

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

SUPERIOR COURT
(Class Action Division)

No.: 500-06-001375-258

DAVID COBRIN, electing domicile at the office of his attorneys, at 1010 de la Gauchetière St. West, Suite 1600, City and District of Montreal, Province of Quebec, H3B 2N2

Applicant

v.

MCGILL UNIVERSITY, legal person incorporated pursuant to *An Act for the establishment of Free Schools and the Advancement of Learning in this Province*, with its head office located at 845 Sherbrooke Street West, City and District of Montreal, Province of Quebec, H3A 0G4

Respondent

**APPLICATION FOR AUTHORIZATION TO INSTITUTE A CLASS ACTION, AND TO
OBTAIN THE STATUS OF REPRESENTATIVE**
(Art. 571 C.C.P. *et seq.*)

APPLICANT RESPECTFULLY ALLEGES:

In 2002, the Canadian Government made it a criminal offence to knowingly participate or contribute to any activity by Hamas, an internationally recognized terrorist organization (*Regulations SOR/2002-284* – Canada Gazette).

On October 7, 2023, Hamas and other Palestinian militant groups launched a co-ordinated terrorist attack on the State of Israel, marking the deadliest day for Israel since its establishment and the single most significant attack on the Jewish population since the Holocaust (the “**October 7th Terrorist Attack**”).

A. NATURE OF THE ACTION

1. Universities are critical institutions for encouraging open debate and advocacy of opposing positions. The rights of association and free speech are so fundamental that they are protected both by the Quebec *Charter of Human Rights and Freedoms* (the “**Quebec Charter**”) and by McGill’s own policies (the “**McGill Policies**”). However, when the purported exercise of these rights become discriminatory, violent, hostile or harassing, it must be acknowledged, condemned and sanctioned as impermissible conduct and speech.

2. As more fully described herein, since October 8, 2023, the campus of McGill University (“**McGill**” or the “**University**”) has been the site of a serious wave of overt anti-Zionist and antisemitic sentiment and activity, including in support of Hamas’ terrorist activity.
3. By their conduct, language, signs and posts, it was apparent from the outset (i.e., October 8, 2023) that many of these protestors were not engaging in peaceful protests or legitimate free speech, but were actively expressing and promoting antisemitic and anti-Zionist views, thereby creating an environment in which McGill’s Jewish students (the “**Class**” or “**Class Members**”) were openly discriminated against and harassed.
4. In addition to the generally toxic and intimidating environment on campus created by the unabated protests, Class Members were blocked and prevented from attending their classes, locked in the library for their protection, subjected to hate speech, harassed on campus, and in some cases, even physically assaulted. Student government and clubs openly discriminated against Class Members by excluding Zionists and promoting anti-Zionist activism.
5. As described below, McGill formally acknowledged the antisemitic nature of these activities on numerous occasions beginning on October 9, 2023 but failed to take expeditious and meaningful disciplinary action against the perpetrators and, as a result, these activities continued and intensified.
6. Remarkably, despite McGill’s acknowledgment of repeated occasions where the activities and conduct of the protestors violated the McGill Policies and the law, the number of non-academic disciplinary proceedings during the period extending from September 1, 2023 to August 31, 2024 was similar to the year before (due to violations of COVID-19 restrictions) and “*roughly an order of magnitude lower than the numbers reported in the two years preceding that*”, as appears from a copy of McGill’s Annual Report of the Code of Student Conduct and Disciplinary Procedures (the “**Disciplinary Report**”), **Exhibit P-1**.
7. The failure by McGill to act reasonably by forcefully administering its policies and curtailing conduct that patently violated the McGill Policies and the *Quebec Charter* prevented Class Members from obtaining a university experience, both in respect of their academic and non-academic endeavours, in a safe, welcoming and respectful environment, and resulted in significant harm to Class Members.

8. Consequently, Applicant wishes to institute a class action on behalf of the natural persons forming part of the Class hereinafter described and of which Applicant is a member, namely:

All Jewish students registered at McGill University since October 8, 2023, including undergraduate, masters, continuing education, doctoral, and post-doctoral students.

9. Applicant is taking the present action to: (i) ensure that the harm caused to Class Members because of the University's inadequate response to the events and activities since October 8, 2023 (the "**Class Period**"), which violated the *Quebec Charter* and the McGill Policies, is recognized; (ii) ensure that McGill enforces its policies with respect to combatting antisemitism on its campus; and (iii) obtain rightful compensation for himself and similarly situated Jewish students who have been deprived of a safe, welcoming and respectful university experience which McGill had a duty and responsibility to provide.
10. Applicant is therefore seeking on his own behalf as well as on behalf of all Class Members:
- a) a declaration that McGill breached its obligations to Class Members by failing to take reasonable steps to combat antisemitism and anti-Zionism on its campus, including by failing to adequately discipline the members of the University community involved in speech and conduct which violated the *Quebec Charter* and the McGill Policies;
 - b) a declaration that anti-Zionism is a manifestation of antisemitism under the University's Policy on Harassment and Discrimination, such that it is impermissible for a student to be discriminated against on the grounds that they are a Zionist;
 - c) an order requiring McGill to enforce its policies aimed at addressing antisemitic and anti-Zionist conduct and activities on campus;
 - d) compensation for himself and the other Class Members, as follows:
 - (i) reimbursement of 33% of the aggregate tuition and student fees paid by each Class Member in respect of the period since October 8, 2023; and
 - (ii) punitive damages in the amount of \$5 million for harm suffered by the Class as a whole.

B. THE PARTIES

Applicant

11. Applicant lives in Montreal, is Jewish and a Zionist, and has been enrolled as a full-time undergraduate student at McGill since the fall of 2021. As at October 8, 2023, Applicant was in his third year of his undergraduate program and anticipates graduating from this program in the spring of 2025.
12. As described more fully below, as a Jewish student enrolled at McGill, Applicant has personally experienced hateful language, attacks on his person and on his personal dignity as well as the harassing conduct of protestors on McGill's campus since the October 7th Terrorist Attack. This situation, which was unduly and unreasonably tolerated by McGill, deprived Applicant of the safe, welcoming, respectful and non-harassing educational experience he was entitled to receive.

Respondent

13. McGill was founded in 1821. In 2024, it reported an enrollment of close to 40,000 students, with its main campus in downtown Montreal, as appears from an extract of the McGill website, **Exhibit P-2**.
14. McGill is one of Canada's most distinguished institutions of higher learning.
15. As appears from McGill's organization chart, **Exhibit P-3**, administratively, the Board of Governors is the governing body of the University and has final authority over the conduct of its affairs. The Senate exercises general control over the academic affairs of the institution, subject to the authority of the Board of Governors. The Chief Executive Officer of McGill, the President, is also subject to the authority of the Board of Governors.
16. The Dean of Students submits an Annual Report of the Code of Student Conduct and Disciplinary Procedures that is made available online. The Disciplinary Report for the 2023-2024 academic year submitted by the Interim Dean of Students to the Senate is dated January 15, 2025 (Exhibit P-1).
17. It is estimated that there are 3,500 Jewish students currently enrolled in McGill undergraduate programs and 500 Jewish students enrolled in the University's graduate studies programs, as appears from an extract of Hillel's website, **Exhibit P-4**.
18. Regrettably, McGill had over a number of years (especially during the first half of the 20th century) adopted antisemitic quotas and bans intended to limit the admission of Jewish students. Although these quotas and bans were eventually removed, this dubious past history should have sensitized McGill to be on

heightened alert to effectively and proactively address concerning new waves of antisemitism appearing on its campus.

C. THE FACTS GIVING RISE TO APPLICANT'S CLAIM

19. On March 21, 2022, McGill announced an initiative to prevent antisemitism and Islamophobia at the University stating that it is “*essential that every member of our community be able to pursue their learning and work in a respectful environment conducive to academic endeavours,*” as appears from the announcement sent by the Office of the Provost and Vice-Principal Academic and the associated final report, **Exhibit P-5 en liasse**.
20. Despite this initiative, McGill failed to enforce disciplinary measures and to respond with little more than rhetoric to address the rampant anti-Zionism and antisemitic “activism” on its campus following the October 7th Terrorist Attack in an effective and timely manner.
21. Antisemitism is often referred to metaphorically as the canary in the coal mine of hatred. It is noteworthy that approximately one month after the October 7th Terrorist Attack, the late Right Honourable Brian Mulroney aptly remarked that “*in the wake of the Holocaust (...) firewalls were thrown up, and the bonfires of antisemitism were for a time reduced to flickering embers. But those firewalls, weakened by the passage of time and willful neglect, have been breached. Cloaked in the armour of free speech, fueled by hate and stoked by the oxygen of the internet and social media, those fires now burn out of control*”, as appears from Mr. Mulroney’s speech at the WJC Herzl Award ceremony held on November 9, 2023, **Exhibit P-6**.
22. Zionism is the belief that Israel is the Jewish homeland, and it is an important component of the Jewish identity for the vast majority of Jewish people. As explained by one student in her testimony before the House of Commons Standing Committee on Justice and Human Rights, **Exhibit P-7**, “*Zionism should not be controversial. It is simply the belief in Jewish self-determination in our indigenous homeland, and it does not preclude the existence of a Palestinian state too.*” Anti-Zionism is not the same thing as criticism of the State of Israel’s policies – it is a denial of the right of the State of Israel to exist and a manifestation of antisemitism.
23. The surge of antisemitism in Canada since October 7, 2023, in particular on university campuses, was studied by the Standing Committee on Justice and Human Rights, which issued a report in December 2024, **Exhibit P-8**. After a thorough review of the subject, including testimony and briefs from students and university administrators, a series of recommendations were made in order to combat the unacceptable antisemitism and anti-Zionism present on Canadian university campuses, including McGill. As stated in that report, “*the committee*

heard concerning evidence suggesting that the repercussions for students engaged in antisemitic conduct on campus thus far have been minimal”.

