between the plaintiffs, to the hours actually worked by the lawyers as of March 1, 2021, corresponding to 463 759,25\$ plus taxes. MMGC will also ask the Court to approve the payment of fees and disbursements of \$ 10,000, plus applicable taxes, to cover all costs that will be disbursed by MMGC until the full conclusion of the settlement process.

In addition, under the applicable laws and regulations, MMGC must reimburse to the Fonds d'aide aux actions collective the financial assistance that the latter has paid to carry out the 8 class actions and remit to the Fonds a percentage of each individual claim sent by the members of the group.

#### **How will the indemnity be distributed?**

You will first need to complete a complaint form which will be available on the MMGC website (<https://www.mmgc.quebec/>) in order to allow us to identify you.

Depending on whether you are in one of the following situations, you will also need to attach documents to your complaint:

- **SCENARIO 1** (only for file 500-06-000634-127, so if you were detained by the Montreal City Police Department on **June 7, 2012 around 6 p.m.**, on Notre-Dame Street, between des Seigneurs and Richmond streets in Montreal), **for your claim to be valid, you must:**

Send the MMGC offices a sworn statement attesting that you have actually been detained by the SPVM in accordance with the definition of the group targeted by the class action.

- **SCENARIO 2** (for the 7 other files), **for your claim to be valid, you must:**

Send to the MMGC offices a **written and signed declaration** that you are part of the group targeted by one of the other 7 class actions AND your name must appear on a statement of offense submitted by the SPVM during the said event.

Once these steps have been completed, your claim will be analyzed by **MMGC** as Claims Administrator and a check will be sent to you at the contact information you provided us with in the online claim form.

You can also tell us, via the online form, whether you are acting on behalf of the estate of a deceased person who could have filed, had it not been for their death, a claim under the Agreement.

#### **How can I object or make arguments in Court against the Agreement ?**

To present an objection or to present arguments to the Superior Court on the Agreement and the distribution of the sums, you can attend the hearing which will take place on December 21, 2022, face-to-face / or virtually.

You can also send your written arguments to class counsel before the approval hearing takes place. Any written challenge must be submitted no later than December 20, 2022. All written arguments received prior to the approval hearing will be communicated to the Court.

#### **Do I need to be represented by a lawyer to object to the Agreement?**

No. You can object to the Agreement and present your arguments before the Tribunal without being represented by a lawyer. However, if you wish, you can retain the services of a lawyer at your expense.

**If I object the Agreement and the it is nevertheless approved by the Court, do I forfeit my right to the benefits of the Agreement?**

No. Even if you object to the Agreement, as long as you meet the eligibility conditions and provide the documents requested in support of your claim, you will be entitled to your compensation.

**How can I get more information?**

For more information and to access the text of the proposed Agreement as well as the latest useful procedures, you can consult the MMGC website at the following address: <https://www.mmgc.quebec/>.

You can also contact MMGC by email at the following address: [actionscollectivesmtl@mmgc.quebec](mailto:actionscollectivesmtl@mmgc.quebec), by mail at 1717, boul. René-Lévesque Est, bureau 300, Montreal (Quebec) H2L 4T3, or by phone at 514-525-3414.

No other notice will be published or disseminated in connection with the proposed Agreement that will be presented to the Superior Court for approval.

In the event of any discrepancy between the text of this notice and the Agreement, the text of the proposed Agreement shall prevail.

**PUBLICATION OF THIS NOTICE HAS BEEN APPROVED BY THE COURT.**