

SUPERIOR COURT

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTRÉAL

N°: 500-06-000993-192

DATE: May 12, 2026

IN THE PRESENCE OF THE HONOURABLE DONALD BISSON J.S.C. (JB4644)

LYSE BEAULIEU
Plaintiff

v.

META PLATFORMS, INC.
FACEBOOK CANADA LTD.
Defendants

JUDGMENT

(On objections made during the pre-trial examination of the Plaintiff)

Table of contents

1. Introduction: context and issues	2
2. Analysis and discussion.....	8
2.1 The applicable law to objections made during pre-trial examination of a representative plaintiff in a class action.....	8
2.2 Decision.....	10
2.2.1 Objections 4 and 13: request of Defendants to have access to the Plaintiff's "download your information" outside the class period. Ground of objection: relevancy	11
2.2.2 Objections 5, 6 and 7: questions pertaining to exhibits. Ground of objection: right to privacy	12
2.3 The judicial costs	13
FOR THESE REASONS, THE COURT:.....	13

1. INTRODUCTION: CONTEXT AND ISSUES

[1] In a previously authorized class action that is now progressing on its merits, the defendants Meta Platforms, Inc. and Facebook Canada Ltd. submit to the Court a *Notice of a Case Management Conference for the Adjudication of Objections*. The Defendants ask the Court to dismiss objections made by the Plaintiff when they requested disclosure of documents as pre-undertakings and as undertakings in the context of the Plaintiff's pre-trial examination held on September 23, 2025, the whole under Article 228 of the *Code of Civil Procedure* ("CCP"). Plaintiff is of the opinion that the Court should maintain her objections.

[2] Defendants have filed the sworn declaration of Me Isabelle Vendette of April 7, 2026, along Exhibits R-1 to R-12. Plaintiff has filed her sworn statement dated March 1, 2026, along with Exhibits LB-1 to LB-6. Plaintiff has also filed the sworn declaration of Me Jessica Michelin dated April 7, 2026, along Exhibits LB-7 and LB-8. The relevant extracts from the transcripts of the September 23, 2025 pre-trial examination of Plaintiff is Exhibit R-7.

[3] Here are the objections to be decided:

Objection #4:

E-18: Provide the DYI for the period prior to 2016

Pre-undertaking PU-4: To provide complete copies of the "Download Your Information" ["DYI"] files for all Facebook accounts that Ms. Beaulieu created or used to access Facebook and to search for employment and/or housing, or that are otherwise relevant to the action. (see <https://www.facebook.com/help/212802592074644>).

Ground of objection: Objection maintained on the basis that it is a fishing expedition and not relevant to the dispute.

Extract from transcripts, p. 106:

Me ISABELLE VENDETTE:

Je vais vous demander comme engagement de nous fournir votre DYI pour la période antérieure à deux mille seize (2016).

Me OLGA REDKO:

Objection. Non pertinent au recours.

Engagement E-18 (sous l'objection #4).

Objection #5:

Questions relating to Exhibit LB-8, filed in the pre-trial examination on discovery of Ms. Beaulieu (employment advertisement for Sécurité Xguard)

Ground of objection: privacy protection

Extract from transcripts, p. 127-131:

Me OLGA REDKO:

O.K. A. Parfait. Donc, je ne m'objecte pas à LB-9-A, mais je m'objecte à LB-8 et LB-9-B, qui, semble-t-il, proviennent de Messenger, sur la base qu'il s'agit d'une information protégée par la vie privée. Donc, c'est une objection en vertu de l'article 228 du Code de procédure civile.

Objection #6 :

Questions pertaining to Exhibit LB-9B filed in the pre-trial examination on discovery of Ms. Beaulieu (document mentioning that Ms. Beaulieu clicked on an employment offer for Kefor)

Ground of objection: privacy protection

Extract from transcripts, p. 127-131:

Me OLGA REDKO:

O.K. A. Parfait. Donc, je ne m'objecte pas à LB-9-A, mais je m'objecte à LB-8 et LB-9-B, qui, semble-t-il, proviennent de Messenger, sur la base qu'il s'agit d'une information protégée par la vie privée. Donc, c'est une objection en vertu de l'article 228 du Code de procédure civile.