24. In the case of McGill, following the October 7th Terrorist Attacks, a toxic environment has existed on its campus for Class Members. By way of example only:
- a. **October 8, 2023:** Shockingly, well before Israel had commenced its ground incursion into Gaza, a (then) McGill-affiliated student club named Students for Palestinian Human Rights McGill (“**SPHR McGill**”) celebrated the October 7th Terrorist Attack during which terrorist fighters killed, maimed, raped, and committed horrific atrocities, deeming it a “*heroic attack*” and calling for people to “*celebrate the resistance’s success*”, as appears from SPHR McGill’s Facebook post of that date, **Exhibit P-9**.
 - b. **October 23, 2023:** SPHR McGill released a letter justifying the October 7th Terrorist Attack, which was endorsed by a McGill law professor, as explained by the Jewish Law Students Association (“**JLSA**”) in a brief submitted to the House of Commons, **Exhibit P-10**.
 - c. **November 2023:** A number of McGill law professors signed a letter indicating they “*reject the notion that it is antisemitic, hateful, or illegitimate to contextualize the October 7th, 2023 attack,*” as explained by the JLSA in Exhibit P-10.
 - d. **November 9, 2023:** On the anniversary of Kristallnacht (when Nazis in 1938 coordinated a massive horrific attack on Jews known as the “Night of Broken Glass”), flyers and social media posts were disseminated by SPHR McGill which included images of a protestor kicking and breaking a glass wall, as appears from one such flyer, **Exhibit P-11**. On that date, protestors celebrated on McGill’s campus the fact that they “*terrified*” students to a loudly cheering crowd, as appears from the post on X filed as **Exhibit P-12**.
 - e. **February 22, 2024:** Protestors blocked access to the Bronfman Building (the building housing the University’s Faculty of Business, named after a prominent Jewish philanthropist), restricting access for all students, including Applicant, and put up drawings of professors with their names outside of the building, the whole as appears from **Exhibit P-13 en liasse**.
 - f. **March 27, 2024:** SPHR McGill called to shut down the University “*for Gaza*” indicating, “*We reiterate; there will be no classes or business as usual until divestment and academic boycott*” from Israel and protestors blocked access to classrooms in the faculties of Engineering, Education

and Management, as appears from SPHR McGill's Instagram post, **Exhibit P-14**.

- g. **March 28 and 29, 2024**: Protestors (with their identities concealed with keffiyehs and masks) banged on doors within the University and chanted (with loud speakers) "*we charge you with genocide*," and "*free, free Palestine*", as appears from CIJA's X post, **Exhibit P-15**. Access to three buildings was blocked by protestors targeting professors and programs perceived to be connected to Israel, as appears from SPHR McGill's Instagram post, **Exhibit P-16**.
- h. **April 10, 2024**: Protestors stormed the McLennan-Redpath Library where many students, including Class Members, were studying for their final exams, as appears from the post of X filed as **Exhibit P-17**.
- i. **April 10, 2024**: Protestors vandalized McGill property by throwing red paint onto University buildings and "renaming" them after Palestinian villages, as appears from SPHR McGill's Instagram post, **Exhibit P-18**.
- j. **From April 2024 until July 10, 2024**: An encampment (the "**McGill Encampment**") was established on McGill's lower field of its downtown campus, with signs such as "*40 fake babies 14 000+ real kids martyred*" and "*Intifada until victory*", "*Zionists are not Welcome*" (Emphasis in original), "*Agitate, Escalate, Shut it Down*", as appears from photos taken from the McGill Encampment, **Exhibit P-19**. The original erection of about 20 tents later grew to about 100 tents over the next month and remained on McGill's campus for almost three months until July 10, 2024 when the University hired a private security firm to dismantle the encampment. This illegal protest was apparently supported by 100 professors from the Island of Montreal, as appears from The Montreal Gazette article dated May 4, 2024, **Exhibit P-20**. Masked encampment members repeatedly harassed Jewish individuals on campus, including, for example, when they surrounded a Jewish student, calling for him to go back to Europe and subsequently to go back to Iran after he advised that his family is from Iran, and chanting "*all the Zionists are racists; all the Zionists are the terrorists*", as appears from a video of same, **Exhibit P-21**.
- k. **For months, beginning in April 2024 and continuing to the date of the filing of the present proceedings**: Class Members walking through the Roddick Gates during the afternoon and early evening, being the entrance to McGill's lower field campus from Sherbrooke Street West, are being harassed by protestors and the area has routinely been defaced with antisemitic messages. By way of example only, on July 29, 2024, the sidewalk was painted with the message: "*From the River to the Sea, Palestine will be Free of Zionists*" and on July 31, 2024, the sidewalk was

painted with the message “*Fuck Zionism*”, as appears from photos of same, **Exhibit P-22 en liasse**.

- l. **May 26, 2024**: A noose was wrapped around the neck of an effigy of the Prime Minister of Israel wearing striped clothing, reminiscent of the clothing which Jews were forced to wear in Nazi concentration camps during the Holocaust, and hung from the Roddick Gates leading to McGill’s lower field, as appears from the picture of same, **Exhibit P-23**.
- m. **June 1, 2024**: SPHR McGill called for the dismantling of a building site for a future McGill sports science institute “*by any means necessary*” on the basis that it was being built using funds from a prominent Jewish and Israeli donor, and would create a partnership with Tel Aviv University, as appears from SPHR McGill’s Instagram posts relating thereto, **Exhibit P-24**. The construction façade of the building was defaced with upside down red triangles, which are a symbol used by Hamas to mark its targets, as appears from pictures of same and an explanation of the symbolism, **Exhibit P-25** and **Exhibit P-26**, respectively.
- n. **June 6, 2024**: Protestors broke into the James Administration Building, barricaded themselves inside, and vandalized the building and furnishings. The Riot Police Squad were called to address same. SPHR McGill’s Instagram post relating to this event is filed as **Exhibit P-27**.
- o. **June 12, 2024**: SPHR McGill announced a “Youth Summer Program” to be held at the McGill Encampment offering a “revolutionary education” and for which the poster depicted individuals wearing keffiyehs and holding weapons, including a large machine gun, as appears from SPHR McGill’s Instagram post. A group named Profs4Palestine, which purports to be a group of McGill professors, also shared posts about the Summer Program, the whole as appears from **Exhibit P-28 en liasse**. The Summer Program proceeded as planned.
- p. **July 5, 2024**: Protestors smashed doors and windows at the University and, as reported, the protestors assaulted an individual, as appears from the Notice of default dated July 10, 2024 sent by Angela Campbell, Office of the Deputy Provost, to the President of the SSMU (defined below), **Exhibit P-29**.
- q. **September 12, 2024**: Protestors disrupted five of the largest classes at the University, as appears from SPHR McGill’s Instagram post, **Exhibit P-30**. SPHR McGill also on such date changed its name from “Students for Palestinian Human Rights McGill” to “Students for Palestine’s Honour and Resistance McGill”.

- r. **September 21, 2024:** McGill asked the Police to investigate after the Redpath Library was defaced with antisemitic graffiti, including a swastika, and the downtown campus was hit with “intimidation”, as appears from an article published in The Montreal Gazette on September 21, 2024, **Exhibit P-31**.
 - s. **October 7, 2024:** On the one-year anniversary of the October 7th Terrorist Attack, anti-Israel groups, via social media, announced a “Week of Rage” from October 7 to 11, 2024, with SPHR McGill posting that: “*No business or classes as usual during the university-funded genocide in Gaza*”, as appears from SPHR McGill’s Instagram post, **Exhibit P-32**. While McGill sought and obtained an injunction as a result of same, **Exhibit P-33** and **Exhibit P-34**, respectively, the protests nevertheless proceeded as planned, which resulted in significant campus disruptions, students being locked in the library and destruction to property. SPHR McGill’s Instagram post related to these events is filed as **Exhibit P-35**.
- 25. Protests and destructive conduct that are in violation of the McGill Policies still continue in 2025.
 - 26. By way of example, protestors smashed windows of the McGill Arts Building while yelling “*Viva, viva Palestine*” on February 5, 2025, as appears from the Instagram post filed as **Exhibit P-36** and dumped red paint on the outside of the Bronfman Building, as appears from a picture of the aftermath of the protest on February 12, 2025, **Exhibit P-37**.
 - 27. Most recently, as part of a three-day strike by McGill students “*in support of Palestinian liberation*” taking place from April 2 to 4, 2025, masked protestors took over classrooms, blocked students from accessing their classes and physically assaulted students just trying to go to class, as appears from videos and a picture taken on April 2, 2025, **Exhibit P-38 en liasse**. On April 3, 2025, riot police were called to the scene, **Exhibit P-39**. In connection with this strike, SPHR McGill posted on Instagram asking students to identify professors who fail “*to accommodate the strike*”, **Exhibit P-40**.

Antisemitic / Anti-Zionist Actions by Student Associations

- 28. All McGill students are required to be part of the University’s student associations and part of their fees paid to the University are remitted to these associations, with undergraduate students being members of the Students’ Society of McGill University (the “**SSMU**”) and graduate students being members of the Post-Graduate Students’ Society of McGill University (the “**PGSS**”).
- 29. These groups are supposed to be representatives of and advocates for students’ issues and concerns at the University. However, both have failed to fairly

represent the interest of all students following the October 7th Terrorist Attack, and have instead fueled antisemitism and anti-Zionism, thereby excluding, alienating and ostracizing Class Members.

