

SUPERIOR COURT

(Class Action Chamber)

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

N° : 500-06-001152-210

DATE : August 2, 2024

BY THE HONORABLE CATHERINE PICHÉ, S.C.J.

TANIA SCISCENTE

Plaintiff

v.

AUDI CANADA INC.

Defendant

JUDGMENT

- [1] **CONSIDERING** the Representative Plaintiff's *de bene esse* Application to be Relieved from the Default to File the Case Protocol and Default to Extend the Time Limit for Trial Readiness and Setting Down for Trial dated July 23, 2024 (the "**Application**");
- [2] **CONSIDERING** that by the Judgment dated August 1, 2022, the class action was authorized by the Court but the issue of the authorization notices to the class members and the issue of setting down the opt out (exclusion) deadline had not yet been decided, the Court instead convening the parties to a further hearing on these issues;
- [3] **CONSIDERING** that the further hearing regarding the notice plan, the authorization notices, and the opt out deadline has not yet been held and,

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therefore, that that the authorization notices have not been disseminated to the class members and the opt out opportunity has not yet been given to the class members;

- [4] **CONSIDERING** that pursuant to Articles 576, 579 and 580 of the Code of Civil Procedure, the next procedural step is the sending of the authorization notices to class members and giving them the required opportunity and deadline to opt out of the case;
- [5] **CONSIDERING** that the Plaintiff nonetheless filed the Originating Class Action Application on October 27, 2022;
- [6] **CONSIDERING** the Defendant's consent to the Application;
- [7] **CONSIDERING** that the Court will be required to approve the notice plan and the authorization notices;
- [8] **CONSIDERING** that the Court will also be required to approve and order the first case protocol hearing;
- [9] **CONSIDERING** that the Plaintiff's counsel has already submitted a proposed notice plan, proposed authorization notices and a proposed case protocol to the Defendant's counsels for comment;
- [10] **CONSIDERING** Articles 1, 9, 17, 18, 19, 25, 33, 49, 87, 149, 150, 157, 158, 173, 177, 572, 576, 579, 580, 583, 586, and 589 of the Code of Civil Procedure;

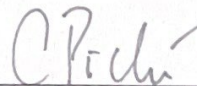
FOR THESE REASONS, THE COURT:

[11] **GRANTS** the Representative Plaintiff's *De Bene Esse* Application to be Relieved from the Default to File the Case Protocol and Default to Extend the Time Limit for Trial Readiness and Setting Down for Trial;

[12] **RELIEVES** the Representative Plaintiff from her default to file the first case protocol and her default to ask to extend the time limit for trial readiness and setting down for trial;

[13] **EXTENDS** the time limit for trial readiness and setting down for trial to April, 19, 2025, inclusively;

[14] **THE WHOLE** without costs.



CATHERINE PICHE, S.C.J.

Me David Assor
LEX GROUP INC.
Attorney for the Plaintiff

Me Vincent de L'Étoile
LANGLOIS LAWYERS LLP
Attorney for the Defendant

Hearing date : On docket