

CANADA

SUPERIOR COURT
(Class Actions Division)

PROVINCE OF QUÉBEC
DISTRICT OF MONTREAL

ESTEBEN HARGUINDEGUY

N° : 500-06-001250-238

Applicant

-v.-

SUNCOR ENERGY INC.

-and-

SUNCOR ENERGY PRODUCTS PARTNERSHIP

Defendants

APPLICATION FOR LEAVE TO ADDUCE RELEVANT EVIDENCE
AND TO EXAMINE THE APPLICANT
(Article 574 C.C.P.)

TO THE HONOURABLE JUSTICE MARIE-CHRISTINE HIVON, J.S.C., SITTING IN AND FOR THE DISTRICT OF MONTREAL AND DESIGNATED AS CASE MANAGEMENT JUDGE FOR THIS MATTER, THE DEFENDANTS RESPECTFULLY STATE AS FOLLOWS:

I. INTRODUCTION

1. By way of this application, the defendants Suncor Energy Inc. ("**SEI**") and Suncor Energy Products Partnership ("**SEPP**" and, together with SEI, the "**Defendants**") seek leave to adduce relevant evidence in view of the hearing on the *Amended Application for Authorization to Institute a Class Action* filed by Mr. Esteben Harguindeguy (the "**Applicant**") on April 19, 2024 (the "**Application**"), namely:
 - a) the filing of a concise sworn statement of a representative of the Defendants; and
 - b) to conduct a short examination of the Applicant.
2. As more fully detailed herein, the Defendants submit that this evidence is necessary to allow this Court to conduct an informed analysis of the authorization criteria set forth in article 575 C.C.P., given the incomplete and ambiguous nature of the allegations of the Application.

II. THE APPLICATION

3. By way of the Application, the Applicant seeks the authorization to institute a class action against the Defendants for and on behalf of the following national class:

All persons in Canada whose personal or financial information held by Petro-Canada was compromised in the "Cybersecurity Incident" that occurred on or around June 21, 2023 or thereafter, or who have

received notification from Petro-Canada of such a cybersecurity incident or any other class to be determined by the Court.

(the "**Class**")

4. As appears from paragraphs 15 to 18 of the Application, the Applicant essentially alleges that the Defendants were negligent in the storing and safekeeping of the personal information of the members of the Petro-Points™ program (the "**Program**"), and that the Defendants acted in a negligent manner following the occurrence of a cybersecurity incident (the "**Incident**"), including by failing to notify the members of the Program in a timely manner.
5. The Applicant thereby seeks the condemnation of the Defendants to compensatory and punitive damages for the Class.

III. LEAVE TO ADDUCE RELEVANT EVIDENCE

6. By way of the Application, the Applicant provides an erroneous and incomplete portrait of the relevant events, including as it pertains to the information of the members of the Program that was accessed in the context of the Incident and the communications by the Defendants to the members of the Program regarding the Incident.
7. In addition, while he complains about not being able to accumulate Petro-Points™ during the outage, the Applicant fails to mention that the Defendants provided certain members of the Program, including himself, with an adjustment to account for Petro-Points™ that could have been earned during the outage.
8. Lastly, the Applicant alleges that "*[t]he date of birth is highly sensitive information, especially in conjunction with the other information accessed as well, the whole which can facilitate fraud or identity theft*". However, the Applicant displays his date of birth on his publicly accessible Facebook profile.
9. The Defendants therefore hereby seek leave to adduce as relevant evidence a concise sworn declaration and exhibits in support thereof, communicated herewith as **Exhibit D-1**.
10. As appears from Exhibit D-1, the sworn statement covers the following elements:
 - a) the fact that no financial information of the members of the Program was accessed or obtained in the context of the Incident;
 - b) an email notification that was disseminated by the Defendants to the members of the Program having a valid email address associated to their account regarding the Incident;
 - c) an adjustment that was provided by the Defendants to certain members of the Program to account for Petro-Points™ that could have been earned during the outage, including emails that were sent in this regard and the adjustment provided to the Applicant; and
 - d) the fact that the Applicants displays his date of birth on his public Facebook profile.

11. This evidence is succinct and uncontroversial, and is required in order to fill a factual void left by the Application, in that it omits and provides erroneous elements of the factual matrix that are essential to the analysis of the authorization criteria set out in article 575 C.C.P.
12. In particular, the proposed evidence is necessary for the Court to assess the criteria set forth in article 575 (2) and (4) C.C.P. to determine whether the Applicant has a valid personal cause of action against the Defendants and if he can act as class representative.

