

CANADA

**PROVINCE OF QUÉBEC
DISTRICT OF MONTREAL**

**SUPERIOR COURT
(Class Actions)**

N° : 500-06-

C.K., having elected domicile for the purposes hereof at the office of his lawyers at 750 Côte de la Place d'Armes, suite 90, Montreal, Quebec, H2Y 2X8, Canada

Applicant

v.

CENTRE INTÉGRÉ UNIVERSITAIRE DE SANTÉ ET DE SERVICES SOCIAUX DU CENTRE-OUEST-DE-L'ÎLE-DE-MONTRÉAL (SIR MORTIMER B. DAVIS JEWISH GENERAL HOSPITAL), a public institution having its establishment at 3755, chemin de la Côte-Ste-Catherine, Montreal, Quebec, H3T 1E2, Canada

Defendant

**APPLICATION FOR AUTHORIZATION TO INSTITUTE A CLASS ACTION
AND TO OBTAIN THE STATUS OF REPRESENTATIVE
(Art 575 C.C.P.)**

**TO ONE OF THE HONOURABLE JUDGES OF THE SUPERIOR COURT OF QUÉBEC
SITTING IN THE DISTRICT OF MONTREAL, THE APPLICANT RESPECTFULLY
SUBMITS:**

I- OVERVIEW

1. The applicant seeks to institute a class action on behalf of the following group:

All victims of sexual abuse committed by Gino Londei and/or Steve Trowbridge while under the care of the Division of Child Psychiatry at the Sir Mortimer B. Davis Jewish General Hospital.

II- THE FACTS GIVING RISE TO AN ACTION FOR THE APPLICANT AND EACH MEMBER OF THE GROUP

A. The Defendant

2. The Sir Mortimer B. Davis Jewish General Hospital (hereafter the « Jewish General Hospital ») opened in 1934 after being incorporated the year prior through *An Act to incorporate Jewish General Hospital*, 1933 (23 Geo. V). c 147, **Exhibit P-1**.
3. In 1965, the charter of the Jewish General Hospital was amended through *An Act to amend the charter of the Jewish General Hospital*, **Exhibit P-2**, which noted its status as a public hospital.
4. The Jewish General Hospital is a public institution administered by the defendant Centre Intégré Universitaire de Santé et de Services Sociaux du Centre-Ouest-de-l'île-de-Montréal in accordance with the *Act Respecting Health Services and Social Services*, RSQ c S-4.2 and the *Act to modify the organization and governance of the health and social services network, in particular by abolishing regional agencies*, SQ 2015, c 1.
5. Pursuant to section 7 of the *Act to modify the organization and governance of the health and social services network, in particular by abolishing regional agencies*, the Defendant enjoys all of the rights and assumes all the obligations of the Jewish General Hospital.
6. The Division of Child Psychiatry is a department of the Jewish General Hospital which began operating in 1967. By 1970, it treated around 40 to 50 children aged 2 to 12 at its Day Hospital. Children attending the Day Hospital received primary school education in the hospital.
7. The Division of Child Psychiatry also developed an Evening Hospital, an after-school program, an Outpatient program, and organized summer camps in the Laurentians, as appears from an excerpt of the Jewish General Hospital's website entitled *Historical Sketch*, **Exhibit P-3**.
8. The Division of Child Psychiatry assesses and treats children for a broad range of issues including pervasive developmental disorders, conduct problems, attention deficit disorder, depression, suicide risk, psychotic disorders, anxiety disorders, as well as those who have witnessed domestic violence, and those who have been victims of abuse or neglect, as appears from a brochure introducing the services offered at the Division of Child Psychiatry and published on the Jewish General Hospital's website entitled *Child Psychiatry*, **Exhibit P-4**.
9. Gino Londei (Londei) and Steve Trowbridge (Trowbridge) worked as childcare workers on the staff at the Division of Child Psychiatry, notably in the 1980s. An

excerpt of the Jewish General Hospital's website entitled *Happy 50th Anniversary to the Child Psychiatry*, showing Londei and Trowbridge is filed as **Exhibit P-5**.

