

**CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL**

No: 500-06-001402-250

**SUPERIOR COURT
(Class Action)**

A.

Plaintiff

v.

**LVMH FRAGRANCE BRANDS CANADA
LTD.,**

- and -

LVMH WATCH & JEWELRY CANADA,

- and -

LOUIS VUITTON CANADA, INC.,

- and -

**PARFUMS CHRISTIAN DIOR CANADA
INC.,**

- and -

**CHRISTIAN DIOR COUTURE CANADA
INC.,**

- and -

TIFFANY & CO. CANADA

Defendants

**APPLICATION BY DEFENDANT TIFFANY & CO. CANADA FOR LEAVE TO
ADDUCE RELEVANT EVIDENCE**

(Article 574 CCP)

**TO THE HONOURABLE JUSTICE MARIE-CHRISTINE HIVON OF THE SUPERIOR
COURT OF QUEBEC, SITTING IN AND FOR THE DISTRICT OF MONTREAL,
DEFENDANT TIFFANY & CO. CANADA RESPECTFULLY SUBMITS THE
FOLLOWING:**

I. INTRODUCTION

1. Defendant Tiffany & Co. Canada ("**Tiffany**") seeks leave to adduce relevant evidence in order to establish facts that are necessary to enable the Court to

undertake an informed analysis, in light of the criteria set out in article 575 of the Code of Civil Procedure (the “CCP”) regarding the authorization to institute class action proceedings.

II. PROCEDURAL HISTORY

2. On or around July 25, 2025, the Plaintiff filed an *Application for Authorization to Institute a Class Action* (the “**Application**”), as appears from the record.
3. Moreover, on or around February 17, 2026, the Plaintiff filed an *Application for anonymity and confidentiality of the Plaintiff's identity*, seeking the anonymization of the Plaintiff's name and identity in the public record.
4. Through the Application, the Plaintiff seeks authorization to institute a class action on behalf of the following class:

“The LVMH Group:

All persons in Canada:

- (i) whose personal or financial information was held by Defendants (or another member of the LVMH Moët Hennessy Louis Vuitton SE group of companies) and was compromised in the data breach which occurred between on or around January 26, 2025 and on or around June 7, 2025, or
- (ii) who received an email or letter from Defendants (or another member of the LVMH Moët Hennessy Louis Vuitton SE group of companies), as of May 13, 2025, informing them of such data breach;

The Louis Vuitton Subgroup:

All persons in Canada:

- (i) whose personal or financial information held by Louis Vuitton was compromised in a data breach which occurred on or around June 7, 2025, or
- (ii) who received an email or letter from Louis Vuitton, dated on or about July 23, 2025, informing them of such data breach;

The Dior Subgroup:

All persons in Canada:

- (i) whose personal or financial information held by Dior was compromised in a data breach which occurred on or around January 26, 2025, or;
- (ii) who received an email or letter from Dior, dated between on or about May 13 and on or about July 18, 2025, informing them of such data breach;

The Tiffany & Co. Subgroup:

All persons in Canada:

- (i) whose personal or financial information held by Tiffany & Co. was compromised in a data breach which occurred on or around April 8, 2025, or
- (ii) who received an email or letter from Tiffany & Co., dated on or about May 26, 2025, Informing them of such data breach;”

(the “**Class**”)

5. The Plaintiff seeks the Court’s authorization to bring a class action for compensatory damages for the alleged harm suffered by the Class stemming from the Defendants’ alleged infringement of privacy rights arising from the loss of the Class’s personal information during a data breach.
6. In addition, Plaintiff also claims punitive damages on behalf of the Class due to the alleged intentional interference with the Class’s privacy rights.
7. The Plaintiff relies on provisions of the *Civil Code of Quebec*, the *Charter of Human Rights and Freedoms*, the *Act Respecting the Protection of Personal Information in the Private Sector*, the *Personal Information Protection and Electronic Documents Act* and the *Consumer Protection Act*.
8. The common issues of law and facts which the Plaintiff seeks to have authorized by the Court are the following:
 - (a) Did Defendants commit faults regarding the storage and the safe-keeping of the personal information of the Class Members?
 - (b) Did Defendants commit faults by delaying the notification to Class Members that a Data Breach had occurred?
 - (c) Did Defendants commit faults due to the deficiencies of the notices and information given to Class Members about the Data Breach?
 - (d) Are Defendants solidarily liable to pay compensatory damages, moral damages or punitive damages to the Class Members, as a result? And if so, in what amounts?
9. Many of the allegations contained in the Application are vague, imprecise, and unsubstantiated, including as regards allegations with regard to the Tiffany subgroup.
10. Therefore, Tiffany requests leave to adduce relevant evidence in support of its submissions that the Application fails to meet the threshold conditions set out in Article 575 CCP.