IV. LEAVE TO EXAMINE THE APPLICANT

13. In view of the vague and incomplete allegations set forth in the Application, the Defendants also hereby seek leave to conduct a targeted examination of the Applicant.
14. In particular, in respect of the personal situation of the Applicant, the record is vague or incomplete in respect of the following:
 - a) it is unclear how the Applicant was first made aware of the Incident and the Application does not detail the actions or steps that were taken by the Applicant upon being informed of the Incident, if any;
 - b) the Applicant argues that the Defendants should have provided him with credit monitoring while it appears that, as at the date of the Incident, the Applicant already had an active subscription with Equifax Canada Complete Premier credit monitoring (Application, para. 58);
 - c) the Applicant alleges being exposed to a risk of fraud or identity theft as a result of the Incident (Application, para. 25, 29, 38, 39, etc.), but does not allege having experienced fraud or identity theft;
 - d) the Application is vague and provides no detail regarding the harm or damages sustained by the Applicant, including the stress, anxiety, fear, inconvenience and/or loss of time experienced by the Applicant in connection with the Incident (Application, para. 38, 39 and 40); and
 - e) the Application is silent regarding any effort made by the Applicant to enquire about the situation of other members of the Program and whether they are in a situation similar to that of the Applicant.
15. As such, the examination sought by the Defendants would cover the following topics:
 - a) when and how the Applicant became informed of the Incident and the facts alleged in the Application;
 - b) the actions or steps the Applicant has taken upon being informed of the Incident, if any;
 - c) the circumstances and timing of the Applicant's subscription to credit monitoring services;
 - d) the nature of the alleged fraud and/or identity theft to which he was the victim in connection with the Incident, if any;

- e) the nature of the stress, anxiety, fear, inconvenience and/or loss of time experienced by the Applicant in connection with the Incident, if any; and
 - f) the Applicant's knowledge of the situation of other proposed members of the Program, including damages sustained in connection with the Incident.
16. The Defendants request to be authorized to conduct an out-of-court examination of the Applicant on the above-referenced topics prior to the authorization hearing for a duration not exceeding one hour and a half.
17. The proposed examination is necessary for the Court to assess the criteria set forth in article 575 (2) and (4) C.C.P. to determine whether the Applicant has a valid personal cause of action against the Defendants, and if he can act as class representative.

V. CONCLUSION

18. In light of the above, it would be contrary to the interests of justice that this Court proceed to the analysis of the merits of the Application without having a more thorough understanding of the situation, of which the Application offers only a partial and truncated portrait.
19. It is therefore essential for the Defendants to seek leave to file the sworn statement and the exhibits, Exhibit D-1, to allow a serious assessment of the criteria set forth in article 575 C.C.P. It is also essential for the Defendants to obtain leave to conduct a short examination of the Applicant on the topics listed above.

FOR THESE REASONS, MAY IT PLEASE THE COURT TO:

GRANT this application;

AUTHORIZE the defendants Suncor Energy Inc. and Suncor Energy Products Partnership to file in the court record a signed version of the sworn statement and the exhibits in support thereof substantially in the form of the draft communicated as Exhibit D-1;

AUTHORIZE the defendants Suncor Energy Inc. and Suncor Energy Products Partnership to examine the applicant Mr. Esteben Harguindeguy out-of-court prior to the authorization hearing for a duration not exceeding one hour and a half;

THE WHOLE, without costs, save in the event of contestation.

MONTREAL, September 17, 2024



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**ATTORNEYS FOR THE DEFENDANTS
SUNCOR ENERGY INC. and SUNCOR
ENERGY PRODUCTS PARTNERHSIP**

C A N A D A

S U P E R I O R C O U R T
(Class Actions Division)PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

ESTEBEN HARGUINDEGUY

N° : 500-06-001250-238

Applicant

-v.-

SUNCOR ENERGY INC.