30. One such way is through the promotion and support of the BDS movement (“Boycott, Divestment and Sanctions”). Of note, the Canadian Parliament passed a motion in 2016 calling upon the Federal Government “*to condemn any and all attempts by Canadian organizations, groups or individuals to promote the BDS movement both here at home and abroad*”, **Exhibit P-41**. The objectives, activities and effects of the BDS movement are antisemitic and were recognized as such by the United Nations’ Special Rapporteur in September 2019, **Exhibit P-42**.

31. Class Members have reported being excluded from PGSS and SSMU affiliated student groups as a result of their religious, Zionist and political convictions.

a. Support for SPHR McGill

32. Although McGill quickly identified the disturbing and offensive conduct of SPHR McGill in praising the October 7th Terrorist Attack as heroic, it took nearly a year for the SSMU to allegedly cut ties with SPHR McGill, despite McGill’s repeated requests to do so.
33. Indeed, while demands were made as early as October 9, 2023 by McGill to the SSMU for it to stop SPHR McGill from using the McGill name, a Notice of Default for failure to comply was not issued until November 6, 2023. Notwithstanding that the SSMU did not fully comply with such first Notice, the SSMU was not put in default again until July 10, 2024 (Exhibit P-29).
34. Nearly a year after SPHR McGill’s glorification of the October 7th Terrorist Attack and involvement in massive disruptions on campus described above, on September 16, 2024, the SSMU made what it referred to as the “*difficult and split decision to revoke SPHR’s status as an SSMU Club*” in a statement of the SSMU Board of Directors to all members, **Exhibit P-43**. As appears from such statement, the SSMU is trying to renegotiate its Memorandum of Understanding with McGill so that its “*political autonomy*” is not interfered with in the future.
35. At a general assembly convened by the SSMU on March 27, 2025 a motion advocating, *inter alia*, “*for academic disruption through a temporary cessation of classes*” “*in support of Palestinian liberation*” was passed, initiating a three-day undergraduate strike from April 2 to 4, 2025, as appears from The McGill Daily article published on March 31, 2025, **Exhibit P-44**. As further appears in Exhibit P-44, the motion received significant backing from campus organizations, especially SPHR McGill, in flagrant contradiction of the above referenced decision of the SSMU to “*revoke SPHR’s status as an SSMU Club*”. Indeed,

notwithstanding its “revocation of status”, SPHR McGill remains extremely active on campus, and this, without any consequence.

b. SSMU Policies

36. One month after the October 7th Terrorist Attack, the SSMU attempted to hold a referendum on the question: “*Do you agree to the SSMU’s adoption of the Policy Against Genocide in Palestine?*” (the “**SSMU Palestine Policy**”) which included numerous calls to boycott and divest from Israel, and to take many steps to align the SSMU with Palestinian solidarity and with SPHR McGill, **Exhibit P-45**.
37. The SSMU Palestine Policy was subjected to judicial review and its implementation was at least temporarily blocked as a result of the issuance of an interlocutory injunction, **Exhibit P-46**. In his reasons, Justice Shaun Finn explained:

[110] Moreover, ratifying and implementing a Policy that is unconstitutional because it is antisemitic would necessarily violate the human dignity of the Plaintiff and members of McGill’s Jewish community. This would strike at the heart of student life by degrading certain students based on their national, ethnic, or religious background. [...]

38. In December 2024, McGill’s Jewish students were again compelled to take legal action when the SSMU attempted to implement a Policy Against Antisemitism that had been debated and defeated in meetings in November 2024. Of note, this policy was defeated due, *inter alia*, to a lack of consultation with affected community members. These members opposed the policy as it attempted to negate the connection between anti-Zionism and antisemitism. The Court granted a provisional injunction and then issued a safeguard order, **Exhibit P-47** and **Exhibit P-48**, respectively.
39. Recently, on April 3, 2025, the SSMU passed a modified version of such policy, **Exhibit P-49**. If ratified by the Board, this policy will have a detrimental impact on Class Members.

c. PGSS Motions

40. In December 2023, the PGSS Council passed a Motion entitled PGSS Council *stand in solidarity with Palestine*, **Exhibit P-50**, and then, at its February 7, 2024 annual general meeting (the “**PGSS AGM**”), the PGSS passed a series of motions relating to the Israel-Hamas war (the “**AGM Motions**”), **Exhibit P-51** (collectively, the “**PGSS Motions**”).
41. Prior to the presentation of the AGM Motions, the PGSS was advised by its own lawyers that this was the wrong forum to pass these motions, and moreover, that two of the three AGM Motions clearly violated the PGSS constitution and the

McGill Policies, as appears from the PGSS legal opinion dated February 6, 2024, **Exhibit P-52**.

42. Although McGill was alerted to the situation early on, and eventually confirmed that it agreed that the PGSS Motions were improper, McGill did not take significant action to resolve the situation until a PGSS member took legal proceedings relating thereto, **Exhibit P-53**.
43. As appears from such proceedings, during the “debate” period at the PGSS AGM, PGSS members in favour of the AGM Motions silenced all legitimate efforts made by other members to voice concerns or criticisms regarding those motions. Given the hateful rhetoric and menacing atmosphere, some Jewish students in attendance felt compelled to leave the meeting prior to the vote on the last motion, Motion 7.3, to ensure their personal safety and to avoid harassment.
44. As a result of those legal proceedings, the PGSS agreed to suspend implementation of the PGSS Motions while McGill and the PGSS negotiated the matter. The negotiations were followed by the issuance of a Notice of Default which led to the PGSS replacing the PGSS Motions with motions in which some of the problematic language of the original motions was removed. A copy of McGill’s communication concerning these proceedings and a copy of a message that was sent by the PGSS to all graduate students following the replacement of the PGSS Motions are filed as **Exhibit P-54** and **Exhibit P-55**, respectively.
45. During the time between the passing of the PGSS Motions, and their amendments, various Post-Graduate Student Associations passed similarly harmful policies, **Exhibit P-56 en liasse**, as examples. McGill has not announced any action taken to remedy the situation with those associations.

Admissions by McGill of the Antisemitic Character of the Activities on its Campus after the October 7th Terrorist Attack

46. While McGill has repeatedly recognized the disruptive and antisemitic nature of the activities of the protestors on its campus, it has done very little to actually address and combat the problem, to the detriment of Class Members.
47. For example, while McGill recognized the problematic nature of SPHR McGill’s conduct as early as October 9, 2023 (Exhibit P-29) and again on October 10, 2023, **Exhibit P-57**, it did not put sufficient pressure on the SSMU to formally cut ties with the group until nearly a year later on or around September 16, 2024 (Exhibit P-43). Nonetheless, as noted above, SPHR McGill continues to be very active on McGill’s campus.

48. As another example, the blatant antisemitic character of the proposed SSMU Palestine Policy (Exhibit P-45) was described in a letter dated November 8, 2023 sent by McGill to the President of the SSMU. The judgment of Justice Finn (Exhibit P-46, para. 60), reproduces the following passage from the letter sent by Professor Labeau, Deputy Provost (Student Life & Learning):

Under the guise of a political statement, this policy invokes antisemitic tropes to motivate its calls to action. What is equally disturbing is that, in the current context of the war in Israel and Gaza, adopting such a policy will undoubtedly lead to harm to the very student population it purports to defend. [...]

I reiterate the importance of freedom of expression and opinion. That freedom should not be exercised in a way that will invariably compel some students to silence their own identities and opinion, which is the precise consequence that your proposed policy would have. [...]

49. A letter from McGill's President Deep Saini ("**President Saini**") to the McGill community dated November 9, 2023, **Exhibit P-58**, he denounced flyers and posts being sent/posted as "*antisemitic*", "*deplorable and unacceptable*" and further stated that "*Given the tone of the promotional material associated with the event planned for this afternoon, I am deeply concerned about the safety of our community.*"
50. As described hereafter, the email sent to Applicant by McGill on February 24, 2024, **Exhibit P-59**, reiterates that the conduct of the protestors two days earlier violated the McGill Policies. Although the email states that the McGill administration and the Police intervened with the protestors, there is no indication of any attempt to identify the protestors so they could be subject to disciplinary measures.
51. In a letter from President Saini to the McGill community dated February 26, 2024, **Exhibit P-60**, he stated, surprisingly in light of the activities described above following the October 7th Terrorist Attack, that the protest in front of the Bronfman Building was the first where the activity was not "*within the bounds of our University's policies and the law*", as it "*obstructed University activities*".
52. On April 30, 2024, McGill stated that a video of the McGill Encampment showed protestors using "*unequivocally anti-Semitic language and intimidating behaviour*", as appears from an article published by City News, **Exhibit P-61**. The article also reported that the (then) federal Justice Minister, Arif Virani, when asked about the protest, responded that it was up to McGill to manage it, adding that there are limits on constitutionally protected expressive rights which include "*the fact that you cannot promote hate and you cannot intimidate.*"

53. On May 27, 2024, before a House of Commons Committee, President Saini admitted that there was a significant problem on campus for its Jewish community:

Hon. Anthony Housefather, MP: [...] *Do you acknowledge that anti-Semitism is a significant problem on your campus, President Saini?*

Prof. Deep Saini: Yes,

as appears from a transcript from the House of Commons Standing Committee no. 106-44-1, **Exhibit P-62**.

