
**NOTICE OF AUTHORIZATION OF A CLASS ACTION IN QUÉBEC
AGAINST CROISIÈRES AML INC.
C.S.M. # 500-06-001172-218**

Subject

On September 9, 2022, the Superior Court authorized a class action against Croisières AML inc. (hereinafter “**AML**”) and has appointed the status of representative plaintiff to **Mr. Olivier Phanor** for the purposes of the class action.

The class action undertaken by Mr. Phanor has been authorized on behalf of all persons whose situation matches that of the following Class:

All consumers who, since November 29, 2018, have purchased a ticket online for a service offered by Croisières AML inc. and have paid at the time of their purchase, in addition to the fare, reservation fees or a tip.

By this class action, Mr. Phanor denounces AML for systematically demanding a higher price than that advertised for the purchase of a cruise ticket online. He is therefore seeking to obtain reimbursement of the reservation fees and tip fees charged in excess, in addition to punitive damages. These allegations made by Mr. Phanor are however disputed by AML and a trial will be held at a later date to allow the parties to make their representations.

The Next Step

To determine whether the class action is well-founded, a trial will take place **in the district of Montreal** in which the following issues will be dealt with:

- a. What price did AML advertise for their services?
- b. Did AML charge any fees in addition to this advertised price?
- c. Did AML contravene article 224 c) C.P.A.?

- d. Did AML contravene articles 219 and 228 C.P.A.?
- e. Are Class Members entitled to claim a reduction of their obligations?
- f. Are the plaintiff and the Class Members entitled to claim punitive damages, and if so, in what amount?
- g. Can the claims of the Class Members be recovered collectively?

The Conclusions Sought

In the event of a favorable judgment, the conclusions sought by the class action are as follows:

- h. **GRANT** the plaintiff's action on behalf of all the Class Members;
- i. **CONDEMN** the defendant to pay to each Class Member, except those who obtained a refund, an amount in damages equivalent to the reservation fees they had to pay, plus taxes, with interest at the legal rate and the additional indemnity provided for in article 1619 C.C.Q., calculated from the date of service of this application;
- j. **CONDEMN** the defendant to pay to each Class Member, except those who obtained a refund, an amount in damages equivalent to the tip fees they had to pay, plus taxes, with interest at the legal rate and the additional indemnity provided for in article 1619 C.C.Q., calculated from the date of service of this application;
- k. **CONDEMN** the defendant to pay to each Class Member an amount to be determined by the court as punitive damages, with interest at the legal rate and the additional indemnity provided for in article 1619 C.C.Q., calculated from of the date of service of this application;
- l. **ORDER** that the aforementioned damages be subject to collective recovery;
- m. **ORDER** that the claim of each Class Member be subject to collective liquidation, including punitive damages;
- n. **ORDER** the defendant to pay legal costs, including the costs of experts, expert reports and publication of notices to members;

Your Rights

If you wish to remain a member of the class action, you have nothing to do. Indeed, all members whose situation matches that of the Class described above are automatically part of the class action and will be bound by any judgment or settlement to be reached in the class action.

As a Class Member, you can ask to intervene in support of the representative's request if the court considers that your intervention will be useful to advance the proceedings. In addition, **you will not have to pay any legal costs** arising from this class action, unless you intervene in the class action. As for the legal fees, they will be based on a percentage of the compensation paid to the Class Members, but they will first have to be approved by the Superior Court and will only be paid if the action is successful.

If you do not wish to be bound by the outcome of the class action for any reason, you must opt out of the class action by notifying the court office of the Superior Court of Québec in writing. Your letter must indicate that you wish to opt out of the class action, specify the class action's court number (i.e., 500-06-001172-218) and be sent to the following address:

Grefe de la Cour supérieure du Québec
1, rue Notre-Dame Est
Montréal (Québec) H2Y 1B6

If you wish, you can use the opt out form attached to this notice. If you choose to opt out of the class action, you will not be bound by any final judgment or settlement agreement relating to the class action.

Any opt out request must be made **no later than on January 9th, 2023.**

For More Information:

If you have any questions regarding this class action, you can contact Mr. Phanor's lawyer:

M^e Jimmy Ernst Jr Laguë-Lambert
LAMBERT AVOCATS
1111, rue Saint-Urbain, suite 204
Montréal (Québec) H2Z 1Y6
Phone: 514-526-2378 / Fax: 514-878-2378
Email: info@lambertavocats.com

If you wish to be kept up to date with the progress of the case, you can subscribe to the class action's mailing list on the Lambert Avocats website at the following address:
<https://lambertavocats.ca/class-action-aml>.

Warning! A subscription to the class action mailing list does not constitute a claim. The claims process will be detailed in a subsequent notice if the action is successful.

You can also consult the Registry of class actions where all procedures must be published:

<https://www.registredesactionscollectives.quebec/en/Consulter/RecherchePublique>.

**THE PUBLICATION OF THIS NOTICE HAS BEEN AUTHORIZED BY THE
SUPERIOR COURT OF QUÉBEC**

OPT-OUT FORM

Class action n° 500-06-001172-218

Olivier Phanor v. Croisières AML inc.

I, the undersigned, _____, understand that I am a member of the class described in the class action.

I hereby confirm my desire to be excluded from the class action and understand that I will not be bound by a final judgment in this proceeding.

And I have signed this _____

Signature

This form may be submitted directly to the Clerk of the Superior Court (in person, by mail, by registered mail or by certified mail) at the following address :

Grefe civil de la Cour supérieure
PALAIS DE JUSTICE DE MONTRÉAL
1, rue Notre-Dame Est
Montréal (Québec) H2Y 1B6

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