-and-

SUNCOR ENERGY PRODUCTS PARTNERSHIP

Defendants

SWORN STATEMENT OF DAVID FATH

I, the undersigned, David Fath, General Manager, Brand Marketing for the defendant Suncor Energy Products Partnership ("**SEPP**", and together with Suncor Energy Inc. ("**SEI**", "**Suncor**"), exercising my professional activities at 150, 6th Avenue SW, in the City of Calgary, Alberta, T2P 3E3, solemnly state the following:

1. I am employed by SEPP since 2003 and currently act as General Manager, Brand Marketing since 2021. As a result, I have personal knowledge of the matters set forth herein.
2. No financial information of members of the Petro-Points™ program (the "**Program**"), including credit information or banking information, was accessed or obtained in the context of the cyber-security incident at issue.
3. On July 6, 2023, Suncor sent an email to the members of the Program having a valid email address associated with their account, as appears from a copy of the email, communicated herewith *en liasse* as **Exhibit DF-1**.
4. On July 27 and 31, 2023, Suncor sent emails to the members of the Program having a valid email address associated with their account that made a purchase at a participating Petro-Canada™ retail station during the period from June 20, 2022 to June 19, 2023 stating that their Petro-Points™ balances were safe and that an adjustment would be provided for Petro-Points™ that could have been earned during the outage, as appears from a copy of the emails, communicated herewith *en liasse* as **Exhibit DF-2**.
5. On August 22, 2023, Suncor sent an email to the members of the Program having a valid email address associated with their account that made a purchase at a participating Petro-Canada™ retail station during the period from June 20, 2022 to June 19, 2023 stating that the Program was back online and that, in lieu of an adjustment for Petro-Points™ that could have been earned during the outage, their Petro-Points™ balance was automatically adjusted by the highest of (i) twice their average daily earn for the previous three (3) months prior to the outage, multiplied by the number of days the

Program was offline, (ii) twice their average daily earn for the previous 12 months prior to the outage, multiplied by the number of days the Program was offline, or (iii) 500 points, as appears from a copy of the email, communicated herewith *en liasse* as **Exhibit DF-3**.

6. In this context, the Applicant's account with the Program was automatically adjusted by 44,111 additional Petro-Points™, which amounts to twice of the Applicant's average daily earn for the previous three (3) months prior to the outage.
7. I reviewed the *Amended Application to Authorize the Bringing of a Class Action* dated April 19, 2024 and in particular its paragraph 15.2 where the Applicant alleges that "[t]he date of birth is highly sensitive information, especially in conjunction with the other information accessed as well, the whole which can facilitate fraud or identity theft". In this regard, on August 29, 2024, I consulted the public Facebook profile of the Applicant and note that his date of birth is publicly displayed, as appears from a screen capture of his public Facebook profile, communicated herewith as **Exhibit DF-4**.
8. To the best of my knowledge, the facts alleged herein are true.

AND I HAVE SIGNED:

DAVID FATH

SOLEMNLY DECLARED before me by
videoconference on _____, 2024

Commission of Oaths for the Province of
Québec

From: Petro-Canada <Petro-Points@email.petro-canada.ca>

Sent: July 6, 2023 5:33 PM

To: [REDACTED]

Subject: Important Update from Petro-Canada

View [online](#)



Important Update from Petro-Canada

As we shared on a social media post on June 26th, Petro-Canada experienced a cybersecurity incident. Based on our investigation to date, we determined that our IT network was accessed by an unauthorized party on or about June 21, 2023 and our Petro-Points program was impacted.

We believe the Petro-Points information obtained by the unauthorized party was limited to your name and the information you may have provided since you joined the program, specifically your mailing and email addresses, phone number and date of birth.

Out of caution, we disabled our Petro-Points systems, including our website and app, and we are conducting enhanced security monitoring. Although points redemption is currently disabled, your points balance is safe and we will provide a credit for points earned during the outage.

As you should always do, we recommend Petro-Points members watch for any unusual emails or messages. You should confirm that any request to link, download, call someone or provide personal information is legitimate.

The security of your personal information is important to us. We regret this incident has happened and we appreciate your patience and understanding as we work to resolve the situation.

If you have any questions, please contact our Petro-Canada customer service team at 1(800) 668 0220.



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PETRO-CANADA

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From: Petro-Canada <Petro-Points@email.petro-canada.ca>

Sent: July 6, 2023 4:32 PM

To: [REDACTED]

Subject: Mise à jour importante de Petro-Canada - Important Update from Petro-Canada

Voir la [version en ligne](#)



Mise à jour importante de Petro-Canada

Comme nous l'avons communiqué dans une publication sur les médias sociaux le 26 juin, Petro-Canada a fait l'objet d'un incident de cybersécurité. Selon notre enquête à ce jour, nous avons déterminé qu'une partie non autorisée avait accédé à notre réseau TI le 21 juin 2023 ou autour de cette date et que notre programme Petro-Points avait été touché.