54. President Saini wrote to the McGill community on June 7, 2024, **Exhibit P-63**, namely the day after protestors occupied the James Administration Building, vandalized the building and damaged the furniture while chanting “*violence now*”. President Saini described this event, as well as previous actions by the protestors, in the following terms: “*None of this is peaceful protesting (...) We are seeing tactics (...) that infringe squarely – and worryingly – on the rights of our community members to a peaceful environment, free from intimidation and from harassment.*” Although the communication refers to the Police having made multiple arrests, there is no indication that any of the protestors were subjected to McGill’s disciplinary process.

55. On June 11, 2024, the University offered amnesty to all of the students involved in the McGill Encampment, notwithstanding that the existence of such encampment and the signs and conduct displayed by those in the encampment violated numerous McGill Policies. President Saini made the offer in the following terms:

Though the encampment is unlawful and violates our policies, the University would grant a disciplinary amnesty to any McGill student or employee for participating in the encampment prior to June 15, 2024. However, this amnesty would not extend to other acts we have seen that are currently under investigation, such as the forceable entry into the James Administration Building, the destruction of property, vandalism, harassment, etc.

[Emphasis added]

A copy of the letter dated June 11, 2024 is filed as **Exhibit P-64**. The offer of amnesty was not accepted.

56. On June 14, 2024, and as appears from Exhibit P-29, McGill wrote to the SSMU executives with regard to the Instagram post by SPHR McGill inviting participation in a youth camp using images of masked individuals holding firearms. In her words, Angela Campbell, Interim Deputy Provost, described the images as shocking and “*far beyond the threshold of anything close to what is*

reasonable and acceptable on our campus” and that the behaviour of SPHR McGill “is seriously compromising the health, well-being, and safety of all students and others within the McGill community”.

57. On June 18, 2024, President Saini wrote to the McGill community, **Exhibit P-65**, namely after its offer of disciplinary amnesty was rejected by the McGill Encampment organizers, announcing that the University would pursue disciplinary processes “*to the full extent outlined in our policies*” which could include expulsion from the University. As further noted in Exhibit P-65, President Saini stated that the Encampment was an unauthorized occupation of private property and that the University could also launch disciplinary procedures against staff or faculty who had been supporting the protestors.
58. On July 10, 2024, nine months after the October 7th Terrorist Attack, McGill sent a Notice of Default to the SSMU (Exhibit P-29) which describes the events occurring on its campus as follows:

As you know, this recent correspondence is not the first time that the Office of the Deputy Provost Student Life & Learning has urged SSMU to act in the face of SPHR’s deeply troubling behaviour. That behaviour included glorification of violence against civilians following Hamas’ terrorist attack on October 7, threats to and harassment of McGill community members, support for the forced entry into and attempted occupation of the James Administration Building, as well as the obstruction of university activities and damage to university property.

59. In a letter also dated July 10, 2024 issued following McGill’s decision to finally take down the McGill Encampment, **Exhibit P-66**, President Saini recognized the harmful impact of the encampment to the McGill community:

People linked to the camp have harassed our community members, engaged in antisemitic intimidation, damaged and destroyed McGill property, forcefully occupied a building, clashed with police, and committed acts of assault. They also hosted a “revolutionary youth summer program” advertised with images of masked individuals holding assault rifles. The risks emanating from the camp have been escalating, steadily and dangerously.

60. On October 7, 2024, McGill sought an injunction against a “Week of Rage” planned by SPHR McGill. In its proceedings (Exhibit P-33), McGill describes at length the serious problems present on its campus:

*3. While some of SPHR’s activities have been peaceful, **many have crossed the line into conduct that has intimidated members of the McGill community and has interfered with the rights of McGill***

students to learn and employees to work in a peaceful, stable, and harassment-free environment, to both their detriment and distress.

4. Students, staff, and faculty have been barred from entering their classrooms or buildings. Classes have been cancelled or moved online because of obstruction and/or out of safety concerns. SPHR has endorsed acts of vandalism and other criminal activity on McGill's campus.

7. Based on SPHR's **repeated and ongoing organization of severely disruptive protests and demonstrations**, McGill has strong reason to believe that the "Week of Rage" will seriously or completely impede the delivery of courses and other activities that are essential to the academic programs of thousands of students and instructors and threaten peace on campus, **as has occurred with previous disruptive demonstrations organized by SPHR in the past year**. These unacceptable behaviours and disturbances **cannot be tolerated any longer** on a campus dedicated to the advancement of learning in a safe, inclusive, and peaceful environment, and that values equality and the right to peaceful expression and assembly for all of its members.

65. In addition to McGill's property rights being irreparably violated, **SPHR's actions cause serious and irreparable harm to McGill and its community by consistently and continuously creating public safety threats and an environment of intimidation and harassment.**

66. **The intimidation and harassment created by SPHR's protests and demonstrations has caused widespread and irreparable harm** both to McGill's learning environment, **through interference with the delivery of classes and other academic activities**, and to McGill's campus climate through **their corrosive effect on institutional norms** regarding freedom of expression and peaceful assembly.

69. **These actions also increase the risk of violence and intimidation for McGill community members**, regardless of their views on the current conflict in the Middle East, given the palpable tensions between different viewpoints. **Students and other community members have experienced and risk continuing to experience intimidation and harassment by virtue of finding themselves in the locations of protests and classroom disruptions organized by SPHR.**

73. [...] Classroom disruptions caused by protests have already occurred and will continue to **significantly imperil the academic trajectory of a huge number of students, thereby depriving these students of their rights to a safe and stable learning environment, and to attend the University free of undue harassment.**

74. The current and anticipated risks to public safety experienced by members of the McGill community interferes with their activities, and importantly for students, with their ability to attend classes and learn without fear of unpredicted and intimidating interruption.

[Emphasis added]

61. Philippe Gervais, McGill's Vice-President of Communications, told reporters that, during the protests on February 5, 2025, about 350 students were writing their exams and that "*Some of the students panicked. Others were taken off their game*", and that the estimated damages to the building were in the hundreds of thousands of dollars, as appears from a CTV News article dated February 6, 2025, **Exhibit P-67**.
62. On April 2, 2025, Angela Campbell, McGill's Interim Deputy Provost (Student Life and Learning), sent a message to students in reference to the three-day strike that was scheduled to take place on campus from April 2 to 4, 2025, **Exhibit P-68**. In this message, she noted the limits on the rights of expression and association, and further described the posts on social media urging students to report instructors who proceed to offer their classes during the strike period (Exhibit P-40) as an "*intimidation tactic*" that "*is totally unethical, unacceptable*" and a violation of the McGill Policies. While Professor Campbell acknowledged the "*right to a harassment-free learning environment*", there is no mention of any disciplinary actions or any other efforts by the University to enforce its policies. As well, McGill waited until the third day of the strike to send this message, after students were relentlessly harassed and physically assaulted to restrict access to its campus.

McGill's Failure to Enforce the McGill Policies and the Law is a Breach of its Obligations Owed to the Applicant and Class Members

63. As set out above, McGill is fully aware that the wave of antisemitism and anti-Zionism that erupted on its campus beginning on October 8, 2023 violates the McGill Policies and the *Quebec Charter*.
64. In terms of disciplinary action, McGill's response to the foregoing "events" was little more than perfunctory and the University's failure to take action to condemn antisemitism and anti-Zionism within the McGill community caused significant harm to Class Members.
65. As appears from the following extracts from the McGill Policies and the *Quebec Charter*, the speech, conduct and activities described above do not constitute protected free speech or association.

66. Sections 12 and 38 of the McGill Charter of Students' Rights, **Exhibit P-69**, confirm that:

- *Students enjoy the freedoms of opinion, of expression and of peaceful assembly” (s. 12); and*
- *Every group of students has a right to organize and promote the interests of its members, provided that the purposes of such a group are lawful. Every such group shall have the right to publicize and hold meetings, to debate any matter and to engage in lawful and peaceful demonstration. (s. 38)*

67. However, the McGill Policies also place explicit limits on the freedoms of speech, expression, and assembly. As appears from the McGill Code of Student Conduct and Disciplinary Procedures, **Exhibit P-70**:

- *No student shall, by action, threat, or otherwise, knowingly obstruct University activities. University activities include but are not limited to, teaching, research, studying, administration, public service, scheduled events and activities (s. 5);*
- *No student shall, on University premises, individually or with a group and in connection with a demonstration, including a rally or picketing:*
 - a) *Knowingly use words that threaten violence, psychological harm, or bodily harm to any group or individual in a situation where there is clear and imminent danger of such violence or harm, and whether or not the group or individual thus threatened knows of such threatening words; or*
 - b) *Knowingly use words in a situation of clear and imminent danger that incite others to behaviour that violates any article of this Section. (s. 6);*
- *No student shall knowingly enter or remain in any University premises:*
 - a) *Without right or authorization; or*
 - b) *With intent to obstruct University activities; or*
 - c) *With intent to damage, destroy or steal University property.” (s. 6)*
- *No student shall knowingly take, destroy or otherwise damage University property, nor shall any student knowingly take, destroy or otherwise damage any property not their own on University premises. (s. 8a)*

- *No student, in any manner whatsoever, shall knowingly deface the inside or outside of any building or infrastructure of the University, nor deface any statues or similar property of the University.” (s. 8a)*

- *No student shall in a University Context:*

Assault another person, threaten another person or persons with bodily harm or damage to such person’s property; or

Knowingly create a condition that unnecessarily endangers or threatens or undermines the health, safety, wellbeing, or dignity of another person or persons, threatens to cause humiliation; or

Commit an act of harassment against another person or persons. Such alleged offence will be subject to the process described in the Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law”. (s. 10)

- *Notwithstanding Article 4 of this Code, any offence described in federal or provincial laws and regulations that occurs in the University Context and is not specifically described by another article in this Code is to be considered an offence under this Code. Disciplinary proceedings taken against a student under this Article must specifically describe the offence with which the student is charged and the description of this offence in the law. (s. 15a)*

68. The McGill Policy on Harassment and Discrimination, **Exhibit P-71**, defines discrimination as including:

any action, behaviour, or decision based on (...) religion, political conviction, language, ethnic or national origin, (...) which results in the exclusion or preference of an individual or group within the University community. This includes both the actions of individual members of the University and systemic institutional practices and policies of the University (s. 1.4);

and defines harassment as:

any vexatious behaviour by one Member of the University Community towards another Member of the University Community in the form of repeated hostile or unwanted conduct, verbal comments, actions or gestures, that affect the dignity or psychological or physical integrity of a Member of the University Community and that result in a harmful environment for such an individual.(...) (s. 1.5).

and sets out this Statement of Responsibility:

The University shall take reasonable action to prevent Harassment and Discrimination, and, whenever it becomes aware of such behaviour, to put an end to it. Nothing in this Policy relieves administrators from the responsibility of addressing situations of inappropriate behaviour in accordance with good management practices, regardless of whether a specific Report under this Policy has been received. (...) Each Member of the University Community shares responsibility for respecting the dignity of, and giving fair treatment to, all members of the University community.