Objection #7:

Questions pertaining to Exhibit LB-10 filed in the pre-trial examination on discovery of Ms. Beaulieu (advertisement relating to Groupe Rousso)

Ground of objection: privacy protection

Extract from transcripts, p. 136:

Me OLGA REDKO:

Et il y a une objection. Il y a pas eu de question posée, mais il y a une objection à la pièce LB-10, parce que ça provient du Messenger de madame Beaulieu.

Objection #13 :

E-25: Provide the DYI for the post-2022 period

Pre-undertaking 4: To provide complete copies of the "Download Your Information" files for all Facebook accounts that Ms. Beaulieu created or used to access Facebook and to search for employment and/or housing, or that are otherwise relevant to the action. (see <https://www.facebook.com/help/212802592074644>).

Ground of objection: Objection maintained on the basis that it is a fishing expedition and not relevant to the dispute.

Extract from transcripts, p. 191:

Q- Je vais vous demander comme engagement de fournir le DYI pour la période post deux mille vingt-deux (2022).

Me OLGA REDKO:

Non. Je m'objecte. C'est pas pertinent au recours.

Engagement E-25 (sous l'objection #13).

[4] The context of these objections is the following. On December 22, 2022, the Court of Appeal of Quebec authorized¹ the Plaintiff to institute the class action on behalf of the following class members (the "Class"):

Tous les usagers et usagères Facebook du Québec qui étaient à la recherche d'un emploi ou d'un logement ou qui étaient intéressé·e·s par les annonces d'emploi ou de logement et qui, en raison de leur race, de leur sexe ou de leur âge, ont été exclu·e·s par les services de publicité de Facebook de la distribution d'annonces d'offres d'emploi ou de logement sur Facebook, et ce, entre le 11 avril 2016 et le 22 décembre 2022;

[5] On August 31, 2023, the Supreme Court of Canada² denied leave to appeal from the decision of the Court of Appeal.

[6] The Court of Appeal determined that the class action would address the following five collective issues:

- 1) En permettant ou en facilitant l'utilisation de ses services publicitaires de sorte que les membres du groupe soient privé·e·s de recevoir des annonces d'offres d'emploi ou de logement, et ce, en fonction de leur race, de leur sexe ou de leur âge, Facebook, Inc. et Facebook Canada Ltd. ont-elles porté atteinte aux droits que leur confère la *Charte des droits et libertés de la personne* du Québec?
- 2) En distribuant des annonces d'emplois ou de logements de manière préférentielle à certaines personnes en fonction de leur race, de leur sexe ou de leur âge, Facebook, Inc. et Facebook Canada Ltd. ont-elles porté atteinte aux droits que la *Charte des droits et libertés de la personne* du Québec confère aux membres du groupe?
- 3) Facebook, Inc. et Facebook Canada Ltd. sont-elles responsables des dommages moraux causés aux membres du groupe par ces atteintes et, dans l'affirmative, à hauteur de quel montant?
- 4) Facebook, Inc. et Facebook Canada Ltd. doivent-elles être condamnées à des dommages punitifs envers les membres du groupe et, dans l'affirmative, à hauteur de quel montant?

¹ *Beaulieu c. Facebook inc.*, 2022 QCCA 1736. The Court of Appeal overturned the Superior Court which had denied the authorization of the class action (*Beaulieu c. Facebook inc.*, 2021 QCCS 3206).

² No. 40620.

5) Une injonction devrait-elle être prononcée à l'endroit de Facebook, Inc. et de Facebook Canada Ltd. afin de leur enjoindre de cesser de permettre et/ou de faciliter le ciblage ou la distribution publicitaire discriminatoire en fonction de la race, du sexe ou de l'âge, en ce qui concerne les annonces d'emplois ou de logements?

[7] On November 30, 2023, the Plaintiff filed an Originating Application (the "Application") in which she claimed moral damages, punitive damages, as well as injunctive relief.

