

SUPERIOR COURT

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTREAL

N° : 500-06-000977-195

DATE : DECEMBER 17, 2024

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

DENIS GAUTHIER.
Plaintiff

c.
BOMBARDIER INC.
Defendant

JF 1315

JUDGMENT

[1] **CONSIDERING** a class action was authorized in the present matter and that an Originating Application Instituting a Class Action was filed on August 14, 2024 (the **Originating Application**);

[2] **CONSIDERING** the Plaintiff notified an Application for Leave to Amend the Originating Application on December 13, 2024 (the **Application to Amend**);

[3] **CONSIDERING** the Application to Amend proposes:

- The removal of the words: "The Defendants' flawed calculations of Bombardier's FCF" from paragraphs 36(b) and 89(b) of the Originating Application, without admission; and

- The addition of particulars to paragraphs 36(d) and 89(d) of the Originating Application, in which the words "extant facts" are replaced by "Bombardier's financial situation."

- [4] **CONSIDERING** articles 206 and 585 of the *Code of Civil Procedure*;
- [5] **CONSIDERING** the Plaintiff's allegation that "[t]he purpose of these amendments is to clarify the [Originating Application];"
- [6] **CONSIDERING** the Defendant does not contest the proposed amendments;
- [7] **CONSIDERING** the proposed amendments are relevant, proportionate, and consistent with the authorization judgment;
- [8] **CONSIDERING** the proposed amendments do not prejudice the class members or result in an entirely new application having no connection with the original one;
- [9] **FOR THESE REASONS, THE COURT:**
- [10] **GRANTS** the Application for Leave to Amend the Originating Application;
- [11] **AUTHORIZES** the amendments contained in the Amended Originating Application Instituting a Class Action;
- [12] **AUTHORIZES** the filing of the Amended Originating Application Instituting a Class Action into the Court record;
- [13] **ALL OF WHICH**, without costs.



SHAUN E. FINN, J.S.C.

Mtre Shawn Faguy
Mtre Elizabeth Meloche
Mtre Maryam d'Hellencourt
Faguy & Co. Barristers and Solicitors Inc.
Avocats de la partie demanderesse

Mtre Jean G. Bertrand, Ad.E.
Mtre François-David Paré
Mtre Julie Lacourcière
Mtre Laurence Codsí
Norton Rose Fulbright Canada Sencrl SRL
Avocats des parties défenderesses

Rendered on the face of the pleadings.