

SUPERIOR COURT

CANADA
PROVINCE DE QUÉBEC
DISTRICT DE MONTRÉAL

N° : 500-06-001326-244

DATE : January 16, 2026

BY THE HONOURABLE SHAUN E. FINN, J.S.C.

YONATAN LIEBERMAN

Applicant

v.

THE UPPER DECK COMPANY

-and-

PANINI AMERICA, INC.

-and-

THE TOPPS COMPANY, INC.

Respondents

JUDGMENT

[1] **GIVEN** Applicant Elijah Amar's *Application to Authorize the Bringing of a Class Action*, dated August 9, 2024;

[2] **GIVEN** the Applicant's *Modified Application to Authorize the Bringing of a Class Action*, dated February 14, 2025;

[3] **GIVEN** the *Application of the Defendant The Upper Deck Company for Leave to Submit Relevant Evidence and for Leave to Examine the Applicant*, dated June 27, 2025;

[4] **GIVEN** Respondent Panini America Inc.'s *Application for Leave to Submit Relevant Evidence and Leave to Examine the Proposed Class Representative*, dated June 27, 2025;

- [5] **GIVEN** the *Application of the Respondent The Topps Company, Inc. for Leave to Adduce Evidence at Authorization and to Examine the Applicant*, dated June 27, 2025;
- [6] **GIVEN** the *Re-Modified Application to Authorize a Class Action* filed by the new Applicant Yonatan Lieberman, dated August 29, 2025,
- [7] **GIVEN** Panini America, Inc.'s *Amended Application for Leave to Submit Relevant Evidence and for Leave to Examine the Proposed Class Representative*, dated November 14, 2025;
- [8] **GIVEN** the *Amended Application of the Respondent The Topps Company, Inc. for Leave to Adduce Evidence at Authorization and to Examine the Applicant*, dated November 14, 2025;
- [9] **GIVEN** new Applicant Yonatan Lieberman does not contest the aforementioned applications of the three respondents, under reserve of his right to argue the relevance of same;
- [10] **GIVEN** these applications relate to the authorization criteria contained in article 575 of the *Code of Civil Procedure*;
- [11] **GIVEN** these applications are consistent with the guiding principles of procedure and will not unduly delay or complicate the class action proceeding;
- [12] **GIVEN** it is therefore in the best interests of justice to grant these applications;

FOR THESE REASONS, THE COURT:

WITH REGARDS TO Respondent Panini America, Inc.'s *Amended Application for Leave to Submit Relevant Evidence and for Leave to Examine the Proposed Class Representative*:

- [13] **GRANTS** Respondent Panini America, Inc.'s *Amended Application for Leave to Submit Relevant Evidence and for Leave to Examine the Proposed Class Representative*;
- [14] **AUTHORIZES** Respondent Panini America, Inc. to submit the signed version of the sworn statement of D. J. Kazmierczak and the Exhibits DJT-1 to DJT-36, filed as Schedule A to Defendant Panini America Inc.'s *Original Application for Leave to Submit Relevant Evidence and for Leave to Examine the Proposed Class Representative*;
- [15] **AUTHORIZES** Respondent Panini America Inc. to examine out-of-Court the Applicant Yonatan Lieberman for a duration of one hour and a half on the topics outlined at paragraphs 40 to 41 of Defendant Panini America, inc.'s *Amended Application for Leave to Submit Relevant Evidence and for Leave to Examine the Proposed Class Representative*;

WITH REGARDS TO the *Amended Application of the Respondent The Topps Company, Inc. for Leave to Adduce Evidence at Authorization and to Examine the Applicant:*

[16] **GRANTS** the *Amended Application of the Respondent the Topps Company, Inc. for Leave to Adduce Evidence at Authorization and to Examine the Applicant;*

[17] **AUTHORIZES** Respondent The Topps Company, Inc. to file into evidence the Amended sworn statement of Steven Judd, Exhibit R-1.1. to said *Amended Application*, as well as its supporting Exhibits SJ-1 and SJ-2;

[18] **AUTHORIZES** Respondent The Topps Company, Inc. to examine out-of-Court the Applicant Yonatan Lieberman, prior to the authorization hearing, on the topics identified in paragraph 17 of the Defendant The Topps Company, Inc.'s aforementioned *Amended Application*, for a duration of 30 minutes;

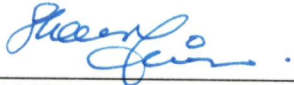
WITH REGARDS TO the Application of the Defendant The Upper Deck Company for Leave to Submit Relevant Evidence and for Leave to Examine the Applicant:

[19] **GRANTS** the *Application of the Defendant The Upper Deck Company for Leave to Submit Relevant Evidence and for Leave to Examine the Applicant;*

[20] **AUTHORIZES** Respondent The Upper Deck Company to submit the signed version of the affidavit of Grant Sandground and the Exhibits GS-1 to GS-3, filed as Schedule A to the said *Application*;

[21] **AUTHORIZES** Respondent The Upper Deck Company to examine out of Court the new Applicant Yonatan Lieberman for a period of ten minutes on the topics outlined at paragraph 18 of the said *Application*;

ALL OF WHICH, WITHOUT LEGAL COSTS.


SHAUN E. FINN, J.S.C.

Me Daniel Brook
Me Miranda Alyssia Renda
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Lawyers for the applicant Elijah Amar

Me Jean Lemoine
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Me Fadi Amine
Me Erika MacInnis
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Lawyers for Respondent Panini America, Inc.

Me Margaret Weltrowska
Me Erica Shadeed
Dentons Canada LLP
Lawyers for Respondent The Topps Company, Inc.

Decided on the face of the applications submitted