
**NOTICE OF AUTHORIZATION OF A CLASS ACTION IN QUEBEC
CONCERNING UBER EATS
C.S.M. # 500-06-001111-208**

Subject

On October 31, 2022, the Superior Court authorized a class action against Uber Canada Inc., Uber B.V. and Uber Portier B.V. (hereinafter collectively the “**defendants**”) and has appointed the status of representative plaintiff to **Ms. Fay Leung** for the purposes of the class action.

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

All persons residing in Quebec who made a transaction on the Uber Eats mobile application or on the website www.ubereats.com and paid delivery fees from July 4, 2017 to April 20, 2021.

By this class action, Ms. Leung alleges that the defendants charged a price higher than advertised for meal orders on the Uber Eats platform. She is therefore seeking to obtain the reimbursement of the delivery fees, in addition to punitive damages. These allegations made by Ms. Leung are disputed by the defendants 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. Did the Defendants contravene their obligations under the C.P.A. or the *Civil Code of Quebec*?
- B. Are the plaintiff and the Class members entitled to a reduction of their obligation equivalent to the sum of the illegal delivery fees they had to pay?
- C. Are the plaintiff and the Class Members entitled to punitive damages?
- D. 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:

- A. **GRANT** the plaintiff's action on behalf of all the Class Members;
- B. **CONDEMN** the defendants to pay to each Class Member an amount in damages equivalent to the delivery 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;
- C. **CONDEMN** the defendants to pay to each Class Member the sum of \$100, per transaction made, as punitive damages, 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;
- D. **ORDER** that the aforementioned damages be subject to collective recovery;
- E. **ORDER** that the claim of each Class Member be subject to collective liquidation, including punitive damages;
- F. **CONDEMN** the defendants to any other appropriate remedy deemed fair and reasonable;
- G. **ORDER** the defendants 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 subject to the Superior Court's approval 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 Quebec 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. 500-06-001111-208) 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 May 25, 2023**.

For More Information:

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

M^e Jimmy Ernst Jr Laguë-Lambert
LAMBERT AVOCATS
1111, Saint-Urbain street, suite 204
Montreal (Quebec) 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/recours-collectif-ubereats/>.

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 QUEBEC**