Nous croyons que l'information Petro-Points obtenue par la partie non autorisée est limitée à votre nom et aux renseignements que vous pourriez avoir fournis depuis que vous vous êtes joint au programme, plus spécifiquement votre adresse courriel et votre adresse postale, votre numéro de téléphone et votre date de naissance.

Par mesure de précaution, nous avons désactivé nos systèmes Petro-Points, incluant notre application et notre site Web et nous menons une surveillance de sécurité accrue. Même si la fonction d'échange de points est actuellement désactivée, votre solde de points est en sécurité et nous offrirons un crédit pour les points accumulés pendant l'interruption.

Comme vous devriez toujours le faire, nous recommandons aux membres Petro-Points de rester à l'affût des courriels ou messages inhabituels. Vous devez confirmer que toute demande de jumelage, de téléchargement, ou vous invitant à appeler quelqu'un ou fournir des renseignements personnels est légitime.

La sécurité de vos renseignements personnels est importante pour nous. Nous regrettons que cet incident se soit produit et nous vous remercions de votre patience et votre compréhension tandis que nous cherchons à résoudre la situation.

Si vous avez des questions, veuillez communiquer avec notre équipe du service à la clientèle de Petro-Canada au 1-800-668-0222.

Important Update from Petro-Canada

As we shared on a social media post on June 26th, Petro-Canada experienced a cybersecurity incident. Based on our investigation to date, we determined that our IT network was accessed by an unauthorized party on or about June 21, 2023 and our Petro-Points program was impacted.

We believe the Petro-Points information obtained by the unauthorized party was limited to your name and the information you may have provided since you joined the program, specifically your mailing and email addresses, phone number and date of birth.

Out of caution, we disabled our Petro-Points systems, including our website and app, and we are conducting enhanced security monitoring. Although points redemption is currently disabled, your points balance is safe and we will provide a credit for points earned during the outage.

As you should always do, we recommend Petro-Points members watch for any unusual emails or messages. You should confirm that any request to link, download, call someone or provide personal information is legitimate.

The security of your personal information is important to us. We regret this incident has happened and we appreciate your patience and understanding as we work to resolve the situation.

If you have any questions, please contact our Petro-Canada customer service team at 1(800) 668 0220.



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[Renseignements personnels](#) | [Se désinscrire](#)

From: Petro-Canada <Petro-Points@email.petro-canada.ca>

Sent: July 27, 2023 7:13 PM

To: [REDACTED]

Subject: An update for Petro-Points™ members

View [online](#)



An update for Petro-Points™ members

Hello [REDACTED],

We know you rely on us to keep you moving, and we remain focused on doing that first and foremost.

We also know that earning, monitoring and redeeming your Petro-Points is important to you. While we work to restore this functionality, we wanted to assure you of a few important things.

First, **your points balance remains safe and will be updated once we're able**. Points earned during this time can be redeemed for future rewards.

Second, **we will provide a credit for points earned during the outage**, and you can continue to participate in the program:

1. If you have a physical Petro-Points card, insert it at the pump before paying, or scan it in-store to collect points.
2. If you have a linked RBC® card, you will continue to save 3¢ per litre on every fill-up and earn Petro-Points when you pay with that card.
3. If you use the Petro-Canada™ app, we will contact you with additional information about your account. In the meantime, if you've added your Petro-Points card to your Apple or Google wallet, you can always scan it in-store.

Finally, **keep an eye out for additional updates and benefits from us via email**.

Thank you for your patience and continued support.

Your Petro-Points team



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De: Petro-Canada <Petro-Points@email.petro-canada.ca>
Envoyé: Thursday, July 27, 2023 6:15 PM
À: [REDACTED]
Objet: Une mise à jour pour les membres Petro-Points

EXTERNAL EMAIL: Always be cautious. **COURRIEL EXTERNE :** Il faut toujours être prudent.

Voir la [version en ligne](#)



Une mise à jour pour les membres Petro-Points^{MC}

Bonjour [REDACTED],
Nous savons que vous comptez sur nous pour aller de l'avant et nous œuvrons jour après jour pour remplir cette mission.