69. McGill's Statement of Principles Concerning Freedom of Expression and Freedom of Peaceful Assembly, **Exhibit P-72**, creates the following limit to students' rights to freedom of expression, association and peaceful assembly:

At the same time, these rights are subject to limits established by law and by the rights of others. In particular, there is a need to safeguard other core institutional objectives, including the right of members of the University community to carry out their activities without undue interference, and in a safe environment.

which is further complemented by McGill's Operating Procedures Regarding Demonstrations, Protests and Occupations on McGill University Campuses, **Exhibit P-73**.

70. Indeed, in a letter to the McGill community dated April 27, 2024, **Exhibit P-74**, Professor Labeau, Deputy Provost (Student Life and Learning), acknowledged that McGill has "a duty to create a respectful environment that creates the optimal conditions for carrying out our academic mission and that protects the health and safety of our community". In addition, pursuant to the Student Code of Conduct and McGill's Operating Procedures Regarding Demonstrations, Protests and Occupations, "Encampments are not permitted on our campus".
71. Similarly, the *Quebec Charter* describes both individual rights and freedoms as well as the limits to the exercise of such rights and freedoms.
72. In particular, the *Quebec Charter* limits the freedoms of opinion, expression, peaceful assembly and association set out in section 3 by providing, in sections 10.1 and 11, that:
- *No one may harass a person on the basis of any ground mentioned in section 10 [including religion, political convictions or ethnic origin]; and*
 - *No one may distribute, publish or publicly exhibit a notice, symbol or sign involving discrimination, or authorize anyone to do so.*

73. In addition, section 4 of the *Quebec Charter* provides all persons with the right to the safeguard of their dignity, honour and reputation.
74. Class Members, like all McGill students, were entitled to expect when they enrolled at the University that McGill would enforce the McGill Policies and ensure that laws were complied with so that they could pursue their education in a safe, welcoming and respectful environment. However, McGill unreasonably and inexplicably failed to do so.
75. McGill cannot excuse its failure to apply appropriate disciplinary measures by asserting that the protestors hid their identities. McGill could have disciplined individuals responsible for clubs and associations promoting antisemitic/anti-Zionist policies and could have required protestors shouting or holding antisemitic/anti-Zionist slogans, and harassing and intimidating Jewish students to show their identification. The McGill student who was the spokesperson for the McGill Encampment was identified by name in a Montreal Gazette article, **Exhibit P-75**. Indeed, the security measures announced by McGill in anticipation of the one-year anniversary of the October 7th Terrorist Attack included that a valid McGill-issued ID card would be required to access campus buildings, as was reported by the CBC on October 3, 2024, **Exhibit P-76**. This protocol was repeated on April 4, 2025 in connection with the student strike, **Exhibit P-77**.
76. As described above, the McGill Encampment contained numerous antisemitic signs and posters which were allowed to remain on McGill's campus and which Class Members had to pass by each day to attend their classes. The posts, activities and actions of groups like SPHR McGill were intended to disrupt the academic role of the University and to harass and instill fear in Class Members. However, McGill tolerated these hateful messages for months before engaging private security to remove the encampment. Similarly, even now, SPHR McGill continues to operate within the McGill community, and uses the McGill name to identify itself, with impunity.
77. The offer of disciplinary amnesty by McGill in June 2024 (Exhibit P-64) to those students populating the McGill Encampment constitutes an abject failure by the University to safeguard the rights of Class Members.
78. Although McGill recognized the illegal nature of the McGill Encampment at the outset, and despite the apparent refusal of the organizers to undertake not to make antisemitic statements, McGill did not support the efforts of students seeking an injunction when the McGill Encampment was initially erected, as appears from a copy of the judgment in *Medvedovsky c. Solidarity for Palestinian Human Rights McGill (SPHR McGill)*, 2024 QCCS 1518, **Exhibit P-78**.
79. Although McGill later tried, and did not succeed, in obtaining its own injunction several weeks later, **Exhibit P-79**, McGill eventually determined that it did not

need an injunction to dismantle the McGill Encampment, after allowing same to persist for approximately 10 weeks. There was no reason for McGill not to have acted to dismantle the illegal encampment at the outset.

80. The University has not publicly announced any disciplinary sanctions which have been applied against any student or staff member who violated the McGill Policies or the law in connection with their participation in the aforementioned unlawful activities.
81. To the contrary, the Disciplinary Report (Exhibit P-1) indicates that over the course of the 2023-2024 academic year, there were very few disciplinary actions for non-academic offences that could be related to the activities of the protestors. Specifically, seven students in total were “admonished” for violations relating to obstruction / unauthorized entry / theft, damage and destruction of property and 15 students in total were either “admonished” or “reprimanded” for violations falling under the rubric of “physical abuse, harassment, dangerous activity, sexual violence”. Only the two students who were reprimanded will have a permanent disciplinary record.
82. Surprisingly, while reference is made specifically to the violations related to COVID-19 restrictions and generative artificial intelligence, the Disciplinary Report is silent with respect to any relationship between the anti-Zionist and antisemitic protests since the October 7th Terrorist Attack and McGill’s disciplinary process.
83. In addition to not properly enforcing the McGill Policies through timely and meaningful disciplinary action, McGill allowed Class Members to be harassed and discriminated against contrary to the *Quebec Charter*, did not safeguard the dignity of Class Members as required by the *Quebec Charter*, and has failed to address with meaningful action the systemic pattern of hate that is the root cause of antisemitism on its campus.
84. For example, it appears that no specific measures were undertaken by the University to address the widespread antisemitism that exists within the University community, such as:
 - a. Adopting the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism;
 - b. Providing a dedicated position at the University for antisemitism and anti-Zionism complaints and reporting;
 - c. Providing mandatory training for staff reviewing complaints of antisemitism and anti-Zionism; or

- d. Providing mandatory training about antisemitism and anti-Zionism for individuals occupying student government positions and/or in leadership positions in McGill associated clubs and associations.
- 85. Rhetoric without substantive action is woefully insufficient. The failure of McGill to meet its contractual and extra-contractual obligations has caused Class Members to be, and continue to be, subjected to discrimination, harassment and marginalization as a result of their Jewish identity in classrooms, student government and clubs and public student meetings on campus.
- 86. As stated by the JLSA in its Brief submitted before the House of Commons in May 2024 (Exhibit P-10):

October 7 marked a new reality for Canadian Jewish university students. [...]

Our membership has expressed feeling insecure about coming to class or being present on faculty premises. Students make calculations every day as to whether they feel safe displaying Jewish symbols such as the Magen David necklace. As you will read from briefs submitted by McGill students and organizations, McGill has become a toxic and intimidating environment for Jewish students, and the law faculty has been no exception. [...]

McGill University and the law faculty have failed their Jewish students. Not only do our members feel ostracized from the McGill law community, but there have been many days over the past eight months where our members were too scared to come to school. The accumulation and frequency of events and the faculty's failure to take action have caused Jewish students to feel abandoned. The law faculty has failed to support and protect Jewish students during the worst period of antisemitism in its student's lifetimes.

D. THE DESIGNATED CLASS MEMBER

- 87. Applicant is a Canadian citizen, born and raised in Montreal. He is Jewish and a Zionist, and as such, is a strong believer in the right of the State of Israel to exist as a homeland for the Jewish people.
- 88. In the fall of 2021, Applicant commenced his studies at McGill as a full-time undergraduate student in the Faculty of Management, with most of his classes held in the Bronfman Building located on Sherbrooke Street West.
- 89. In virtue of his status as an undergraduate student, Applicant is a member of the SSMU and part of his tuition and school fees are remitted to that association.