[8] On July 22, 2025, the Defendants sent a letter³ to the Plaintiff requesting a list of pre-undertakings for her examination on discovery. This letter reiterated that the examination of the Plaintiff was to be held on September 23, 2025, as agreed to in the First Case Protocol, but was subject to receiving all of the pre-undertakings no later than five (5) weeks prior to the examination on August 19, 2025.

[9] As part of their requests for pre-undertakings, on July 22, 2025⁴, the Defendants sought communication of the Plaintiff's "Download Your Information" ("DYI") for the period of April 11, 2016 to December 22, 2022, which is the Class Period.

[10] A "DYI" is a series of files containing information about a Facebook user's account which users can export from the Facebook platform. According to Facebook, these include⁵:

- A user's Facebook activity (e.g. posts the user has created, photos they are tagged in, groups they belong to, "and more");
- Personal information (i.e. information the user provided when setting up their Facebook accounts and profiles);
- Connections (i.e. the user's friends and followers);
- Logged information (i.e. information Facebook logs about a user's activity, including their search history);
- Security and login information;
- Preferences (i.e. actions the user has taken to customize their experience on Facebook);
- Ad information (the user's interactions with ads and advertisers on Facebook); and
- Data logs ("additional details" Facebook collects and stores that can be associated with the user).

³ Exhibit LB-1 or R-1.

⁴ *Idem*.

⁵ Exhibit LB-2: "Learn what categories of information are available to export from your Facebook profile".

[11] Because the procedure for obtaining this information directly was not clear and onerous, to respond to this pre-undertaking request, the Plaintiff authorized Facebook to download her DYI for the Class Period, then share the materials retrieved with her attorneys.

[12] On August 19, 2025, the Plaintiff sent her responses to the pre-undertakings. The files communicated by Facebook to the Plaintiff, forming her DYI between April 11, 2016 and December 22, 2022, comprised several hundred documents⁶. However, in that letter, Plaintiff objected to the disclosure of pre-undertakings 3 and 4 on the grounds that they amount to “an overbroad fishing expedition”. Here are these pre-undertakings:

3. To provide the complete extract of all of the “Activity Log” section of all Facebook account(s) held and controlled by Ms. Beaulieu since 2016 for all activities, including but not limited to the “Your search history”, “Pages, Page like and interests”, “Group posts and comments”, “Comments” and “Recently Viewed”;

4. To provide complete copies of the “Download Your Information” [“DYI”] files for all Facebook accounts that Ms. Beaulieu created or used to access Facebook and to search for employment and/or housing, or that are otherwise relevant to the action. (see <https://www.facebook.com/help/212802592074644>) (Exhibit R-3).

[13] On August 26, 2025, the Plaintiff emailed the Court requesting that objections be addressed during the Case Management Conference scheduled for September 16, 2025 and refusing to postpone the examination of the Plaintiff pending this debate.

[14] Following discussions between the Parties, the Plaintiff consented to providing the Defendants with a copy of her “Download Your Information” but for the Class period only, from April 11, 2016 to December 22, 2022. By way of a formal authorization⁷, the Plaintiff permitted Meta Platforms inc. to transmit to IMK and McCarthy Tétrault “une copie complète et intégrale de mon dossier “Download Your Information” (“DYI”) du 11 avril 2016 jusqu’au 22 décembre 2022, comprenant notamment les sections “Activity Log”, “Your search history”, “Pages, Page like and interests”, “Group posts and comments”, “Comments” and “Recently Viewed”. » The categories of documents listed in the authorization corresponded broadly to the categories of information listed in Exhibit LB-2.

[15] With the consent of the Plaintiff and without any admission, the Defendants provided the Plaintiff with a copy of her DYI for the Class Period (the “Plaintiffs’ DYI”).