Nous savons également qu'il est important pour vous d'accumuler des Petro-Points, d'en faire le suivi et de les échanger. Nous travaillons actuellement à rétablir cette fonctionnalité et souhaitons préciser quelques points importants.

Premièrement, **vosre solde de points demeure en sécurité et sera mis à jour dès que possible.** Les points obtenus durant cette période peuvent être échangés contre des récompenses futures.

Deuxièmement, **nous vous accorderons un crédit pour les points obtenus durant l'interruption.** Vous pouvez continuer de participer au programme :

1. Si vous avez une carte Petro-Points en plastique, insérez-la dans le distributeur avant de payer, ou scannez-la au dépanneur pour accumuler des points.
2. Si vous avez une carte RBC® liée, vous continuerez d'économiser 3 ¢ le litre à chaque plein et d'obtenir des Petro-Points lorsque vous payez avec cette carte.
3. Si vous utilisez l'application Petro-Canada^{MC}, nous communiquerons avec vous pour vous fournir plus d'information sur votre compte. Entre-temps, si vous avez ajouté votre carte Petro-Points à votre portefeuille Apple ou Google, vous pouvez toujours la scanner au dépanneur.

Finalement, **restez à l'affût des mises à jour et avantages supplémentaires que nous vous enverrons par courriel.**

Nous vous remercions de votre patience et de votre soutien continu.

Votre équipe Petro-Points



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De: Petro-Canada <Petro-Points@email.petro-canada.ca>
Envoyé: 31 juillet 2023 18:00
À: [REDACTED]
Objet: An update for Petro-Points™ members

EXTERNAL EMAIL: Always be cautious. **COURRIEL EXTERNE :** Il faut toujours être prudent.

View [online](#)



An update for Petro-Points™ members

Hello [REDACTED],

We know you rely on us to keep you moving, and we remain focused on doing that first and foremost.

We also know that earning, monitoring and redeeming your Petro-Points is important to you. While we work to restore this functionality, we wanted to assure you of a few important things.

First, **your points balance remains safe and will be updated once we're able.** Points earned during this time can be redeemed for future rewards.

Second, **we will provide a credit for points earned during the outage,** and you can continue to participate in the program:

1. If you have a physical Petro-Points card, insert it at the pump before paying, or scan it in-store to collect points.
2. If you have a linked RBC® card, you will continue to save 3¢ per litre on every fill-up and earn Petro-Points when you pay with that card.
3. If you use the Petro-Canada™ app, we will contact you with additional information about your account. In the meantime, if you've added your Petro-Points card to your Apple or Google wallet, you can always scan it in-store.

Finally, **keep an eye out for additional updates and benefits from us via email.**

This message has been sent to you to provide important updates about your membership in the Petro-Points program. Don't typically receive promotional offers and communications from Petro-Points? [Click here](#) if you'd like to.

Thank you for your patience and continued support.

Your Petro-Points team



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De: Petro-Canada <Petro-Points@email.petro-canada.ca>
Envoyé: Monday, July 31, 2023 4:51 PM
À: [REDACTED]
Objet: Une mise à jour pour les membres Petro-Points

EXTERNAL EMAIL: Always be cautious. **COURRIEL EXTERNE :** Il faut toujours être prudent.

Voir la [version en ligne](#)



Une mise à jour pour les membres Petro-Points^{MC}

Bonjour [REDACTED],
Nous savons que vous comptez sur nous pour aller de l'avant et nous œuvrons jour après jour pour remplir cette mission.

Nous savons également qu'il est important pour vous d'accumuler des Petro-Points, d'en faire le suivi et de les échanger. Nous travaillons actuellement à rétablir cette fonctionnalité et souhaitons préciser quelques points importants.

Premièrement, **votre solde de points demeure en sécurité et sera mis à jour dès que possible.** Les points obtenus durant cette période peuvent être échangés contre des récompenses futures.

Deuxièmement, **nous vous accorderons un crédit pour les points obtenus durant l'interruption.** Vous pouvez continuer de participer au programme :

1. Si vous avez une carte Petro-Points en plastique, insérez-la dans le distributeur avant de payer, ou scannez-la au dépanneur pour accumuler des points.
2. Si vous avez une carte RBC® liée, vous continuerez d'économiser 3 ¢ le litre à chaque plein et d'obtenir des Petro-Points lorsque vous payez avec cette carte.
3. Si vous utilisez l'application Petro-Canada^{MC}, nous communiquerons avec vous pour vous fournir plus d'information sur votre compte. Entre-temps, si vous avez ajouté votre carte Petro-Points à votre portefeuille Apple ou Google, vous pouvez toujours la scanner au dépanneur.