90. As appears from his account summary by term, **Exhibit P-80**, the \$2,915.60 of fees paid by Applicant to McGill for the Fall 2023 term included, in addition to tuition, charges aggregating \$592.97 related to SSMU services and clubs.
91. When Applicant began his studies at McGill, his classes were held in part virtually and in part in person due to the COVID-19 pandemic.
92. After the COVID-19 restrictions were lifted in or around February 2022, Applicant was excited that he could get a broader university experience by actively taking part in classroom discussions, joining student clubs and studying in the University's libraries.
93. However, Applicant's university experience was shattered by the massive surge of antisemitism which arose on campus after the October 7th Terrorist Attack.
94. Applicant believes that he and other Class Members have been completely abandoned by the University which has failed to fulfill its obligations to these students and provide them with the academic and social experience they were entitled to expect when he enrolled at McGill.
95. Since October 8, 2023, Applicant has been made to feel unwelcome at the University, fears for his personal safety and that of Jewish students generally, and is scared to entrust others in the McGill community with the knowledge that he is Jewish.
96. For example, in or around November 2023, Applicant attended a marketing class during which the professor decided to focus on Israel and describe marketing in such context. Remarkably, the professor made numerous references to an alleged bombing by Israeli forces the day before in Gaza despite that, prior to the class, it was reported that Hamas was responsible for the incident. Given the professor's evident political bias, Applicant believed that if he spoke up during the class, he would be academically penalized and/or ostracized by his classmates.
97. Over the following weeks, loud protests continued without any intervention by the University which caused Applicant to feel unsafe and intimidated. As he walked on campus, he saw huge groups of keffiyeh and mask-wearing protesters, whose entire faces were covered with the exception of their eyes, chanting antisemitic slogans and/or slogans inciting violence such as "*From the River to the Sea, Palestine will be Free*" and "*Intifada Now*".
98. On February 22, 2024, as Applicant had received no notification that his class had been cancelled, he tried to attend his class only to find that the entrance to the Bronfman Building was blocked by protestors, who were shaming and insulting any students who attempted to pass through their barricade.

99. While both McGill Security and the Police were present, no steps were taken by them to remove the protesters or to ensure a safe passage for students to enter the building in order to attend their classes.
100. Applicant spoke to a police officer who told him he could try to get through the blocked entrance but not to touch the protestors and he was advised that the protestors were equally not allowed to touch him. Without any assistance, Applicant then tried to manoeuvre his way through the blockade, while protestors aggressively shouted at him. He was forcefully struck by one such protester wearing a surgical mask and was knocked to the ground.
101. Applicant then approached a McGill security guard and identified the individual who had just assaulted him. The security guard's response was simply to suggest that Applicant could file a report on the matter and to recommend that Applicant not attempt to go into the Bronfman Building. Applicant complied with both the suggestion and recommendation that he miss his class in the circumstances.
102. Applicant filed a report with the police and sent an email to McGill stating that he "*was physically assaulted on the steps of the McGill Bronfman building*". As appears from Exhibit P-59, he was sent a response to his email by a representative of McGill two days later acknowledging that the event constituted a violation of the McGill Policies (with regard to obstructing University activities) but also suggesting incorrectly that the misconduct was non-violent and that McGill was "*often not in a position to identify the individuals taking part in the protest*". A copy of the incident report and Applicant's video of the incident are filed as **Exhibit P-81 en liasse**.
103. Applicant was never contacted by the University to advise him of any effort to locate the individual who assaulted him, let alone that disciplinary action had been taken in connection with that event.
104. In March 2024, Plaintiff attended a financial derivatives class in the Bronfman Building which was disrupted by the presence of protestors noisily banging on the doors inside the building and chanting loudly without any intervention by the University.
105. As the University never issued communications to its student body about the location of student protests, ironically, Applicant felt compelled to check the Instagram page of SPHR McGill to learn about planned and active protests on campus.
106. During several days around the one-year anniversary of the October 7th Terrorist Attack, there were barriers set up around McGill's downtown campus and Police were present because of concerns for the safety of the McGill community during what had been promoted by SPHR McGill as the "Week of Rage". During this

period, students had to enter campus through one of the few designated entry locations.

107. It was during this week, when Applicant was just leaving the University's McLennan Redpath Library, that he witnessed hundreds of protestors break down and trample the barriers that had been erected. The police quickly directed everyone who was not a protestor into the library where they remained locked in until the protestors were removed. The students locked in the library, including Applicant, were shocked by the chanting of antisemitic slogans and fearful for their personal safety.
108. Applicant has been subjected to harassment, discrimination and violence while attending McGill, which has caused him to participate less in class, to reduce his studying on campus, to be fearful while participating in Jewish events on campus and to be reluctant to trust others within the McGill community.
109. Applicant decided not to participate in the Jewish ritual of putting on tefillin with a Jewish group on campus, despite wanting to do so, for fear of being identified as Jewish by his peers.
110. Applicant fears for the personal safety of Jewish students on campus where there are, or could potentially be, protests.
111. Since October 8, 2023, Applicant feels that he has not received the full extent of the university experience to which he has a right and legitimate expectation.

E. THE FACTS GIVING RISE TO THE PERSONAL CLAIMS BY EACH OF THE MEMBERS OF THE CLASS AGAINST MCGILL

112. Each Class Member is a Jewish student who was registered at, and paid tuition and student fees to, McGill in respect of the period between October 8, 2023 and the present.
113. Each Class Member has suffered as a result of the unchecked wave of antisemitism and anti-Zionism that has been on-going within the McGill community since October 8, 2023, including due to their marginalization and exclusion from important aspects of student life, disruption to their academic pursuits, and fear for their personal safety and/or extreme discomfort as a result of the climate of hate on campus.
114. McGill knew that such conduct was hateful and contravened the McGill Policies and the *Quebec Charter*, but did not take meaningful measures to discipline the perpetrators, contrary to its contractual and extra-contractual obligations to do so.

115. Accordingly, Class Members are justified in seeking the conclusions sought herein.

F. THE COMPOSITION OF THE CLASS MAKES IT DIFFICULT OR IMPRACTICAL TO APPLY THE RULES FOR MANDATES TO TAKE PART IN JUDICIAL PROCEEDINGS ON BEHALF OF OTHERS OR FOR CONSOLIDATION OF PROCEEDINGS

116. Applicant is unaware of the precise number of Class Members. However, as noted above, Hillel estimates the number of undergraduate and graduate Jewish students currently enrolled at McGill to be about 4,000 (Exhibit P-4).

117. The names and addresses of individuals who are part of the Class are unknown to Applicant and, therefore, it is difficult, if not impossible, to contact each Class Member to obtain a mandate or for the consolidation of proceedings.

118. Financially, it would also be enormously difficult, if not impossible, for each individual Class Member to bring forward a separate action and, given the risk posed to each individual Class Member of reprisal and retribution, it is unlikely that many Class Members would step forward to bring an individual claim.

119. In these circumstances, a class action is the only appropriate procedure for all of the Class Members to effectively pursue their respective rights and have access to justice.

G. THE IDENTICAL, SIMILAR OR RELATED QUESTIONS OF LAW OR FACT BETWEEN EACH MEMBER OF THE CLASS AND RESPONDENT:

120. The Applicant wishes to have the following common questions decided by the class action:

- a. Do the activities and actions of the protestors and student-run associations at McGill that arose following the October 7th Terrorist Attack contravene the McGill Policies?
- b. Do the activities and actions of the protestors and student-run associations at McGill that arose following the October 7th Terrorist Attack contravene the *Quebec Charter*?
- c. Has McGill breached its contractual obligations to Class Members, or alternatively committed a fault against them, by:
 - i. Failing to enforce the McGill Policies?
 - ii. Tolerating antisemitism and anti-Zionism on its campuses?

- iii. Failing to provide them a safe, welcoming and respectful academic environment and university experience?
- d. Should anti-Zionism be formally recognized as a form of antisemitism under McGill's Policy on Harassment and Discrimination?
- e. Should McGill be ordered to enforce its policies aimed at addressing antisemitic conduct and activities on its campuses?
- f. Are Class Members entitled to a reimbursement of a portion of their tuition and student fees on account of McGill's failure to meet its contractual obligations to them? Or, alternatively, are Class Members entitled to a reimbursement of a portion of their tuition and student fees as damages on account of McGill's breach of its extra-contractual obligations to them?
- g. Are Class Members entitled to punitive damages on account of McGill's unlawful and intentional interference with Class Members' rights protected under the *Quebec Charter*?
- h. Can Class Members ask for collective recovery of their punitive damages?

H. THE QUESTIONS OF LAW AND/OR FACT WHICH ARE PARTICULAR TO EACH OF THE MEMBERS:

121. The following must be decided individually in respect of each Class Member:
- a. What is the quantum of the tuition and student fees paid by them to McGill in respect of the Class Period?

I. IT IS EXPEDIENT THAT THE BRINGING OF A CLASS ACTION FOR THE BENEFIT OF THE MEMBERS OF THE CLASS BE AUTHORIZED.

J. THE NATURE OF THE RECOURSE WHICH APPLICANT WISHES TO EXERCISE ON BEHALF OF THE MEMBERS OF THE CLASS, IS:

122. An action for declaratory relief.
123. An action for damages based on contractual, or in the alternative extra-contractual responsibility, and the *Quebec Charter*.

K. APPLICANT REQUESTS THAT HE BE ASCRIBED THE STATUS OF REPRESENTATIVE

124. Applicant is in a position to represent Class Members adequately, for the following reasons:

- a. Applicant is a Jewish student who was enrolled at, and paid tuition and student fees to McGill during the Class Period;
- b. Applicant experienced violence, discrimination and harassment at the University during the Class Period;
- c. Applicant was deprived of the opportunity to have a university experience in a respectful, welcoming and safe environment while enrolled as a McGill student;
- d. Applicant believes that McGill's inaction in the face of blatant antisemitism and hateful conduct towards a particular group of students is antithetical to the values enshrined in the *Quebec Charter*, Canadian society and, indeed, the McGill Policies, and cannot be tolerated;
- e. Applicant believes that no Jewish student at McGill should ever have to experience the unrelenting antisemitism in the McGill community that he experienced and has decided to act as the designated Class Member in this proceeding to seek compensation for all Jewish students at McGill and to seek the enforcement of the McGill Policies to combat antisemitism and anti-Zionism;
- f. Applicant understands the nature of the action; and
- g. Applicant is willing to devote the time necessary to the dispute and has already taken steps in that direction by meeting with Class counsel and speaking to certain other Class Members about their experiences on campus since October 8, 2023.