III. APPLICATION FOR LEAVE TO FILE RELEVANT EVIDENCE

11. The evidence for which Tiffany seeks leave to adduce consists of a proposed sworn statement from a representative of Tiffany, Ms. Donna Tzongas, a draft of which is communicated herewith as **Exhibit TCC-1** (the “**Sworn Statement**”).
12. The Sworn Statement covers the following topics:
 - (a) Overview of Tiffany’s Corporate Structure;
 - (b) Information relating to an incident that occurred on or about April 8, 2025 (the “**Tiffany Data Incident**”); and
 - (c) Factual information demonstrating that Plaintiff was not impacted by the Tiffany Data Incident.

IV. GROUNDS IN SUPPORT OF THE PRESENT APPLICATION

A. Justifications relating to specific evidence adduced

- (a) **Overview of Tiffany’s Corporate Structure**
 13. The Sworn Statement outlines Tiffany’s corporate structure and clarifies its relation to the Defendants.
 14. At paragraph 19 of the Application, Plaintiff alleges that Defendants are “acting together [...] through a very complicated common enterprise in Quebec and Canada” meaning they are “therefore solidarily liable for damages claimed”.
 15. It is important to rectify this unsubstantiated allegation by providing clarification on Tiffany’s organizational structure.
- (b) **The Tiffany Data Incident**
 16. The Sworn Statement outlines certain details in respect to the Tiffany Data Incident providing further information on its singularity.
 17. The Sworn Statement explains that the Tiffany Data Incident is a separate and distinct cybersecurity incident that did not occur at the same time and did not involve the same data nor datasets as the incidents that impacted the other Defendants.
 18. Such evidence is relevant in order for this Court to decide on whether the Plaintiff holds a direct cause of action against Tiffany by establishing the distinct nature of the Tiffany Data Incident and other incidents contained in the allegations of the Application.

(c) **Factual information demonstrating that Plaintiff was not impacted by the Tiffany Data Incident**

19. Plaintiff alleges at paragraph 96 that she was informed of the data breach which affected Louis Vuitton by an email notice on July 23, 2025.
20. In the Application, Plaintiff does not allege having received a notice from Tiffany relating to the Tiffany Data Incident.
21. The Sworn Statement provides helpful context to understand the absence of such allegation.
22. Indeed, the Sworn Statement confirms there is no record of, or reference to the name or email addresses associated with Plaintiff in the Canadian list of individuals to which a notice of the Tiffany Data Incident was sent.
23. The Sworn Statement further confirms that the dataset impacted by the Tiffany Data Incident does not contain the Plaintiff's name or email addresses associated with her name.

B. Final Justifications for the Admission of Evidence

24. The admission of the Sworn Statement into the record will serve to streamline the authorization hearing by providing additional information and clarity on the issues alleged by the Plaintiff. It will address and rectify certain ambiguities and generalities contained in the Application and ensure an accurate examination of the criteria for authorization.
25. Tiffany's proposed evidence is necessary to enable this Court to fully understand the nature of this class action and to allow Tiffany to mount a balanced, informed challenge to the authorization criteria.
26. The Sworn Statement is succinct and limited in scope and is thus consistent with the nature of the authorization process and the principle of proportionality.
27. This application for leave to adduce relevant evidence is well-founded in fact and in law.

WHEREFORE MAY IT PLEASE THIS COURT TO:

GRANT the present *Application by Defendant for Leave to Adduce Relevant Evidence*;

AUTHORIZE the Defendants to file the sworn statement of Donna Tzongas;

ALL OF WHICH IS REQUESTED without costs, except in the event of contestation.

MONTREAL, March 23, 2026

Osler, Hoskin + Harcourt

OSLER, HOSKIN & HARCOURT LLP

Lawyers for Defendant

Tiffany & Co. Canada

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/ Me Laurence Cournoyer

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Our file: 1271692

NOTICE OF PRESENTATION

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PARFUMS CHRISTIAN DIOR CANADA INC., and CHRISTIAN DIOR COUTURE
CANADA INC.

TAKE NOTICE that the present *Application by Defendant TIFFANY & CO. CANADA for Leave to Adduce Relevant Evidence* will be presented for hearing at a date and time to be determined by the Honourable Justice Marie-Christine Hivon of the Superior Court of Québec, 1 Notre-Dame Street East, Montreal, Québec.

DO GOVERN YOURSELVES ACCORDINGLY.

MONTREAL, March 23, 2026

Osler, Hoskin + Harcourt

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TIFFANY & CO. CANADA

Defendants

LIST OF EXHIBITS OF DEFENDANT TIFFANY & CO. CANADA

Exhibit TCC-1:	Draft sworn statement of Donna Tzongas;
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MONTREAL, March 23, 2026

Osler, Hoskin + Harcourt

OSLER, HOSKIN & HARCOURT LLP

Lawyers for Defendant

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LIMITED *ET AL.*,**

Defendants

**APPLICATION BY DEFENDANT TIFFANY & CO.
CANADA FOR LEAVE TO ADDUCE RELEVANT
EVIDENCE (Article 574 CCP), NOTICE OF
PRESENTATION, LIST OF EXHIBITS OF
DEFENDANT TIFFANY & CO. CANADA.**

ORIGINAL

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