[16] The Plaintiff mentions in her sworn declaration the following:

1) In reviewing the information communicated, the Plaintiff and her attorneys discovered that additional information that forms part of a user’s DYI files, which are not mentioned on Facebook’s information pages, includes the Plaintiff’s comments

⁶ Exhibit R-2: Letter dated August 19, 2025, from Plaintiff to Defendants enclosing responses to pre-undertakings.

⁷ Exhibit LB-3: Authorization signed by IMK on behalf of the Plaintiff (September 3, 2025), or Exhibit R-4.

and edits to comments, event invitation and responses, gaming activity, all Marketplace activity including settings, search history, shopping interests, listing history, search filters, notifications, payment history, and fundraiser participation;

2) Moreover, and to the Plaintiff's shock, among the documents communicated as part of her DYI were all of her Facebook Messenger conversations during the Class Period;

3) This came as a total surprise to the Plaintiff because (1) nowhere on its website does Facebook indicate that private Messenger conversations are part of what a user can download in their DYI; and (2) the authorization the Plaintiff signed made no mention of Messenger communications;

4) While the authorization the Plaintiff signed was not exhaustive (in that included the word "notamment"), it was entirely unreasonable of the Defendants to interpret it as the Plaintiff having permitted them to access her personal communications, over which she has a reasonable expectation of privacy, when she was given no indication that such communications would be part of what was downloaded.

[17] Accordingly, on the eve of the Plaintiffs' pre-trial examination, class counsel objected to the communication of certain messages contained in the Plaintiffs' DYI via Facebook Messenger⁸. Plaintiffs' attorneys requested that Defendants and McCarthy delete all messages communicated as part of the Plaintiff's DYI for the Class Period. Plaintiff's attorneys then advised that they would be objecting to use of, or questions about, any of the Messenger messages contained in the DYI.

[18] This same day⁹, the Defendants responded to Plaintiff that it was inappropriate to raise a new objection based on confidentiality the day prior to the Examination, especially given that the Court had required that all objections be debated and resolved prior to the examination date. Defendants' attorneys claimed that the objection had come too late and that in any event, the Plaintiff had consented to the Defendants accessing these messages. They nevertheless indicated that they "will confirm our position regarding your request for McCarthy and its personnel to delete these materials included in the DYI by Friday, September 26, 2025." Defendants' attorneys did not subsequently confirm their position in respect of this request.

[19] On September 23, 2025, the Defendants proceeded with the pre-trial examination of the Plaintiff¹⁰.

[20] During the examination of Plaintiff, the Plaintiff's attorney objected to several questions relating to Messenger conversations derived from the Plaintiff's DYI but permitted the Plaintiff to respond.

⁸ Letter from IMK to McCarthy Tétrault dated September 22, 2025, Exhibit R-5 or Exhibit LB-4.

⁹ Letter from McCarthy Tétrault to IMK dated September 22, 2025, Exhibit R-6 or Exhibit LB-5.

¹⁰ See the relevant extracts of the transcript of the pre-trial examination of the Plaintiff, Exhibit R-7.

[21] During the Examination, the Plaintiff's attorney also objected to the communication of the Plaintiffs' DYI for any period outside the scope of the Class period (Objections 4 and 13). She further objected to all questions relating to her interactions with advertisers via Facebook Messenger (Objections 5 and 6) but let her client answer.

[22] On October 30, 2025¹¹, the Plaintiff communicated her responses to the undertakings subscribed to during her examination. The objections to (i) the DYI for the period of 2013 to 2016 and for the period post 2022 and (ii) the messages contained in the Plaintiffs' DYI exchanged via Facebook Messenger with potential employers, were maintained on the basis of relevance and privacy protection, respectively.

[23] The Defendants request that the Court rule on and dismiss the objections raised by the Plaintiff in the Responses to Pre-undertakings (Exhibit R-2), the Responses to Undertakings (Exhibit R-8), and the Examination (Exhibit R-7).

[24] Although the Plaintiff states in her Argument Plan that she is no longer maintaining some of their objections — and in fact appear to acknowledge their relevance — she nevertheless advances arguments regarding them in the Argument Plan. The Court will therefore deal with each objection.

