SUPERIOR COURT
(Class Action Chamber)

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

No.: 500-06-001385-257

DATE: 26 mai 2026

BY THE HONOURABLE MARTIN F. SHEEHAN, J.S.C.

MAUDE LECOURS
Applicant
v.
DOORDASH TECHNOLOGIES CANADA INC.
and
DOORDASH, INC.
Defendants

JUDGMENT
(On Application to stay the class action)

OVERVIEW

[1] Applicant, Ms. Maude Lecours (the "**Applicant**"), wishes to temporarily stay the Quebec Action until a final judgment is rendered on putative class actions filed before the Supreme Court of British-Columbia in the matters of *Sparling* v. *Doordash, Inc. and al.*, Court File No. SE254625[1] and *Gallego* v. *Doordash, Inc. and al.*, Court File No. VLC-S-S-254656[2] (collectively the "**B.C. Proceedings**").

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1 Exhibit R-1.
2 Exhibit R-2.

[2] Defendants, Doordash Inc. and Doordash Technologies Canada Inc. ("**Doordash**" or the "**Defendants**") do not oppose the Application.

CONTEXT

[3] On June 10, 2025, the Applicant filed a Motion to Authorize the Bringing of a Class Action and to Appoint the Applicant as Representative Plaintiff (the "**Quebec Proceeding**") on behalf of Quebec residents who have placed an order for delivery using the Defendants' DoorDash and/or Caviar platforms and who were charged more than the base advertised price.

[4] The Applicant alleges that the Defendants engaged in unfair "drip pricing" practices by advertising its delivery services at seemingly low initial prices, only to take on additional mandatory fees at checkout, such as service fees, delivery fees, expanded-range fees, small order fees, and "regulatory response" fees (together the "**Added Fees**"), thereby preventing consumers from purchasing at the advertised lowest price.

[5] The class definitions in the B.C. Proceedings comprise all Canadian residents (including those in Quebec) who purchased delivery services through DoorDash's Websites and/or Apps from the date that DoorDash first implemented the Added Fees until the certification date.

[6] The Sparling B.C. Proceeding was filed on June 19, 2025. The Gallego B.C. Proceeding was filed on June 25, 2025.

[7] A consortium has been formed between counsel for the three cases across Canada, namely, Actis Law Group Inc. (Quebec), Siskinds LLP (B.C.), and Hammerco Lawyers LLP (B.C.) (together "**Class Counsel**").

[8] Class Counsel plan to seek the consolidation of the B.C. Proceedings so that they proceed as a single class action.

[9] The Competition Bureau has also brought an application before the Competition Tribunal against the Defendants alleging that the Defendants breached paragraph 74.01(1)(a), engaged in "drip pricing" as defined in subsection 74.01(1.1) and breached section 74.011 of the *Competition Act*[3], (the "**Bureau Application**").

[10] The Bureau Application is currently at the discovery stage and a hearing on the merits is scheduled to take place in the fall of 2026.

[11] Class Counsel have agreed that they wish to concentrate their efforts in one jurisdiction only – British Columbia – and to stay the Quebec Action until a final resolution of the B.C. Proceedings.

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3 *Competition Act*, RSC 1985, c. C-34.

ANALYSIS

1. Legal Principles

[12] Article 3137 C.C.Q. allows a Quebec Court to stay proceedings brought before it “if another action, between the same parties, based on the same facts and having the same subject is pending before a foreign authority, provided that the latter action can result in a decision which may be recognized in Quebec”.

[13] Article 3155(4) C.C.Q. prevents the recognition of a foreign judgment when a similar action is pending in Quebec and the Quebec court was “first seized of the dispute”. Thus, a Quebec action can only be stayed under article 3137 C.C.Q. if the foreign action was filed first.[4]

[14] The Court of Appeal has observed that the general rules of *lis pendens* “do not apply neatly to motions for authorization to institute class actions”.[5] For example, there can be identity of parties, even in the presence of different applicants if the proposed classes are similar.[6]

[15] Given the above, it is generally recognized that a Quebec court can rely on article 3137 C.C.Q. to stay a Quebec motion to authorize a class action in favour of another Canadian class action proceeding if:

15.1. Both motions are directed against the same defendants.

15.2. The proposed group in the Quebec class action is included in the foreign class action.

15.3. Both motions are grounded in the same facts, have the same object and advance the same causes of action.

15.4. The motion to certify the foreign class action was filed first.

[16] However, even if the above conditions are not met (for example, even if the Quebec application was filed first), a Quebec court can still use its inherent jurisdiction under article 49 C.C.P. to stay a class action if the interests of the Quebec members and the proper administration of justice favour a suspension.[7]

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4 *Micron Technology Inc.* c. *Hazan*, 2020 QCCA 1104, paras. 30 and 31; *FCA Canada inc.* c. *Garage Poirier & Poirier inc.*, 2019 QCCA 2213, para. 45.