L. APPLICANT SUGGESTS THAT THE CLASS ACTION SHOULD BE BROUGHT BEFORE THE SUPERIOR COURT IN THE DISTRICT OF MONTREAL FOR THE FOLLOWING REASONS:

- 125. Applicant and the majority of Class Members reside in the judicial district of Montreal;
- 126. The University is located in the judicial district of Montreal; and
- 127. Applicant's attorneys practice their profession in the judicial district of Montreal.

FOR THESE REASONS, MAY IT PLEASE THE COURT:

GRANT the present Application;

APPOINT Applicant as representative plaintiff;

AUTHORIZE the representative plaintiff to institute the class action for the benefit of the following persons, being members of the class:

All Jewish students registered at McGill University since October 8, 2023, including undergraduate, masters, continuing education, doctoral, and post-doctoral students.

IDENTIFY the principal questions of law and fact to be dealt with collectively as follows:

- a. Do the activities and actions of the protestors and student-run associations at McGill that arose following the October 7th Terrorist Attack contravene the McGill Policies?
- b. Do the activities and actions of the protestors and student-run associations at McGill that arose following the October 7th Terrorist Attack contravene the *Quebec Charter*?
- c. Has McGill breached its contractual obligations to Class Members, or alternatively committed a fault against them, by:
 - i. Failing to enforce the McGill Policies?
 - ii. Tolerating antisemitism and anti-Zionism on its campuses?
 - iii. Failing to provide them a safe, welcoming and respectful academic environment and university experience?
- d. Should anti-Zionism be formally recognized as a form of antisemitism under McGill's Policy on Harassment and Discrimination?
- e. Should McGill be ordered to enforce its policies aimed at addressing antisemitic conduct and activities on its campuses?
- f. Are Class Members entitled to a reimbursement of a portion of their tuition and student fees on account of McGill's failure to meet its contractual obligations to them? Or, alternatively, are Class Members entitled to a reimbursement of a portion of their tuition and student fees as damages on account of McGill's breach of its extra-contractual obligations to them?

g. Are Class Members entitled to punitive damages on account of McGill's unlawful and intentional interference with Class Members' rights protected under the *Quebec Charter*?

h. Can Class Members ask for collective recovery of their punitive damages?

IDENTIFY the principal issues and questions of law and/or fact which are particular to each of the members as follows:

a. What is the quantum of the tuition and student fees paid by them to McGill in respect of the Class Period?

IDENTIFY as follows the conclusions sought:

GRANT Applicant's Class Action;

DECLARE that Respondent breached its obligations to Class Members by failing to take reasonable steps to combat antisemitism and anti-Zionism on its campus, including by failing to adequately discipline the members of the University community involved in antisemitic / anti-Zionist activities, speech and conduct which violated the *Quebec Charter* and the McGill Policies;

DECLARE that anti-Zionism is a manifestation of antisemitism under the University's Policy on Harassment and Discrimination, such that it is impermissible for a student to be discriminated against on the grounds that they identify as a Zionist;

ORDER Respondent to enforce its policies aimed at addressing antisemitic and anti-Zionist conduct and activities on its campus;

CONDEMN Respondent to reimburse each Class Member 33% of the aggregate tuition and student fees they paid to McGill in respect of the period since October 8, 2023, the whole with interest at the legal rate and the additional indemnity provided for in article 1619 of the Civil Code of Quebec, since service of the *Application for Authorization to Institute a Class Action, and to Obtain the Status Of Representative*;

CONDEMN Respondent to pay punitive damages in the amount of \$5 million collectively to the Class;

CONDEMN Respondent to pay Applicant's full costs of investigation in connection with these proceedings;

ORDER the collective recovery of these awards;

FIX the delay for exclusion from the Class at 60 days from the notice to Class Members;

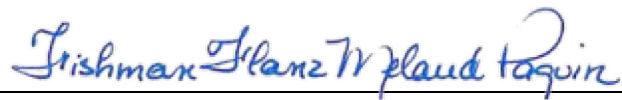
ORDER that any Class Member who has not requested exclusion from the Class within the said 60 days from the notice to Class Members is bound by any judgement to be rendered in the class action;

ORDER the publication of a notice to Class Members according to the terms and directives to be determined by the Court with the cost of such notice and its publication to be at the expense of Respondent;

ORDER that the class action be instituted before the Superior Court in the District of Montreal;

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

MONTREAL, April 8, 2025

A handwritten signature in blue ink, reading "Fishman Flanz Meland Paquin", is positioned above a horizontal line.

FISHMAN FLANZ MELAND PAQUIN LLP

Attorneys for Applicant

1010 de la Gauchetière St. West, Suite 1600

Montreal, QC H3B 2N2

Tel.: 514-932-4100

Fax: 514-932-4170

Email: mmeland@ffmp.ca

msiminovitch@ffmp.ca

tsilverstein@ffmp.ca

matthew.meland@ffmp.ca

SUMMONS
(Art. 145 C.C.P. *et seq.*)

Take notice that Applicant has filed this Application in the office of the Superior Court of Montreal in the judicial district of Montreal.

You must answer the Application in writing, personally or through a lawyer, at the Montreal Courthouse located at 1 Notre-Dame St. E. Montreal, H2Y 1R6 within 15 days of service of the Application or, if you have no domicile, residence or establishment in Quebec, within 30 days. The Answer must be notified to Applicant's lawyer or, if Applicant is not represented, to Applicant.

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.

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 Applicant 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 Quebec, within 3 months after service;
- 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.

You may ask the court to refer the Application to the district of your domicile or residence, or of your elected domicile or the district designated by an agreement with Applicant.

If the Application pertains to an employment contract, consumer contract or insurance contract, or to the exercise of a hypothecary right on an immovable serving as your main residence, and if you are the employee, consumer, insured person, beneficiary of the insurance contract or hypothecary debtor, you may ask for a referral to the district of

your domicile or residence or the district where the immovable is situated or the loss occurred. The request must be filed with the special clerk of the district of territorial jurisdiction after it has been notified to the other parties and to the office of the court already seized of the Application.

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

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 this, the protocol is presumed to be accepted.

In support of the Application, Applicant intends to use the following exhibits:

- | | |
|--------------------|--|
| Exhibit P-1 | McGill's Annual Report of the Code of Student Conduct and Disciplinary Procedures (2023-2024); |
| Exhibit P-2 | Extract of the McGill website, Quick Facts – https://www.mcgill.ca/es/registration-statistics ; |
| Exhibit P-3 | Extract of the McGill website, Organization Chart – https://www.mcgill.ca/orgchart/ ; |
| Exhibit P-4 | Extract of the Hillel website, McGill University – https://www.hillel.org/college/mcgill-university/ ; |
| Exhibit P-5 | <i>En liasse</i> , March 21, 2022 announcement of the Office of the Provost and Vice President (Academic) and the associated final report; |
| Exhibit P-6 | November 9, 2023 speech of the late Right Honourable Brian Mulroney at the WJC Herzl Award ceremony as reported by The National Post; |
| Exhibit P-7 | Speaking notes of Nicole Nashen, Student at McGill University, Faculty of Law, re Justice Committee hearing on Antisemitism, May 9, 2024; |
| Exhibit P-8 | Heightened Antisemitism in Canada and How to Confront it – Report of the Standing Committee on Justice and Human Rights, December 2024; |
| Exhibit P-9 | SPHR McGill Facebook post – October 8, 2023; |

Exhibit P-10	McGill Jewish Law Students Association Brief to the House of Commons Justice Committee;
Exhibit P-11	Flyer for the November 9, 2023 protest;
Exhibit P-12	Terry Newman X post – November 9, 2023;
Exhibit P-13	<i>En liasse</i> , SPHR McGill and McGill Grad Students for Palestine Instagram posts – February 22 & 24, 2024; and a picture of the drawings of professors outside of the Bronfman Building;
Exhibit P-14	SPHR McGill Instagram post – March 27, 2024;
Exhibit P-15	CIJA X post – March 28, 2024;
Exhibit P-16	SPHR McGill Instagram post – March 29, 2024;
Exhibit P-17	Mayor Jeremy Levi X post – April 11, 2024;
Exhibit P-18	SPHR McGill Instagram post – April 11, 2024;
Exhibit P-19	Photos taken at the McGill Encampment;
Exhibit P-20	Jason Magder, “Goods entering McGill protest encampment are seized”, The Montreal Gazette, May 4, 2024;
Exhibit P-21	Video of a Jewish individual harassed by McGill Encampment protestors;
Exhibit P-22	<i>En liasse</i> , photos of graffiti on the sidewalk next to the Roddick Gates taken on July 29 and July 31, 2024;
Exhibit P-23	Photo of an effigy of Prime Minister Benjamin Netanyahu from May 26, 2024;
Exhibit P-24	SPHR McGill Instagram post – June 1, 2024;
Exhibit P-25	Photos of inverted red triangles on a building site for a future McGill sports science institute;
Exhibit P-26	Glossary and Extremism and Hate – Inverted Red Triangle;
Exhibit P-27	SPHR McGill Instagram post – June 6, 2024;
Exhibit P-28	<i>En liasse</i> , SPHR McGill Instagram posts re: Youth Summer Program, Eliza Lee, “Profs4Palestine campus tour highlights McGill’s academic ties to Israel” The Tribune, April 9, 2024;