2. ANALYSIS AND DISCUSSION

[25] The Court starts with the applicable law.

2.1 The applicable law to objections made during pre-trial examination of a representative plaintiff in a class action

[26] Art. 228 CCP applies:

228. Before a pre-trial examination is held, the parties may submit the objections they anticipate to a judge for a decision or for directives as to the conduct of the examination.

If the objections raised during the examination pertain to the fact that the person examined cannot be compelled, to fundamental rights, to facts presumed to be irrelevant where a matter contains allegations of sexual or spousal violence or to an issue raising a substantial and legitimate interest, the person may refrain from answering. Such objections must be presented before the court within five days for a decision.

Other objections raised during the examination, including objections based on relevance, do not prevent it from continuing, the witness being required to answer. Such objections are recorded for a decision by the court at trial unless they can be submitted to the court for an immediate decision.

¹¹ Exhibit R-8.

The judgment on an objection may be rendered on the face of the record.

[27] The Court reproduces what it wrote in *Signature on the Saint-Laurent Group c. Procureur général du Canada*, 2025 QCCS 3444, at par. 54 to 58 (references omitted):

[54] Au stade de la phase exploratoire qu'est la phase des interrogatoires préalables, la divulgation est la règle et le refus, l'exception. La partie qui demande la communication n'a qu'un fardeau initial restreint, celui de démontrer la pertinence, c'est-à-dire l'utilité concrète du document pour le litige dont est saisi le Tribunal. Ce principe découle directement des articles 20, 169, 221 et 228 Cpc, qui consacrent une obligation de divulgation préalable complète, fondée sur la transparence et la coopération.

[55] En ce sens, la jurisprudence est constante : la pertinence s'apprécie largement au stade de l'interrogatoire au préalable et l'objectif demeure de favoriser la divulgation complète de l'information pertinente au cheminement du litige. La pertinence à l'étape de l'interrogatoire préalable s'entend de toute information utile à la conduite de l'instance, susceptible de faire progresser le débat.

[56] Toutefois, une partie peut formuler une objection à une question ou à un engagement pris lors d'un interrogatoire au préalable, et soumettre l'objection au Tribunal.

[57] Comme le souligne la Cour d'appel dans l'arrêt *Procureur général du Canada c. Signature on the Saint-Laurent Group* :

- L'article 228 Cpc fait clairement la distinction entre, d'une part, les objections portant sur la non-contrainabilité de la personne interrogée, sur les droits fondamentaux ou encore sur une question soulevant un « intérêt légitime important » et, d'autre part, les autres objections, notamment celles portant sur la pertinence;
- Lorsque l'objection porte sur la pertinence, les objections sont notées et sont tranchées par le juge saisi du fond, lequel est habituellement mieux placé pour en décider à la lumière de l'ensemble de la preuve. L'expérience montre d'ailleurs qu'un grand nombre de telles objections deviennent caduques et sont tout simplement abandonnées une fois rendues au fond;
- Il est vrai que dans certains rares cas – bien plus rares qu'on peut le penser, une fois la règle bien comprise et appliquée –, la personne interrogée pourra légitimement refuser de répondre lorsque, par exemple, la question sera à la fois à ce point non pertinente au litige, onéreuse ou dilatoire que les conséquences d'y répondre s'apparenteraient à un abus de droit. L'intervention du Tribunal s'imposerait alors afin de reconnaître le droit de ne pas répondre à la question. Cela pourrait aussi être le cas lorsque la question serait à la fois non pertinente au litige et démontrerait un comportement vexatoire ou quérulent de la part de la partie qui la pose. Saisi d'une demande visant à faire trancher une telle objection, le juge, bien qu'appliquant le principe selon lequel au stade des interrogatoires préalables la notion de pertinence doit être interprétée de façon large et libérale, serait justifié de maintenir l'objection après s'être assuré que la question est véritablement étrangère au litige et onéreuse, dilatoire ou vexatoire;

- À l'opposé, le refus injustifié de répondre en contravention à la règle prévue à l'article 228 Cpc, refus qui obligerait la partie adverse à se présenter auprès du tribunal afin de forcer la personne interrogée à répondre à la question, pourrait de même, le cas échéant, être assimilé à l'utilisation de la procédure de manière excessive ou déraisonnable forçant le dépôt de la demande au tribunal, ce qui pourrait donner lieu aux sanctions prévues aux articles 51 et suivant Cpc.