Enfin, **restez à l'affût des mises à jour et avantages supplémentaires que nous vous enverrons par courriel.**

Ce message vous a été envoyé pour vous fournir des mises à jour importantes sur votre adhésion au programme Petro-Points. Vous ne recevez habituellement pas d'offres promotionnelles et de communications de Petro-Points? [Cliquez ici](#) si vous souhaitez en recevoir.

Nous vous remercions de votre patience et de votre soutien continu.

Votre équipe Petro-Points



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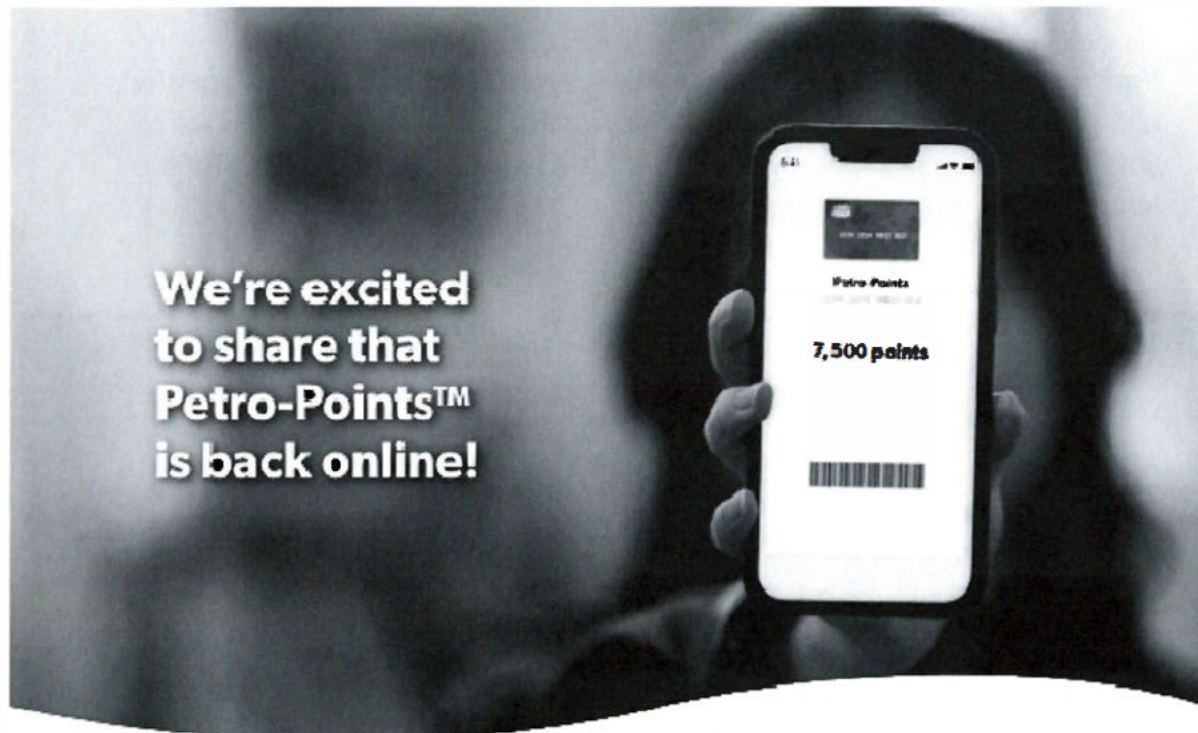
[Renseignements personnels](#) | [Se désinscrire](#)

From: Petro-Points Rewards <Petro-Points@email.petro-canada.ca>
Sent: August 22, 2023 5:47 PM
To: [REDACTED]
Subject: Petro-Points is back in action – earn and redeem today 📱

View the [online version](#)



Hello [REDACTED]



Let's get right to the points

Previous Balance

30,961

Points



Adjusted Earn*

5,723

Points



New Balance

36,684

Points

Your Petro-Points account balance from June 23, 2023 has been updated, and your new total is shown above. Your adjustment amount is unique to you, and equates to roughly **double** what you would typically earn for the length of time our program was offline.