- Exhibit P-29** Notice of Default dated July 10, 2024 from Angela Campbell to the President of the SSMU;
- Exhibit P-30** SPHR McGill Instagram post – September 16, 2024;
- Exhibit P-31** Andy Riga, “McGill asks police to investigate antisemitic incidents ‘from graffiti to intimidation’”, The Montreal Gazette, September 21, 2024;
- Exhibit P-32** SPHR McGill Instagram post – September 18, 2024;
- Exhibit P-33** McGill’s Originating Application for the Issuance of Provisional Interlocutory and Permanent Orders of Injunction in court file number 500-17-131597-240;
- Exhibit P-34** Judgment of Justice Babak Barin dated October 8, 2024;
- Exhibit P-35** SPHR McGill Instagram post – October 9, 2024;
- Exhibit P-36** Cheicreation Instagram post – February 5, 2025;
- Exhibit P-37** Photo of the aftermath of the protest on February 12, 2025;
- Exhibit P-38** *En liasse*, image and videos from April 2, 2025 of the SSMU strike;
- Exhibit P-39** Leviathan X post – April 3, 2025;
- Exhibit P-40** SPHR McGill Instagram post – April 1, 2025;
- Exhibit P-41** House of Commons’ Motion, Vote no. 14, 42nd Parliament, 1st session;
- Exhibit P-42** Ahmed Shaheed, “Report of the Special Rapporteur on freedom of religion or belief”, September 23, 2019, on page 7;
- Exhibit P-43** SSMU Board of Directors Statement regarding the club, Solidarity for Palestinian Human Rights (SPHR), September 16, 2024;
- Exhibit P-44** The McGill Daily, “*McGill on Strike: Student Solidarity for Palestine*”, March 31, 2025;
- Exhibit P-45** SSMU Policy Against Genocide in Palestine;
- Exhibit P-46** *X c. Students’ Society of McGill University*, 2024 QCCS 1879;
- Exhibit P-47** Minutes of the hearing before Justice Daniel Urbas on December 9, 2024;

- Exhibit P-48** Minutes of the hearing before Justice Bernard Larocque on March 5, 2025;
- Exhibit P-49** Motion regarding the SSMU policy against antisemitism, submitted for approval April 3, 2025;
- Exhibit P-50** PGSS Council, PGSS Council stand in solidarity with Palestine, December 2024;
- Exhibit P-51** PGSS February 7, 2024 Annual General Meeting Motions 7.1, 7.2 and 7.3;
- Exhibit P-52** PGSS Legal Opinion dated February 6, 2024;
- Exhibit P-53** Originating Application for a Provisional, Interlocutory and Permanent Injunction and Declaratory Relief and for a Confidentiality Order in court file number 500-17-130417-242;
- Exhibit P-54** Office of the Deputy Provost, “Student Life and Learning, Statement on PGSS Motions to ‘Stand in Solidarity with Palestine’”, July 2, 2024;
- Exhibit P-55** Email from the PGSS Executive Team dated November 22, 2024;
- Exhibit P-56** *En liasse*, Biology Graduate Student Association and McGill Graduate Association of Physics Students policies;
- Exhibit P-57** Christopher Manfredi, Provost and Vice-Principal (Academic), “McGill condemns social media posts celebrating violence”, October 10, 2023;
- Exhibit P-58** Deep Saini, Principal and Vice-Chancellor, “Antisemitic posters circulating on social media”, November 9, 2023;
- Exhibit P-59** Email from Yolande Chan to Applicant dated February 24, 2024;
- Exhibit P-60** Deep Saini, President and Vice-Chancellor, “Protest-related disruptions”, February 24, 2024;
- Exhibit P-61** “McGill says police assistance requested to dismantle pro-Palestinian encampment”, City News, April 30, 2024;
- Exhibit P-62** Standing Committee on Justice and Human Rights, House of Commons, No.106-44-1;
- Exhibit P-63** Deep Saini, President and Vice-Chancellor, “Occupation of the James Administration Building”, June 7, 2024;

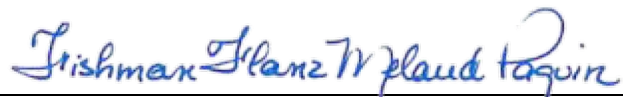
- Exhibit P-64** Deep Saini, President and Vice-Chancellor, “Encampment and updated proposal”, June 11, 2024;
- Exhibit P-65** Deep Saini, President and Vice-Chancellor, “Next steps: update on the lower field encampment”, June 18, 2024;
- Exhibit P-66** Deep Saini, President and Vice-Chancellor, “Dismantlement of lower field encampment”, July 10, 2024;
- Exhibit P-67** Rachel Lau, “‘Free Palestine’: Windows smashed as graffiti covers McGill University”, CTV News, February 6, 2025;
- Exhibit P-68** Email from Angela Campbell dated April 2, 2025;
- Exhibit P-69** McGill Charter of Students’ Rights;
- Exhibit P-70** McGill Code of Student Conduct and Disciplinary Procedures;
- Exhibit P-71** McGill Policy on Harassment and Discrimination;
- Exhibit P-72** McGill’s Statement of Principles Concerning Freedom of Expression and Freedom of Peaceful Assembly;
- Exhibit P-73** McGill’s Operating Procedures Regarding Demonstrations, Protests and Occupations on McGill University Campuses;
- Exhibit P-74** Fabrice Lebeau, Deputy Provost (Student Life and Learning), “Reminder of policies related to protests”, April 27, 2024;
- Exhibit P-75** Jason Magder et al., “Movement ‘will not end with the encampments’ pro-Palestinian protester says”, The Montreal Gazette, July 15, 2024;
- Exhibit P-76** Antoni Nerestant, “McGill to beef up security, restrict campus access leading to Oct. 7”, CBC, October 3, 2024;
- Exhibit P-77** Extract from McGill website on April 4, 2025 – <https://mcgill.ca>;
- Exhibit P-78** *Medvedovsky c. Solidarity for Palestinian Human Rights McGill (SPHR McGill)*, 2024 QCCS 1518;
- Exhibit P-79** McGill’s Judicial Application Originating a Proceeding for the Issuance of Provisional, Interlocutory and Permanent Injunction Orders in court file number 500-17-129903-244;
- Exhibit P-80** Applicant’s Account Summary by Term;

Exhibit P-81 *En liasse*, Applicant's incident report and video of the incident.

These exhibits are available on request.

If the Application is an application in the course of a proceeding or an application under Book 111, V, excepting an application in family matters mentioned in article 409, or VI of the Code, the establishment of a case protocol is not required; however, the Application must be accompanied by a notice stating the date and time it is to be presented.

MONTREAL, April 8, 2025



FISHMAN FLANZ MELAND PAQUIN LLP

Attorneys for Applicant

1010 de la Gauchetière St. West, Suite 1600

Montreal, QC H3B 2N2

Tel.: 514-932-4100

Fax: 514-932-4170

Email: mmeland@ffmp.ca

msiminovitch@ffmp.ca

tsilverstein@ffmp.ca

matthew.meland@ffmp.ca

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

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

PLEASE ACT ACCORDINGLY.

MONTREAL, April 8, 2025

A handwritten signature in blue ink, reading "Fishman Flanz Meland Paquin", is written over a horizontal line.

FISHMAN FLANZ MELAND PAQUIN LLP

Attorneys for Applicant

1010 de la Gauchetière St. West, Suite 1600
Montreal, QC H3B 2N2

Tel.: 514-932-4100

Fax: 514-932-4170

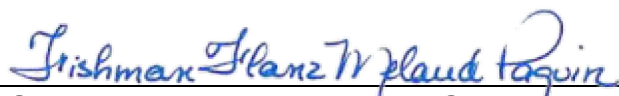
Email: mmeland@ffmp.ca
msiminovitch@ffmp.ca
tsilverstein@ffmp.ca
matthew.meland@ffmp.ca

**ATTESTATION THAT THE APPLICATION WILL BE ENTERED IN THE
NATIONAL CLASS ACTION REGISTER**

(Art. 55 Regulation of the Superior Court of Quebec in civil matters)

Applicant, through his undersigned attorneys, certifies that the *Application for Authorization to Bring a Class Action and to Obtain the Status of Representative* will be registered in the National Register of Class Actions.

MONTREAL, April 8, 2025

A handwritten signature in blue ink, reading "Fishman Flanz Meland Paquin", is written over a horizontal line.

FISHMAN FLANZ MELAND PAQUIN LLP

Attorneys for Applicant

1010 de la Gauchetière St. West, Suite 1600

Montreal, QC H3B 2N2

Tel.: 514-932-4100

Fax: 514-932-4170

Email: mmeland@ffmp.ca

msiminovitch@ffmp.ca

tsilverstein@ffmp.ca

matthew.meland@ffmp.ca

SUPERIOR COURT
DISTRICT OF MONTREAL
(Class Action)

DAVID COBRIN

Applicant

V.

MCGILL UNIVERSITY

Respondent

- Application for Authorization to Institute a Class Action, and to Obtain the Status of Representative
- List of Exhibits
- Summons
- Notice of presentation
- Attestation the Application will be entered in the National Class Action Register

Filed by: Applicant
Date: April 8, 2025

Me Mark E. Meland, Me Margo R. Siminovitch
Me Tina Silverstein, Me Matthew Meland
Fishman Flanz Meland Paquin LLP
1010 de la Gauchetière St. W., Suite 1600
Montreal, QC H3B 2N2
Telephone: +1 (514) 932-4100 / Fax: +1 (514) 932-4170
Emails : mmeland@ffmp.ca, msiminovitch@ffmp.ca,
tsilverstein@ffmp.ca, matthew.meland@ffmp.ca
Code : BM-0309