5 *Micron Technology Inc.* c. *Hazan*, *supra*, note 4, para. 26.

6 *Ibid*; *Schmidt* c. *Johnson & Johnson inc.*, 2012 QCCA 2132, para. 32 (Motion to dismiss an application for authorization to institute a class action granted, 2019 QCCS 419); *Hotte* c. *Servier Canada inc.*, [1999] R.J.Q. 2598 (C.A.).

7 *Micron Technology Inc.* c. *Hazan*, *supra*, note 4, paras. 35 and 47; *FCA Canada inc.* c. *Garage Poirier & Poirier inc.*, *supra*, note 4, paras. 73 and 78.

[17] It will generally not be in the interests of justice or of the parties "to have two class actions proceed in parallel in front of different courts". "Besides the risk of conflicting judgments, there is also the cost to the parties and the waste of scarce judicial resources."[8]

[18] Other factors to be considered include whether one of the proposed class actions "includes issues, remedies or class members not included in the other".[9]

[19] In all cases, when it stays a Quebec application to authorize a class action, the court must strive to protect the rights and interests of the Quebec members.[10] Among other things, the court must ensure that:

19.1. The proposed representative is in a position to properly represent them.

19.2. The Quebec residents receive the benefits of any applicable favourable Quebec legislation.

19.3. Any notices and other communications are disseminated in Quebec and in French.[11]

2. **Discussion**

[20] Even though the Quebec Proceeding was filed first, the Court considers that it is in the interest of justice to stay the Quebec proceeding for the following reasons:

20.1. The Quebec proceeding and the B.C. Proceedings are directed against the same defendants.

20.2. The B.C. Proceedings are currently being amended by Class Counsel to include Quebec residents.

20.3. Both motions are grounded in the same facts, have the same object and advance the same causes of action.

[21] The interests of Quebec class members are protected in that:

21.1. The proposed representatives in the B.C. proceedings are aware of their obligations to represent all class members, including those in the province of Quebec and they intend to cooperate with Class Counsel to honour these obligations.

21.2. Quebec Class Counsel will be actively participating in the consortium action in

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8 *Micron Technology Inc.* c. *Hazan*, *supra*, note 4, para. 51.
9 *Ibid*, para. 52.
10 Art. 577 C.C.P.
11 *Micron Technology Inc.* c. *Hazan*, *supra*, note 4, para. 53.

B.C. as Class Counsel and will ensure that Quebec Class Members are properly represented and will not to suffer prejudice. Claims available under Quebec law will be pleaded in the B.C. Proceedings.

21.3. Class Counsel have undertaken that any notices or other communications will be disseminated in such a way as to reach class members in the province of Quebec, that these notices will be in both English and French and that Class Counsel have lawyers who are fluent in French and available to respond to inquiries from Quebec class members.

[22] A stay is consistent with the principles of proportionality and judicial economy. It will avoid a multiplicity of parallel proceedings, which would result in significant and avoidable costs for all parties involved.

[23] The Court will pray act of Class Counsel's undertaking to keep this Court abreast of the status of B.C. proceedings on a semi-annual basis, and to advise this Court within 30 days of any significant development in the B.C. Proceedings that may affect the course of the Quebec Proceeding.

FOR THESE REASONS, THE COURT:

[24] **STAYS** the present action until a final judgment is rendered on putative class actions filed before the Supreme Court of British-Columbia in the matters of *Sparling* v. *Doordash, Inc. and al.*, Court File No. SE254625 and *Gallego* v. *Doordash, Inc. and al.*, Court File No. VLC-S-S-254656 (collectively the "**B.C. Proceedings**"), or earlier as may be subsequently requested by the parties and ordered by the Court;

[25] **PRAYS ACT** of the commitment of Class Counsel to ensure that all important communications and notices will be disseminated in such a way as to reach class members in the province of Quebec, that these notices will be in both English and French and that Class Counsel have lawyers who are fluent in French and available to respond to inquiries from Quebec class members;

[26] **PRAYS ACT** of the parties' undertaking to provide this Court with an update on the status of the B.C. Proceedings on a semi-annual basis, and to advise this Court within 30 days of any significant development in the B.C. Proceedings that may affect the course of the Quebec Proceeding;

[27] **THE WHOLE** without costs.

Martin Sheehan

Signature numérique de Martin Sheehan
Date : 2026.05.26 08:38:20 -04'00'

MARTIN F. SHEEHAN, J.S.C.

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Hearing date: Judgment rendered without a hearing.