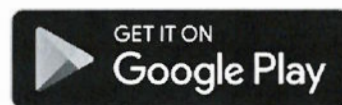
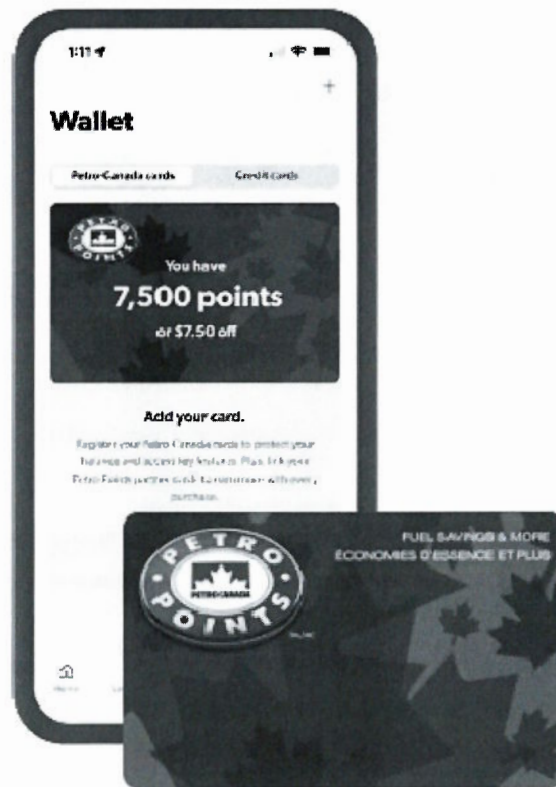
Update your password

The safety of your personal information is important to us, which is why we're adding extra protections. The next time you login to your Petro-Points account, you'll be prompted to reset your password. If you've already taken steps to update your password, you can log in using your new credentials.

In addition, we will be implementing multi-factor authentication to help verify your identity and prevent unauthorized access to your account. Please review the mobile number and email address associated with your account to ensure they're current.

RESET YOUR PASSWORD

App-solute convenience is back



Download the latest version of the Petro-Canada™ app to earn and redeem points quickly, and conveniently. With the app back online, you can now:

- Review your points balance
- Access your digital Petro-Points card
- Fuel up and collect points using contactless payment
- Start the car wash from the comfort of your car

Prefer a physical card? You can request one once you've reset your password.

GET A PHYSICAL CARD

Thank you again for your continued support and we look forward to your next visit. If you have any questions regarding your Petro-Points account, please reach out to our customer service team at [1-800-668-0220](tel:1-800-668-0220).



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To ensure the delivery of Petro-Points emails to your inbox, add Petro-Points@petro-canada.ca to your address book or safe sender list. Did someone forward this to you? Don't miss out. Join Petro-Points.

This message has been sent to you to provide important updates about your membership in the Petro-Points program.

Your Petro-Points balance as of Aug 15, 2023.

*Your points adjustment has been calculated based on the highest of: i) twice your average daily earn for the previous 3 months prior to the outage, multiplied by the number of days the system was offline, ii) twice your average daily earn for the previous 12 months prior to the outage, multiplied by the number of days the system was offline, and iii) 500 points.

Average earn rates and the resulting points adjustment are unique to each member.

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Petro-Points - PO Box 59257 Westwood Mall, Mississauga, Ontario, L4T 4J1, Canada | 1 800 668-0220



Esteben Harguindeguy

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- Work and education
- Places lived
- Contact and basic info
- Family and relationships
- Details About Esteben
- Life events

Contact info

No contact info to show

Websites and social links

No links to show

Basic info

Male
Gender

March 5
Birth date
1974
Birth year

Anglais
Languages

**SUPERIOR COURT
(Class Actions)**

Nº. 500-06-001250-238

**CANADA
PROVINCE DE QUÉBEC
DISTRICT DE MONTREAL**

ESTEBEN HARGUINDEGUY

Applicant

v.

SUNCOR ENERGY INC.

-and-

PRODUITS SUNCOR ÉNERGIE, S.E.N.C.

Defendant

BS0350

O/F: 122627-1026

**APPLICATION FOR LEAVE TO ADDUCE RELEVANT
EVIDENCE AND TO EXAMINE THE APPLICANT
AND EXHIBIT D-1**

ORIGINAL

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