B. The Applicant

10. In 1981, at the age of six, the applicant, C.K., was enrolled in the Division of Child Psychiatry at the Jewish General Hospital. He attended the Day Hospital there for approximately two years.

a. THE ABUSES SUFFERED BY THE APPLICANT

11. The applicant suffered numerous instances of sexual abuse by Londei and Trowbridge while he was a young child under the care of the Division of Child Psychiatry at the Jewish General Hospital.
12. Trowbridge and Londei had authority over the children under their care and often disciplined them as part of their duties. Trowbridge was also tasked with distributing motivational prizes such as stickers, puzzles and rubber balls to children. Those toys were on a shelf located in a small room.
13. During a school day at the hospital, Trowbridge had C.K. enter the toy room. While inside the room, Trowbridge displayed his penis to C.K., and asked that the child show him his penis. C.K. complied.
14. On another occasion, Trowbridge brought C.K. inside the toy room. While alone with him in the room, he asked C.K. which prize he wanted most. C.K. told the childcare worker that he wanted the rubber ball. Trowbridge then explained that, if C.K. wanted to have the rubber ball, he would first have to touch Trowbridge's penis.
15. C.K. had already seen Trowbridge's penis at this point. He went to touch it quickly, but the adult took C.K.'s hand and forced him to stroke his penis. After a moment, C.K. pulled back, took the rubber ball, and left the room.
16. C.K. remembers that after this assault, he felt guilty and disgusted about having the rubber ball. He felt as if he had behaved badly and that he should not have accepted to touch the adult's penis for a toy.
17. When Londei determined that C.K. was misbehaving, he placed the child in a "time out" room adjacent to the gym area. The door would be locked from the outside, and C.K. was confined to the room alone for long periods of time. As a very young child, C.K. felt intense fear and anxiety being locked in a small dark room for long periods of time.
18. At some point, Londei escorted C.K. to the "time-out" room. C.K. did not want to enter the room. Londei stood behind the child, turned him to face the time-out room and placed his hand down C.K.'s pants. He then groped his buttocks and inserted

his finger into the child's anus. While his finger was still inside the child, Londei pushed C.K. inside the room and locked the door.

19. On another occasion, Londei violently pushed C.K. into the "time-out" room. He secluded him in the room, closed the door, and would not permit him to leave. He applied a forceful blow to C.K.'s abdomen. The blow was so intense that it caused C.K. to stop breathing momentarily. While the child was startled and out of breath, Londei pushed C.K. down onto a mat, pulled his pants down and forced anal intercourse upon him.
20. To this day, C.K. remembers vividly the pain he experienced. He remembers that he was breathless, terrified, and could not scream for help.
21. After the rape and once released from the room, C.K. went to the bathroom and found blood in his underwear. When he arrived home after school that day, he threw his bloodstained underwear in the garbage, fearful that his parents might uncover what he had tragically experienced.
22. C.K. believes that he has suffered other instances of abuse at the hands of Londei and Trowbridge, that his memory does not allow him to recall.

b. ABUSES SUFFERED BY OTHER MEMBERS OF THE GROUP

23. The Division of Child Psychiatry has treated several hundred children over the years. By the late 1990s, the Division of Child Psychiatry treated about 200 children per year in its Day and Evening Hospital, and 150 more in its Outpatient program, as appears from the brochure introducing the services offered at the Child Psychiatry, Exhibit P-4.
24. By the nature of their work, Trowbridge and Londei, who both worked in the Child Psychiatry department for several years, had significant power and authority over multiple cohorts of highly vulnerable children.
25. While the applicant does not recall witnessing instances of sexual abuse on other children, he remembers that Londei and Trowbridge brought other children to the time-out room and toy room where they assaulted him.
26. Trowbridge and Londei both abused C.K. on multiple occasions.
27. As a means to unveil the truth, the Court of Appeal endorsed in *J.J. v. Oratoire Saint-Joseph du Mont-Royal*, 2017 QCCA 1460, the use of class action in cases of sexual assault where, as here, the perpetrator had the opportunity to assault multiple, unknown victims:

[49] À ce sujet, je trouve particulièrement pertinents les commentaires suivants des auteures et professeures Nathalie Des Rosiers et Louise Langevin que je n'hésite pas à faire miens :

