

SUPERIOR COURT

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTRÉAL

No.: 500-06-001153-218

DATE: July 25, 2023

PRESIDING THE HONOURABLE PIERRE NOLLET, J.S.C.

STEVE ABIHSIRA
Plaintiff

v.

TICKETMASTER CANADA LP
TICKETMASTER CANADA HOLDINGS ULC
ICKETMASTER CANADA ULC
TICKETMASTER LLC
Defendants

CLOSING JUDGMENT

[1] On January 25, 2022, the Court authorized the bringing of a Class action.

[2] The parties reached an agreement to settle the entire Class action [the **Settlement Agreement**]¹.

[3] The agreement provided for the distribution to each Settlement Class Member (as defined in the Settlement Agreement, the "**Settlement Class Members**") of a \$10 credit

¹ Exhibit R-1 to the motion to obtain a closing judgment.

in the form of an electronic gift card voucher (the “**Credits**”) to be made by Velvet Payments inc. (the “**Administrator**”).

[4] With a view to proceed with the approval of the Settlement Agreement, the parties requested the Court to modify the Authorized Class and pre-approve the Settlement Agreement.

[5] On October 24, 2022, the Court approved the dissemination plan for the notice of authorization and of the Settlement approval hearing (**Settlement Hearing**), including the opt-out and objection deadlines, and scheduled the Settlement Hearing for December 6, 2022 (the “**Pre-Approval Judgment**”). The Court, however, refrained from modifying the Class at that stage as the notice of the authorization to bring a Class action had not been published at the time.

[6] On December 7, 2022, the Court approved the *Application to Approve a Class Action Settlement and for Approval of Class Counsel’s Fees* (the “**Approval Judgment**”).

[7] Pursuant to the Approval Judgment, the Parties were ordered, *inter alia*, to comply with the Settlement Agreement and to render account of the execution of the Approval Judgment within sixty (60) days of the distribution of the Credits (“*following the expiry of the time specified at section 24 of the Settlement Agreement*”),

[8] On February 15, 2023, the Credits were distributed to the Settlement Class Members by the Administrator, as appears from a copy of the report “Gift Card Email Distribution Results” dated February 21, 2023, (the “**Report**”)².

[9] As appears from the Report, a total of 38,450 emails containing a Credit were sent, of which:

- 9.1. 38,397 were successfully delivered (99.86% of the emails sent);
- 9.2. 20,340 were opened (at the date of the report February 15, 2023) and,
- 9.3. 53 bounced-back, i.e., were not delivered (0.14%).

[10] The Credits sent correspond to a total value of **\$384,500** for the Settlement Class.

[11] As provided in the Settlement Agreement, the Credits have no expiration date, which will allow Settlement Class Members to use them at their convenience.

[12] There is no remaining balance to be distributed and there is no levy payable to the FAAC, as declared in the Approval Judgment.

² Exhibit R- 3 to the motion to obtain a closing judgment.

[13] The distribution of the Credits by the Administrator completed the implementation and administration of the Settlement Agreement and the Approval Judgment.

[14] As provided in the Settlement Agreement and the Approval Judgment, the Defendants have paid total amounts of:

14.1. **\$121,873.50** to Class Counsel as fees and disbursements; and

14.2. **\$24,144.76** to the Settlement Administrator as fees for their services.

[15] In these circumstances, the Defendants request a closing judgment ending the Class Action proceedings at Court.

FOR THESE REASONS, THE COURT

[16] **GRANTS** Defendants' Application for a Closing Judgment.

[17] **DECLARES** that the parties have satisfied their obligations pursuant to the Settlement Agreement entered into with the Representative Plaintiff on September 30, 2022, and the Approval Judgment rendered December 6, 2022,

[18] **DECLARES** the closure of the present class action proceedings.

[19] **THE WHOLE** without legal costs.

PIERRE NOLLET, J.S.C.

Me Joey Zukran
LPC AVOCAT INC
Plaintiff's Counsel

Me Christopher Richter
Me Karl Boulanger
TORYS
Defendants' Counsels

Me Frikia Belogbi
Me Nathalie Guilbert
Fonds d'aide aux actions collectives

Hearing date: On file, July 25, 2023.