[58] Enfin, rappelons qu'au stade de l'interrogatoire préalable, la pertinence s'apprécie essentiellement au regard des actes de procédure incluant la défense, et non uniquement en tenant compte des allégations de la demande introductive d'instance.

[28] This all applies here. In addition, everybody agrees with the following¹²:

- 1) It is well-established that at the stage of pre-trial examinations, full disclosure of relevant evidence should be favored to enable the parties to establish the truth of the alleged facts. However, the right to disclosure of evidence on discovery is "not unlimited." Disclosure is limited to what is relevant to the case;
- 2) To be "relevant", a document must relate to the issues between the parties, be useful, and be likely to contribute to resolving the issues;
- 3) Relevance is assessed based on the allegations in the proceedings. Disclosure requests must be precise and logically related to specific allegations;
- 4) Limiting disclosure to only relevant documents promotes proportionality and efficiency of the judicial process. It prevents proceedings from becoming needlessly delayed or complicated by evidence that is unlikely to contribute to resolving the issues in dispute;
- 5) The relevancy criteria also ensures that parties cannot engage in "fishing expeditions" into the affairs of the opposing party.

[29] In the context of class actions, the parameters set out in the authorization decision provide guidance for establishing the limits of what is relevant to the case¹³. The party seeking the communication of documents has the burden of proving that they are relevant and should be communicated.

[30] The Court will now apply this to the specific objections.

2.2 Decision

[31] The objections can be classified in two categories:

¹² As decided by *Imperial Oil v. Jacques*, 2014 SCC 66; *Glegg v. Smith & Nephew inc.*, 2005 SCC 31; *Procureur général du Canada c. Signature on the Saint-Laurent Group*, 2024 QCCA 538.

¹³ *Lanteigne c. Société des casinos du Québec*, 2022 QCCS 4752, par. 78 and 80-82.

- Objections 4 and 13: request of Defendants to have access to the Plaintiff's "download your information" outside the Class period. Ground of objection: relevancy;
- Objections 5, 6 and 7: questions pertaining to exhibits. Ground of objection: right to privacy.

**2.2.1 Objections 4 and 13: request of Defendants to have access to the Plaintiff's "Download Your Information" outside the Class period.
Ground of objection: relevancy**

[32] The Defendants seek communication of the Plaintiff's DYI for the period prior to 2016 (objection 4) and after 2022 (objection 13). The Plaintiff objects to communicating these documents on the basis that they are not relevant to the dispute and because the requests constitute a fishing expedition.

[33] Defendants want Plaintiff to provide complete copies of the "Download Your Information" files for all Facebook accounts that Plaintiff created or used to access Facebook and to search for employment and/or housing, or that are otherwise relevant to the action, for the period before 2016 and for the period after 2022. Here are the arguments of Defendants:

- 1) The Plaintiff's Facebook activity from 2013 to 2016 and post-2022 is relevant to the class action. Her use of Facebook prior to 2016 affected later targeting and delivery, and her interactions with employment and housing ads post-2022 directly relate to the current allegations of the Application and the requested injunctive relief;
- 2) In her Examination, the Plaintiff also confirmed that she opened her Facebook account April 2013 (Exhibit R-7, p. 61) and that she continues to use this same account to this day (Exhibit R-7, p. 64). She further admits that she continued to conduct housing searches on Facebook for her son in 2025 (i.e., post December 22, 2022) (Exhibit R-7, p. 180);
- 3) Given Plaintiffs' interactions with Facebook outside the Class Period, the Defendants submit that it is therefore essential to obtain the complete data necessary to ensure a full and fair defence on the merits;
- 4) These materials are also essential to test the credibility of the Plaintiff's allegations that she did not receive employment and housing ads on Facebook. Moreover, her actual engagement – or lack thereof – with employment-related and housing-related content is directly relevant to the core issues in dispute;
- 5) Maintaining the Plaintiff's objections to the communication of the complete DYI, including the messages it contains with advertisers and potential employers, would undermine the principles of full disclosure, transparency, and cooperation that govern the discovery process. It would also unfairly prejudice the Defendants, depriving them of the ability to present a full and informed defence on the merits of this class action.