[...] si le recours collectif est dirigé contre un établissement, fréquenté par plusieurs personnes et pour des gestes posés sur une longue période de temps, il nous apparaît que le nombre possiblement élevé de victimes potentielles, bien qu'inconnu au début des procédures, justifie pleinement l'exercice d'un recours collectif. Il se peut qu'une seule victime se manifeste, et qu'elle décide d'exercer un recours collectif en son nom et celui de toutes les autres victimes. Si un enseignant ou un prêtre l'a agressée pendant un an, et qu'il a oeuvré auprès de l'établissement pendant quelques années, n'est-il pas logique de conclure que d'autres enfants ont pu subir le même sort? Il importe peu à notre avis que cinq, dix, cinquante ou cent victimes se joignent au recours collectif une fois qu'il est autorisé. Bien qu'au départ, ce nombre ne puisse être déterminé, le recours collectif devrait être autorisé pour favoriser l'accessibilité à la justice aux victimes de violence sexuelle, qui doivent déjà surmonter d'énormes difficultés dans l'exercice de leurs recours individuels. D'ailleurs, certains tribunaux canadiens ont même conclu que le recours collectif est susceptible d'aider les victimes, qui sont particulièrement vulnérables.

[Underlining in the original]

28. In all likelihood, Trowbridge and Londei abused many children over the course of their employment at the Division of Child Psychiatry at the Jewish General Hospital.

C. THE CONSEQUENCES SUFFERED BY THE APPLICANT AS A RESULT OF THE ABUSES

29. The sexual abuses suffered by C.K. at a young age have had profound consequences on his life.
30. As a result of these abuses, C.K. has developed low self-esteem, anxiety, depression and an inability to trust people.
31. He has difficulty with authority figures and is generally distrustful of people placed in such positions.
32. As a self-protection mechanism, he shields himself from others and has had difficulty building deep and lasting relationships throughout his life.
33. He feels that his self-confidence is low and that he is generally set up for failure.
34. He aspired to study architecture and work in that field, but he dropped out of school in tenth grade.
35. Whenever he finds himself in enclosed spaces, C.K. feels very distressed and anxious. He also experiences PTSD-like symptoms such as flashbacks of the assaults he has survived while under the care of the Division of Child Psychiatry at the Jewish General Hospital.
36. Since the assaults, he feels uncomfortable getting undressed in front of other people. During his childhood, he would hide in changing rooms before and after gym classes

so as not to be seen unclothed. Other children used to make fun of him for that reason.

37. As a child, he would often wake up in the middle of the night covered in sweat. Since he has decided to go forward with this case, the night sweats have started again.
38. From 2007 to 2017, he suffered from alcohol use disorder and became an alcoholic. He consumed alcohol in an effort to lessen the emotional trauma caused by what he has suffered at the hands of the childcare workers.
39. When he thinks of the abuses he endured as a child, he feels ashamed and embarrassed. He does not wish to have his name publicly associated with this very dark part of his life.
40. The fact that C.K. has experienced sexual abuse as a child constitute highly sensitive personal information that strikes at the biographical core of his individuality. If this information was shared publicly, it would undeniably prejudice his dignity.
41. In order to preserve his dignity, C.K. therefore respectfully asks the Court to allow him to institute the present proceedings under the pseudonym "C.K", to declare that his identity is confidential and to order the sealing of all documents containing information that could cause to identify him.

C. The facts giving rise to an individual claim by each member of the group

42. Each class member has been subjected to sexual abuse by Trowbridge and/or Londei while they were under the care of the Division of Child Psychiatry at the Sir Mortimer B. Davis Jewish General Hospital.
43. When they committed these abuses, Trowbridge and Londei were employed by the defendant and acting under its control and authority.
44. Each class member has suffered damages as a result of these sexual abuses.

D. The Liability of the Defendant

45. The defendant is responsible for the damages suffered by the members of the group for the following reasons.
46. The sexual abuses that the applicant and other class members suffered were perpetrated by childcare workers who had custody of those children under the authority of the defendant.
47. Trowbridge and Londei used the power and authority granted to them by their role and status as childcare workers to commit these heinous acts. They targeted their victims among the most vulnerable children under their care.

