

SUPERIOR COURT

(Class Action)

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

N° : 500-06-001377-254

DATE : NOVEMBER 28, 2025

BY THE HONOURABLE CATHERINE MARTEL, S.C.J.

MOHAN MONANY

Plaintiff

v.

FORD DU CANADA LIMITÉE

Defendant

JUDGMENT (APPLICATION TO STAY THE QUEBEC ACTION)

JM3321

CONSIDERING the *Application for authorization to institute a Class Action and to Obtain the Status of Representative* filed on April 24, 2025 ("**Quebec Action**") on behalf of the following putative class:

Any person who has leased on a long-term basis or purchased, in the province of Quebec, a MY 2020 to 2024 Ford Escape vehicle or a MY 2021 to 2023 Corsair Lincoln vehicle or affected by recall 24S79 issued on 20 December 2024 by Ford Motor Company and/or Ford of Canada Company Limited [translation]

CONSIDERING the *Application to Stay the Quebec Action* pending a final judgment on certification (and all proceedings related thereto) in the putative class action *Pardeep Kumar Sharma v. Ford Motor Company of Canada Limited* filed on April 9, 2025, before

the Supreme Court of British Columbia bearing the court file number VLC-S-S-252762 ("**BC Action**");

CONSIDERING that the applicant in the BC Action, Pardeep Kumar Sharma, seeks to represent the following putative class, which includes the putative members of the Quebec Action:

All British Columbia residents, and all other persons resident in Canada, who own, owned, lease and/or leased an Affected Class Vehicle¹ ("**Class**" or "**Class Members**"), excluding employees, officers, directors, agents of the Defendants and their family members, class counsel, presiding judges and any person who has commenced an individual proceeding against or delivered a release to the Defendants concerning the subject of this proceeding, or such other class definition or class period as the Court may ultimately decide on the application for certification.

CONSIDERING that the Court may stay the Quebec Action pursuant to article 3137 CCQ because:

The BC Action was brought before the Quebec Action;

The BC Action is pending between the same parties, as the putative members of the Quebec Action are included in the BC Action putative Class and the defendant Ford Motor Company of Canada Limited is also a defendant to the BC Action;

The BC Action is based on the same key allegations of facts in relation to the issuance of recall 24S79;

The BC Action and the Quebec Action have the same subject, as they both pertain to authorization (or certification) of class actions seeking reparation for the injury sustained as a result of similar alleged faults and breaches, including to the Quebec *Consumer Protection Act*, CQLR c. P-40.1 ("**CPA**");

The BC Action can result in a decision which may be recognized in Quebec and may exhaust their claims;

CONSIDERING that there is a serious risk of contradictory judgments if the Quebec and BC Actions were to proceed in parallel;

CONSIDERING that the stay of the Quebec Action is consistent with the rights and interests of Quebec residents within the meaning of article 577 CPC, because:

¹ A defined term that includes model year 2020-2024 Ford Escape and model year 2021-2024 Lincoln Corsair Grand Touring plug-in hybrid electric vehicles equipped with a defective high-voltage lithium-ion battery.

The causes of action asserted in the BC Action largely mirror those asserted in the Quebec Action;

The claims of the putative members of the Quebec Action under Quebec Law are pleaded in the BC Action, including with respect to the CPA;

Class counsel in the Quebec Action will be part of the consortium that will prosecute the BC Action and will therefore be able to ensure the protection of the rights and interests of Quebec residents in the BC Action;

CONSIDERING that the Application to Stay the Quebec Action is presented with consent from the Respondent

CONSIDERING that the parties undertake to provide this Court with an update on the status of the BC Action on a semi-annual basis and to advise this Court within 30 days of any significant development in the BC Action that may affect the course of the Quebec Action;

CONSIDERING that the stay of the Quebec Action is appropriate and consistent with the principles of proportionality, efficiency, mutual comity between courts of different provinces and the proper administration of justice;

FOR THESE REASONS, THE COURT:

GRANTS the *Application to Stay the Quebec Action*;

STAYS all proceedings related to the *Application for Authorization to Institute a Class Action and to Obtain the Status of Representative* for a period ending sixty (60) days after a final judgment on certification is rendered in the British Columbia Action (court docket number VLC-S-S-252762) and all proceedings related thereto are completed.

PRAYS ACT of the Parties undertaking to provide this Court with an update on the status of the British Columbia Action on a semi-annual basis and to advise this Court within 30 days of any significant development in the British Columbia Action that may affect the course of the Quebec Action.

THE WHOLE, without legal costs.

CATHERINE MARTEL, S.C.J.

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