

CANADA

PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL
No.: **500-06-000964-185**

SUPERIOR COURT
(Class Action)

KATHLEEN GAUTHIER

Plaintiff

v.

**KENVUE CANADA INC. (formerly known as
Johnson & Johnson inc.)**

Defendant

APPLICATION TO EXTEND FOR TRIAL READINESS AND JUDGMENT
(Art. 158 and 173 C.C.P.)

**TO THE HONOURABLE JUSTICE PIERRE NOLLET, J.S.C., IN HIS CAPACITY AS CASE
MANAGEMENT JUDGE, THE DEFENDANT, KENVUE CANADA INC., RESPECTFULLY
SUBMITS THE FOLLOWING:**

I. INTRODUCTION

1. The Defendant, Kenvue Canada Inc., hereby respectfully requests an extension of the deadline for trial readiness and judgment until May 29, 2026, with the only remaining step being the filing of the Defendant's expert reports.

II. THE PROCEDURAL CONTEXT

2. On October 23, 2018, Ms. Kathleen Gauthier, the Plaintiff, filed a *Motion for Authorization to Institute a Class Action* in the present file.
3. On February 25, 2020, the class action was authorized by this Court.
4. On September 18, 2020, the Defendant filed an *Application for Leave to Appeal* of the judgment authorizing the class action.
5. On December 8, 2020, the Defendant's *Application for Leave to Appeal* was dismissed.
6. On July 19, 2021, the Plaintiff filed a *Motion to Institute a Class Action Proceeding*.
7. On January 4, 2023, the Plaintiff filed a *Demande de la demanderesse pour être relevée des conséquences de son défaut d'avoir produit la demande pour d'inscription pour instruction et jugement* and a *Proposed Case protocol* was filed on January 9, 2023.

8. On January 12, 2023, this Court rendered a judgment relieving the Plaintiff from her default, approving the case protocol, and extending the deadline for trial readiness until January 26, 2024.
9. On June 13, 2023, the Defendant filed its *Defence*.
10. On January 16, 2024, the Plaintiff filed a *Motion to Extend for Trial Readiness and Judgment*.
11. On January 22, 2024, this Court rendered a judgment extending trial readiness until July 26, 2024, and exempting parties from filing a modified case protocol.
12. On July 26, 2024, the Plaintiff filed a *Motion to Extend for Trial Readiness and Judgment*.
13. On August 5, 2024, this Court extended trial readiness until February 28, 2025, given that the Plaintiff planned to submit her expert report by August 31, 2024. At the time, the Defendant estimated that four months would be required to file its expert reports after receiving the Plaintiff's expert report.
14. On February 28, 2025, the Plaintiff filed a *Motion to Extend for Trial Readiness and Judgment* and announced that her expert report would be filed in the coming weeks.
15. On March 7, 2025, this Court rendered a judgment extending trial readiness until August 28, 2025.
16. On August 28, 2025, the Plaintiff filed a *Motion to Extend for Trial Readiness and Judgment* and announced that her expert report would be filed by August 29, 2025.
17. On August 31, 2025, the Plaintiff filed her expert report.
18. On September 3, 2025, this Court rendered a judgment extending trial readiness until January 30, 2026.

III. APPLICATION TO EXTEND FOR TRIAL READINESS AND JUDGMENT

19. The Defendant received the Plaintiff's expert report on August 31, 2025.
20. The Defendant promptly confirmed the engagement of experts and provided them with the Plaintiff's report. Although the experts engaged by the Defendants have significantly advanced in their work over the past four months, their reports have not yet been finalized.
21. The Defendant, after consulting with its experts, expect to be able to file the reports within the next three months.
22. This filing is the only remaining step before having the case set down for trial and judgment through a joint declaration.
23. An extension of the deadline for trial readiness and judgment until May 29, 2026, would give the parties at least one month to complete a joint declaration following the filing of the Defendant's expert reports.

24. The present Application is well-founded in fact and in law.

FOR THESE REASONS, MAY IT PLEASE THE COURT TO:

GRANT the present Application;

EXTEND the time limit for trial readiness to May 29, 2026;

EXEMPT the parties from filing a modified case protocol;

THE WHOLE without costs, unless contested.

Montreal, January 28, 2026

Blake, Cassels & Graydon L.L.P.

BLAKE, CASSELS & GRAYDON LLP

Attorneys for Defendant, Kenvue Canada Inc.

(Court Code: BB-8098)

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Our reference: 35256-820

AFFIDAVIT

I, the undersigned, Maude Gérin-Lajoie, attorney practicing at the law firm Blake, Cassels & Graydon LLP located at 1 Place Ville Marie, suite 3000, in the city of Montreal, province of Quebec, H3B 4N8, do solemnly declare:

1. I am one of the Defendant's attorneys in the present case;
2. All the facts alleged in this *Application to Extend for Trial Readiness and Judgment* are true.

AND I HAVE SIGNED:

Signé par :

26DD219C59B64A0

MAUDE GÉRIN-LAJOIE

SOLEMNLY DECLARED REMOTELY
before me in Montréal, this 28th day of
January 2026

Signed by:

64EE1E61E51B49A...

Melissa Bruna # 226 539
Commissioner of Oaths for Québec

NOTICE OF PRESENTATION

TO: M^{re} Karim Renno
RENNO VATHILAKIS INC.
145, St-Pierre Street, Suite 201
Montréal (Québec) H2Y 2L6

Attorneys for Plaintiff

TAKE NOTICE that the present *Application to Extend for Trial Readiness and Judgment* will be presentable for adjudication before the Honourable Justice Pierre Nolle, judge of the Superior Court, sitting in and for the district of Montreal, at the Montreal Courthouse located at 1 Notre-Dame St East, Montreal, Quebec, H2Y 1B6, on **a date, at a time, and in a room to be determined**, or as soon thereafter as the counsel may be heard.

Montreal, January 28, 2026

Blake, Cassels & Graydon L.L.P.

BLAKE, CASSELS & GRAYDON LLP

Attorneys for Defendant, Kenvue Canada Inc.
(Court Code: BB-8098)

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Bruna, Melissa

De: Bruna, Melissa
Envoyé: 28 janvier 2026 14:41
À: 'krenno@renvath.com'
Cc: Seida, Simon; Gerin-Lajoie, Maude
Objet: NOTIFICATION - Kathleen Gauthier v. Kenvue Canada Inc. (500-06-000964-185) // Application to Extend for Trial Readiness and Judgment
Pièces jointes: 2026-01-28 - Application to extend trial readiness.pdf
Importance: Haute

NOTIFICATION BY EMAIL

(Art. 134 C.p.c.)

From : **Mtre Simon J. Seida**
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(Attorneys for the Defendant Kenvue Canada Inc.)

To : **Mtre Karim Renno**
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(Attorney for the Plaintiff Kathleen Gauthier)

Parties : ***Kathleen Gauthier v. Kenvue Canada Inc.***

Court No. : **500-06-000964-185**

Nature of document : **Application to Extend for Trial Readiness and Judgment**

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The present email constitutes notification of the Application to Extend for Trial Readiness and Judgment

Melissa M. Bruna (elle/she)
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KATHLEEN GAUTHIER

Plaintiff

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**APPLICATION TO EXTEND FOR TRIAL
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ORIGINAL

The logo for the law firm Blakes, featuring the word "Blakes" in a stylized, cursive script.

M^{re} Simon J. Seida

BB-8098

M^{re} Maude Gérin-Lajoie

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