48. They used the power conferred upon them by their status to instill fear in their victims, preventing them from reporting the abuse.
49. By sexually abusing their victims, Trowbridge and Londei committed multiple civil wrongs that render the defendant liable as principal or mandator for the resulting damages.
50. Therefore, the applicant and members of the group are entitled to obtain a judgment against the defendants for compensatory damages.
51. Moreover, if the inquiry demonstrates that the defendant knew or ought to have known of the abuses perpetrated against children under its care, the Applicant intends to invoke the personal liability of the defendant and claim for punitive damages under the *Charter of Human Rights and Freedoms*.

E. Damages

52. The consequences of sexual abuse on victims are numerous and can manifest at different stages of one's life. These consequences include physical problems, psychological issues, sexual difficulties, relationship challenges, feelings of frustration and anxiety, economic, social and family problems, dependency issues and eating disorders, as outlined in an informative brochure produced by the Quebec government entitled *Les agressions sexuelles existent et marquent profondément: demandez de l'aide*, **Exhibit P-6**.
53. In the case of group members, the aftermath of sexual abuse includes, among other things, distrust, suffering, depression and anxiety, feeling "dirty," school difficulties, loss of self-esteem, fear, guilt, shame, isolation, and insomnia.
54. At trial, the evidence will demonstrate that all members of the group have suffered non-pecuniary damages resulting from the sexual violence they have experienced and as such, the applicant will request the Court to award compensation of \$250,000 to each member of the group for these injuries, except as may be further specified.
55. Additionally, the evidence at trial will demonstrate that certain members of the group have suffered pecuniary damages resulting from the sexual violence they have endured, including but not limited to loss of earning capacity, loss of productivity, and past and future therapy and care expenses. As such, the plaintiff will request the Court to award compensation for these damages, the quantum of which will be determined on an individual basis.

III- CONDITIONS REQUIRED TO INSTITUTE A CLASS ACTION

56. The composition of the class makes it difficult or impracticable to apply the rules for mandates to take part in judicial proceedings on behalf of others or for consolidation of proceedings, for the following reasons:

- a. Although the Applicant is certain there are other victims, he does not know how many and he does not know any personally. It is therefore impossible for him to obtain mandates from all class members.
 - b. The abuses suffered by class members have occurred over multiple years on people who do not necessarily know each other and who are now likely dispersed across Quebec, Canada and abroad.
 - c. The nature of the abuses suffered makes it unlikely that class members have shared their experience with other class members, which makes it very unlikely that class members can identify other members of the group.
 - d. Given the nature of the abuses suffered, it is likely that a significant number of class members would give up on asserting their rights absent a class action.
 - e. Given the costs inherent in litigation of this nature, many class members will hesitate to institute an individual action against the defendant.
 - f. Individual litigation of the factual and legal issues raised by the conduct of the defendant would increase delays and expenses for all parties and the judicial system.
 - g. In these circumstances, a class action is the only procedure that will allow class members to effectively pursue their respective rights and seek justice.
57. The claims of class members raise identical, similar or related questions of fact and law, namely:
- a. Did Steve Trowbridge and/or Gino Londei sexually abuse children under the care of the Division of Child Psychiatry at the Sir Mortimer B. Davis Jewish General Hospital?
 - b. Is the defendant liable as principal or mandator for the abuses committed by Steve Trowbridge and/or Gino Londei on children under the care of the Division of Child Psychiatry at the Sir Mortimer B. Davis Jewish General Hospital?
 - c. What types of non-pecuniary damages are common to all members of the group?
 - d. What is the quantum of non-pecuniary damages common to all members of the group?
 - e. Can the Court order collective recovery of the non-pecuniary damages due to class members?

- f. Is the defendant personally liable for failing to intervene and implement safeguards to prevent the abuses committed by the two childcare workers under their responsibility?
 - g. Did the defendant violate class members' rights to personal security and inviolability, dignity, and the protection, security and attention of the persons acting in the stead of their parents protected by s. 1, 4 and 39 of the *Charter of Human Rights and Freedoms*? If so, was this breach illicit and intentional?
 - h. Are punitive damages warranted, and if so, what is the quantum of punitive damages to be awarded and can the Court order collective recovery of the punitive damages due to class members?
58. The questions of fact and law specific to each member consist of:
- a. Aside from damages recovered collectively, what other damages have been suffered by each class member?
 - b. What is the quantum of other compensatory damages to which each class member is entitled according to the injury suffered and the parameters established by the Court?
59. The nature of the claim for which the applicant seeks to institute the present proceeding is an action in civil responsibility for compensatory and punitive damages.