[34] The Court cannot accept these arguments. The Court is of the opinion that the DYI outside the Class period is not relevant to the class action:

- 1) The Plaintiff has already communicated her DYI files for the class period, i.e. between April 11, 2016, and December 22, 2022;
- 2) DYI files include a vast amount of information and data about a Facebook user. The Plaintiff's DYI files for the Class Period alone comprised several hundred documents;
- 3) The Defendants therefore already have access to an enormous volume of comprehensive data about the Plaintiff's Facebook usage during the Class Period, including relating to the Plaintiff's activities, preferences, search history, and advertisement interactions;
- 4) There is no reason that the Defendants also need access to this information about the Plaintiff for the periods prior to and following the Class Period, as such information is completely irrelevant for resolving the issues of this class action. Besides generalities, Defendants have not indicated **a precise reason** why this would be relevant;
- 5) The Plaintiff has had a Facebook account since at least 2013. The Defendants are therefore seeking information for three years prior to the Class period and more than three years after the class period;
- 6) Considering the breadth of what forms part of a user's DYI and the Defendants' failure to specify which elements are of particular interest to them, in the circumstances these requests constitute an abusive fishing expedition;
- 7) The scope of the authorization decision must act as a guide for assessing the relevance of documents to a dispute;
- 8) The requested documents do not relate to the issues between the parties, which are circumscribed to the Class period between April 11, 2016, and December 22, 2022, and are therefore not useful or likely to contribute to resolving the dispute. Defendants would have had to provide with very specific grounds to obtain that information, and they did not.

[35] As a result, the Court does not need to address the issue of confidentiality of the elements sought by Defendants.

[36] The Court will therefore maintain objections 4 and 13.

2.2.2 Objections 5, 6 and 7: questions pertaining to exhibits. Ground of objection: right to privacy

[37] In her plan of arguments, Plaintiff mentions that she has answered these questions and that she is not insisting that the Court rules on her objections. Plaintiff even recognizes the

relevancy of these questions. Plaintiff nevertheless present arguments on these objections, and Defendants reply to these arguments, in arguing a waiver by Plaintiff to her right to privacy.

[38] The Court will not rule on these objections, as the questions were answered and Plaintiff does not insist that the Court rules on them. The Court is not here to give opinions. If the objection is raised at a later stage in some other context or examination, then the Court will deal with it. At the hearing, Plaintiff indicated that she withdrew objections 5, 6 and 7.

[39] The Court will therefore not render conclusions on objections 5, 6 and 7.

2.3 The judicial costs

[40] The Plaintiff won on objections 4 and 13. But she forced Defendants in replying to objections 5, 6 and 7.

[41] As a result, the Court will dismiss the Notice of case management of Defendants, but without costs to anybody.

FOR THESE REASONS, THE COURT:

[42] **DISMISSES** the *Notice of a Case Management Conference by the Defendants for the Adjudication of Objections* (plumitif # 41);

[43] **MAINTAINS** objections 4 and 13 formulated by Plaintiff during her pre-trial examination of September 23, 2025;

[44] **THE WHOLE**, without judicial costs.



DONALD BISSON J.S.C.

Me Jean-Michel Boudreau, Me Olga Redko and Me Jessica Michelin
IMK s.e.n.c.r.l./LLP
Attorneys for Plaintiff

Me Isabelle Vendette, Me Audrée Anne Barry and Me Audrey Poulin
McCarthy Tétrault S.E.N.C.R.L., s.r.l.
Attorneys for Defendants

Date of hearing: April 28, 2026