

# COUR SUPÉRIEURE

CANADA  
PROVINCE DE QUÉBEC  
DISTRICT DE MONTRÉAL

N° : 500-06-001279-237

DATE : April 2, 2024

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IN THE PRESENCE OF THE HONOURABLE DONALD BISSON, J.S.C. (JB4644)

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**ANTEREAS AREVIAN**

Applicant

v,

**APPLIED SYSTEMS, INC.**

**APPLIED SYSTEMS CANADA INC.**

Respondents

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## JUDGMENT

(on an application to temporarily stay the putative Class Action)

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[1] **CONSIDERING** the *Application to Temporarily Stay the Class Action* (the "Application") dated March 15, 2024, whereby the Applicant requests that the putative Class Action filed against the Respondents be temporarily stayed pending the outcome of the Competition Bureau's investigation in case no. T-2338-23;

[2] **CONSIDERING** the *Application for a declinatory exception by the respondents Applied Systems, Inc. and Applied Systems Canada Inc.* dated March 14, 2024;

[3] **CONSIDERING** that the Respondents do not contest the *Application to Temporarily Stay the Class Action*

[4] **CONSIDERING** that this lack of contestation by the Respondents does not constitute and should not be construed as a waiver of any of their procedural or substantive rights in the event the stay is lifted, including but not limited to the Respondents' jurisdictional arguments raised in the *Application for a declinatory exception by the respondents Applied Systems, Inc. and Applied Systems Canada Inc.* dated March 14, 2024;

[5] **CONSIDERING** that the Court is satisfied that the *Application to Temporarily Stay the Class Action* has regard for the protection of the rights and interests of class members;

[6] **CONSIDERING** that the requested stay is consistent with the principles of proportionality and judicial economy;

[7] **CONSIDERING** articles 18, 49, 157, and 577 C.C.P.;

[8] **CONSIDERING** that Class Counsel has undertaken to provide this Court with an update on the status of the Competition Bureau's investigation on a semi-annual basis, and to advise this Court within 30 days of any significant development in the investigation that may affect the course of this Class Action;

PAR CES MOTIFS, LE TRIBUNAL :	FOR THESE REASONS, THE COURT:
[9] <b>ACCUEILLE</b> la demande;	[9] <b>GRANTS</b> the present Application;
[10] <b>SUSPEND</b> la présente action collective dans l'attente du résultat de l'enquête du Bureau de la Concurrence dans le dossier no. T-2338-23, ou plus tôt, tel que pourrait le demander ultérieurement l'une ou l'autre des parties ou tel qu'ordonné par le Tribunal;	[10] <b>STAYS</b> the present class action pending the outcome of the Competition Bureau's investigation in case no. T-2338-23, or earlier as may be subsequently requested by either one of the parties or ordered by the Court;
[11] <b>ORDONNE</b> au demandeur de s'assurer qu'une copie du présent jugement soit publiée au Registre des actions collectives jusqu'à la levée de la suspension;	[11] <b>ORDERS</b> the Applicant to ensure that a copy of this judgment be published on the Class Action Registry until the stay is lifted;
[12] <b>PREND ACTE</b> de l'engagement des avocats du groupe de fournir au Tribunal une mise à jour sur l'état de l'enquête du Bureau de la Concurrence dans le dossier no. T-2338-23 sur une base biannuelle, et d'aviser le Tribunal dans les 30 jours de tout développement important dans l'enquête qui pourrait affecter le déroulement de cette action collective;	[12] <b>TAKES ACT</b> of Class Counsel's undertaking to provide this Court with an update on the status of the Competition Bureau's investigation in case no. T-2338-23 on a semi-annual basis, and to advise this Court within 30 days of any significant development in the investigation that may affect the course of this putative class action;
[13] <b>LE TOUT</b> , sans frais de justice.	[13] <b>THE WHOLE</b> , without legal costs.

  
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 DONALD BISSON, J.C.S.

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Date of hearing: March 15, 2024 (on file)