IV- CONCLUSIONS SOUGHT

60. The conclusions that the applicant seeks are the following:

GRANT the class action against the defendant;

ORDER the defendant to pay each class member an amount of \$250,000.00 as non-pecuniary damages, subject to adjustment, with legal interest and the additional indemnity provided for in s. 1619 of the *Civil Code of Québec*;

ORDER the defendant to pay each class member an amount in pecuniary damages, the quantum of which shall be determined subsequently, with legal interest and the additional indemnity provided for in s. 1619 of the *Civil Code of Québec*;

ORDER the defendant to pay each class member an amount in punitive damages, the quantum of which shall be determined subsequently;

ORDER collective recovery of the non-pecuniary damages due to class members;

ORDER individual recovery of the pecuniary damages due to class members;

ORDER collective recovery of the punitive damages due to class members;

THE WHOLE with costs, including but not limited to expert fees, notice fees and fees relating to administration of recovery.

V- THE STATUS OF THE REPRESENTATIVE

61. The applicant requests that he be ascribed the status of representative.
62. He is able to represent the class members adequately, for the following reasons:
 - a. He is a member of the class and has a claim against the defendant;
 - b. He is willing and able to devote the time required to fulfill his role as class representative.
 - c. He is able to provide his lawyers with information relevant to this class action and is willing to cooperate fully in order to diligently carry out the action.
 - d. He is acting in good faith with the sole purpose of obtaining justice for himself and each of the class members and has no interest that conflict with those of other members of the class; and
 - e. He understands the nature of the action.

VI- JUDICIAL DISTRICT

63. The applicant requests that the present class action be brought before the Superior Court in the district of Montreal for the following reasons:
 - a. The Jewish General Hospital is located in Montreal; and
 - b. The abuse occurred in Montreal.

FOR THESE REASONS, MAY IT PLEASE THE COURT:

GRANT the *Application for authorization to institute a class action and to obtain the status of representative*;

AUTHORIZE the bringing of a class action in the form of an action to recover compensatory and punitive damages pursuant to the *Civil Code of Québec* and the *Charter of Human Rights and Freedoms*;

APPOINT the applicant as representative of the persons included in the group herein described as:

All victims of sexual abuse committed by Gino Londei and/or Steve Trowbridge while under the care of the Division of Child Psychiatry at the Sir Mortimer B. Davis Jewish General Hospital.

IDENTIFY the principal questions of fact and law to be treated collectively as the following:

- a. Did Steve Trowbridge and/or Gino Londei sexually abuse children under the care of the Division of Child Psychiatry at the Sir Mortimer B. Davis Jewish General Hospital?
- a. Is the defendant liable as principal or mandator for the abuses committed by Steve Trowbridge and/or Gino Londei on children under the care of the Division of Child Psychiatry at the Sir Mortimer B. Davis Jewish General Hospital?
- b. What types of non-pecuniary damages are common to all members of the group?
- c. What is the quantum of non-pecuniary damages common to all members of the group?
- d. Can the Court order collective recovery of the non-pecuniary damages due to class members?
- e. Is the defendant personally liable for failing to intervene and implement safeguards to prevent the abuses committed by the two childcare workers under their responsibility?
- f. Did the defendant violate class members' rights to personal security and inviolability, dignity, and the protection, security and attention of the persons acting in the stead of their parents protected by s. 1, 4 and 39 of the *Charter of Human Rights and Freedoms*? If so, was this breach illicit and intentional?
- g. Are punitive damages warranted, and if so, what is the quantum of punitive damages to be awarded and can the Court order collective recovery of the punitive damages due to class members?

