

CANADA

PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

SUPERIOR COURT
(Class Actions)

NO: 500-06-001142-211

DOMINIQUE LAVOIE

Representative Plaintiff

v.

WAL-MART CANADA CORP.

Defendant

**DEFENDANT'S NOTICE FOR CASE MANAGEMENT TO DEBATE OBJECTIONS OF
THE REPRESENTATIVE PLAINTIFF**
(Art. 158 and 228 C.C.P.)

TO: Me Joey Zukran
LPC AVOCAT INC.
276 Saint-Jacques Street, Suite 801
Montréal, Québec H2Y 1N3

Attorney for the Representative Plaintiff

TAKE NOTICE that the present Defendant's Notice for Case Management to Debate Objections of the Representative Plaintiff will be presented before the Honourable Christian Immer, J.S.C., sitting in and for the Superior Court, Class Actions Division, District of Montréal, on **Tuesday, September 26, 2023** at a time and in a room to be determined by the Honourable Judge.

The objections to be debated are as follows:

1. The Representative Plaintiff Dominique Lavoie (the "**Representative Plaintiff**") has raised several objections that need to be adjudicated by this Court in the context of:
 - a) His answers communicated on October 7, 2022, to pre-undertakings requests of the Defendant Wal-Mart Canada Corp. ("**Wal-Mart Canada**") of September 15, 2022. A copy of the requests and answers are labeled for the purpose of this case management conference as **Exhibit R-1, en liasse**,

- b) His examination for discovery on November 23, 2022. A copy of the transcript of this examination is labeled for the purpose of this case management conference as **Exhibit R-2**;
 - c) His answers communicated on July 14, 2023, to undertaking requests subscribed during his examination for discovery. A copy of said answers is labeled for the purpose of this case management conference as **Exhibit R-3, en liasse**;
2. After discussing the scope of the objections with counsel for the Representative Plaintiff, Wal-Mart Canada is now seeking adjudication by the Court of the objections raised by the Representative Plaintiff in the context described above, as appears from a chart of said objections disclosed hereto as **Appendix A**.

FOR THESE REASONS, MAY IT PLEASE THE COURT TO:

DISMISS the objections raised by the Representative Plaintiff in the context of his answers provided on October 7, 2022, to pre-undertakings requests of the Defendant Wal-Mart Canada Corp., his examination for discovery on November 23, 2022, and his answers communicated on July 14, 2023, to undertaking requests subscribed during his examination for discovery;

ORDER the Representative Plaintiff to communicate his answers to the requests referred as E-2 to E-6, E-9, E-10, E-14, E-18 and UDL-4;

ORDER the Representative Plaintiff to answer to questions referred as O-4 and O-10;

THE WHOLE with costs.

MONTRÉAL, September 21, 2023

(s) Torys Law Firm LLP

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