IDENTIFY the conclusions sought by the class action to be instituted as being the following:

GRANT the class action against the defendant;

ORDER the defendant to pay each class member an amount of \$250,000.00 as non-pecuniary damages, subject to adjustment, with legal interest and the additional indemnity provided for in s. 1619 of the *Civil Code of Québec*;

ORDER the defendant to pay each class member an amount in pecuniary damages, the quantum of which shall be determined subsequently, with legal interest and the additional indemnity provided for in s. 1619 of the *Civil Code of Québec*;

ORDER the defendant to pay each class member an amount in punitive damages, the quantum of which shall be determined subsequently;

ORDER collective recovery of the non-pecuniary damages due to class members;

ORDER individual recovery of the pecuniary damages due to class members;

ORDER collective recovery of the punitive damages due to class members;

THE WHOLE with costs, including but not limited to expert fees, notice fees and fees relating to administration of recovery.

SET the deadline for opting out of the class action at 30 days from the date of the publication of the notice to class members;

DECLARE that all class members that have not opted out of the class action in the prescribed delay will be bound by any judgment to be rendered on the class action;

ORDER the publication of a notice to class members in accordance with article 579 of the *Code of Civil Procedure*, pursuant to a further order of the Court;

DECLARE that the identity of the applicant is confidential;

ALLOW the applicant to institute the present proceedings under the pseudonym C.K.;

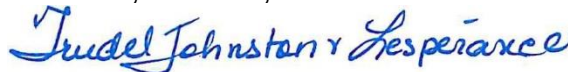
ORDER the sealing of all unredacted documents containing information that could lead to the identification of the applicant C.K.;

ORDER that the publication or disclosure of any information that could lead to identifying the applicant is prohibited, except between the parties, their attorneys and experts, and solely for the purpose of this litigation;

ORDER the filing of an anonymized version of the proceedings with the Registry of Class Actions;

THE WHOLE with costs, including the costs of all publications of notices.

Montreal, June 25, 2024

A handwritten signature in blue ink, reading "Bruce Johnston & Lépérance".

TRUDEL JOHNSTON & LESPÉRANCE

COUNSEL FOR THE APPLICANT

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Mtre Jessica Lelièvre

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Tel. (514) 871-8385

Fax. (514) 871-8800

SUMMONS
(articles 145 and following C.C.P.)

Filing of a judicial application

Take notice that the plaintiff has filed this *Application for Authorization to Institute a Class Action and to Obtain the Status of Representative* in the office of the court of Montreal in the judicial district of Montreal.

Exhibits supporting the application

In support of the originating application, the plaintiff intends to use the following exhibits:

- EXHIBIT P-1:** *An Act to incorporate Jewish General Hospital, 1933 (23 Geo V) c 147*
- EXHIBIT P-2:** *An Act to amend the charter of the Jewish General Hospital, 1965 (13 - 14 Eliz II) c 119*
- EXHIBIT P-3:** Excerpt of the Jewish General Hospital's website entitled *Historical Sketch*
- EXHIBIT P-4:** Brochure introducing the services offered at the Division of Child Psychiatry, published on the Jewish General Hospital's website and entitled *Child Psychiatry*
- EXHIBIT P-5:** Excerpt of the Jewish General Hospital's website entitled *Happy 50th Anniversary to the Child Psychiatry*
- EXHIBIT P-6:** Informative brochure produced by the Quebec government entitled *Les agressions sexuelles existent et marquent profondément: demandez de l'aide*

Defendant's answer

You must answer the application in writing, personally or through a lawyer, at the courthouse of Montreal situated at 1 Notre-Dame St. E. Montréal, H2Y 1B6 within 15 days of service of the application or, if you have no domicile, residence or establishment in Québec, within 30 days. The answer must be notified to the plaintiff's lawyer or, if the plaintiff is not represented, to the plaintiff.

Failure to answer

If you fail to answer within the time limit of 15 or 30 days, as applicable, a default judgement may be rendered against you without further notice and you may, according to the circumstances, be required to pay the legal costs.

Content of answer

In your answer, you must state your intention to:

- negotiate a settlement;
- propose mediation to resolve the dispute;
- defend the application and, in the cases required by the Code, cooperate with the plaintiff in preparing the case protocol that is to govern the conduct of the proceeding. The protocol must be filed with the court office in the district specified above within 45 days after service of the summons or, in family matters or if you have no domicile, residence or establishment in Québec, within 3 months after service; or
- propose a settlement conference.

The answer to the summons must include your contact information and, if you are represented by a lawyer, the lawyer's name and contact information.

Where to file the judicial application

Unless otherwise provided, the judicial application is heard in the judicial district where your domicile is located, or failing that, where your residence or the domicile you elected or agreed to with plaintiff is located. If it was not filed in the district where it can be heard and you want it to be transferred there, you may file an application to that effect with the court.

However, if the application pertains to an employment, consumer or insurance contract or to the exercise of a hypothecary right on the immovable serving as your main residence, it is heard in the district where the employee's, consumer's or insured's domicile or residence is located, whether that person is the plaintiff or the defendant, in the district where the immovable is located or, in the case of property insurance, in the district where the loss occurred. If it was not filed in the district where it can be heard and you want it to be transferred there, you may file an application to that effect with the special clerk of that district and no contrary agreement may be urged against you.

Transfer of the application to the Small Claims Division

If you qualify to act as a plaintiff under the rules governing the recovery of small claims, you may contact the clerk of the court to request that the application be processed according to those rules. If you make this request, the plaintiff's legal costs will not exceed those prescribed for the recovery of small claims.

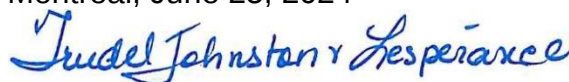
Convening a case management conference

Within 20 days after the case protocol mentioned above is filed, the court may call you to a case management conference to ensure the orderly progress of the proceeding. Failing that, the protocol is presumed to be accepted.

Application accompanied by a notice of presentation

Applications filed in the course of a proceeding and applications under Book III or V of the Code of Civil Procedure—excluding applications pertaining to family matters under article 409 and applications pertaining to securities under article 480—as well as certain applications under Book VI of the Code of Civil Procedure, including applications for judicial review, must be accompanied by a notice of presentation, not by a summons. In such circumstances, the establishment of a case protocol is not required.

Montreal, June 25, 2024



TRUDEL JOHNSTON & LESPÉRANCE

COUNSEL FOR THE APPLICANT

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Montréal, QC H2Y 2X8

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Fax. (514) 871-8800

NOTICE OF PRESENTATION
(Article 574 C.C.P.)

**TO : CENTRE INTÉGRÉ UNIVERSITAIRE DE
SANTÉ ET DE SERVICES SOCIAUX DU
CENTRE-OUEST-DE-L'ÎLE-DE-MONTRÉAL**
3755, chemin de la Côte-Ste-Catherine
Montreal, Quebec, H3T 1E2, Canada

TAKE NOTICE that the present *Application for Authorization to Institute a Class Action and to Obtain the Status of Representative*, dated June 25, 2024, will be presented at the Superior Court at the Courthouse of Montréal, located at 1 Notre-Dame Street East, at a date and time to be determined by the Coordinating Judge for the Class Action Division.

DO ACT ACCORDINGLY.

Montreal, June 25, 2024



TRUDEL JOHNSTON & LESPÉRANCE
COUNSEL FOR THE APPLICANT

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Mtre Jessica Lelièvre

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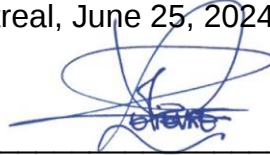
Tel. (514) 871-8385

Fax. (514) 871-8800

**ATTESTATION REGARDING THE
NATIONAL CLASS ACTION REGISTER**

I, undersigned, **MTRE JESSICA LELIÈVRE**, one of the applicant's lawyers, certify that the anonymized version of the present *Application for Authorization to Institute a Class Action and to Obtain the Status of Representative*, dated June 25, 2024, will be entered in the *National Class Action Register*.

Montreal, June 25, 2024



MTRE JESSICA LELIÈVRE

No.: 500-06-

DISTRICT OF MONTRÉAL
SUPERIOR COURT
(Class Actions)

C.K.

Applicant

c.

**CIUSSS DU CENTRE-OUEST-DE-L'ÎLE-DE-
MONTRÉAL (SIR MORTIMER B. DAVIS
JEWISH GENERAL HOSPITAL)**

Defendant

Our File: 1495-1

**APPLICATION FOR AUTHORIZATION TO
INSTITUTE A CLASS ACTION AND TO
OBTAIN THE STATUS OF REPRESENTATIVE**
(Art. 575 C.c.p.)

ORIGINAL

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