CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

No. 500-06-001346-242

SUPERIOR COURT
(CLASS ACTION)

ÉDOUARD LACERTE
Applicant

- vs.-

9526-1624 QUEBEC INC.
- and -
CG INVESTMENTS INC. III
- and -
CANACCORD GENUITY CORP.
Defendants

APPLICATION OF DEFENDANTS CG INVESTMENTS INC. III AND CANACCORD GENUITY CORP. FOR LEAVE TO ADDUCE RELEVANT EVIDENCE
(Art. 574(3) CCP)

TO THE HONOURABLE DONALD BISSON, S.C.J., ACTING AS THE DESIGNATED MANAGEMENT JUDGE IN THE PRESENT CASE, DEFENDANTS CG INVESTMENTS INC. III AND CANACCORD GENUITY CORP. RESPECTFULLY SUBMIT THE FOLLOWING:

A. INTRODUCTION

1. The present class action relates to Taiga Motors Corporation ("**Taiga**"), which, on July 10, 2024, filed an *Application for the Issuance of an Initial Order, an Amended and Restated Initial Order and a SISP Approval Order* under the CCAA, seeking approval of a sale and investment solicitation process following two (2) years of significant losses.

2. Defendants CG Investments Inc. III and Canaccord Genuity Corp. (collectively, "**Canaccord**") seek leave from this Honourable Court to adduce into evidence (i) public documents filed by Taiga as part of its ongoing disclosure obligations, (ii) a sworn statement and internal Canaccord documents in support thereof, and (iii) a counter-expertise, to correct and complete the Applicant's inaccurate and incomplete factual allegations at the authorization stage.

3. Canaccord submits that the proposed evidence is relevant, useful, and necessary to assist this Court, primarily in determining whether the facts alleged appear to justify the conclusions sought at the authorization stage (Art. 575(2) of the Code of Civil Procedure ("**CCP**")).

B. CONTEXT

4. On or around November 22, 2024, the Applicant filed an *Application for Authorization to Institute a Class Action and to Bring a Statutory Misrepresentation Claim Pursuant to Articles 574 ff., C.C.P. and Section 225.4 of the Québec Securities Act* (the "**Application for Authorization**") against six (6) Defendants, who were directors of Taiga, the whole as appears from the Court record.

5. On June 6, 2025, this Honourable Court authorized amendments to the Application for Authorization by virtue of which, among other things, 9526-1624 Quebec Inc. (the ParentCo created as part of the CCAA proceedings to assume Taiga's retained liabilities), Mr. Kent Farrell, a former director of Taiga, CG Investments Inc. III, and Canaccord Genuity Corp. would be added as defendants. The Court also dismissed the Application for Authorization as against the six (6) initial Defendants.

6. Further to this judgment, on or about July 4, 2025, the Applicant filed an *Amended Application for Authorization to Institute a Class Action and to Bring a Statutory Misrepresentation Claim Pursuant to Articles 574 ff., C.C.P. and Section 225.4 of the Québec Securities Act* in which only 9526-1624 Quebec Inc., CG Investments Inc. III and Canaccord Genuity Corp. were added as named defendants (the "**Amended Application for Authorization**").

7. On October 31, 2025, the Applicant filed the expert opinion of Mark G. Jones dated October 30, 2025 (the "**Jones Report**"), in which Mr. Jones comments on the fair market value representations regarding Taiga in the Final Prospectus filed by Canaccord Genuity Growth II Corp. dated March 26, 2021 and in the Material Change Report dated April 27, 2021.

8. As indicated, the proposed class action relates to Taiga's and the Defendants' alleged failure to fulfill their obligations, in particular under the *Securities Act*, CQLR c V-1.1 (the "**QSA**") and the Civil Code of Québec (the "**CCQ**"), by raising funds based on the alleged "false representation that Taiga had a fair value of over $300 million and that it was capable of claiming 'leadership' and entering 'mass-production of next generation electric powersports vehicles and fully integrated modular powertrain technology'", which allegedly caused damages to class members during the Class Period.

9. The Amended Application for Authorization alleges that, but for the Defendants' faults and false representations, Taiga's securities would not have traded in the market at such high prices during the Class Period.

10. Based on the foregoing, the Applicant asserts three (3) distinct causes of action against the Defendants:

    a. A statutory claim under section 225.8 QSA for alleged misrepresentations in the secondary market (the "**Statutory Claim**");

    b. A civil negligence claim under article 1457 CCQ (the "**CCQ Claim**"); and

c. An oppression remedy claim under section 450 of the *Québec Business Corporations Act* and, if necessary, section 227 of the *British Columbia Business Corporations Act* (the “**Oppression Claim**”).

11. All causes of action are asserted by the Applicant on behalf of:

> *All persons who acquired securities of Taiga Motors at any time during the Class Period and incurred a loss on their investment, except the Excluded Persons* (the “**Putative Class**”)

12. As against Canaccord, the CCQ Claim put forward by the Applicant is essentially based on the same alleged misrepresentations that form the basis of the Statutory Claim and of the Oppression Claim, namely that Taiga’s disclosed fair value and production capabilities were misrepresented and that Taiga was not a “Qualifying Transaction” under the Special Purpose Acquisition Company (SPAC) framework.

13. However, the Applicant fails to mention important elements that are critical to this Honourable Court’s analysis of section 575(2) CCP, as they significantly affect the Applicant’s theory of the case.

14. The allegations contained in the Amended Application for Authorization and the exhibits in support thereof, including the Jones Report, contain incomplete and inaccurate information that must be rectified and completed regarding:

    a. The investment risks that were disclosed at the outset and as part of Taiga’s continuous disclosure obligations;

    b. The information made available to investors as it pertains to the Qualifying Transaction; and

    c. The valuation process of Taiga.

15. Accordingly, Canaccord seeks authorization to adduce limited evidence to complete and rectify these incomplete and incorrect allegations.

C. The Necessity of the Evidence

16. The evidence that Canaccord intends to file as of right, subject to proportionality and the Court’s oversight, for the purposes of contesting authorization pursuant to section 225.4 QSA is intended to assist the Court by clarifying the framework applicable to the proposed hybrid class action and enabling it to carry out the two screening processes currently before it.

17. Canaccord therefore seeks the Court’s authorization to file essentially the same evidence to contest authorization of the class action under article 575 CCP.

18. This evidence, which is limited in light of the scope and complexity of the matter, consists of three categories of documents:

   a. Public documents available on SEDAR, filed by Taiga;

   b. Internal documents of Canaccord, prepared and received in the course of the SPAC with Taiga;

   c. Counter-expertise by NERA (Mr. Brad Heys).

<u>Public documents</u>

19. Given the alleged breaches of the Defendants' obligations under the QSA and the CCQ with respect to proper disclosure and the process surrounding the Qualifying Transaction, the Court should review how the Qualifying Transaction was presented in the public disclosure, which investment risks were disclosed and when, how that disclosure was updated during the Class Period and, overall, what information was made available to investors.

20. In light of the allegations contained in the Amended Application for Authorization, Canaccord asks for leave to produce the following public documents:

   a. Investor Presentation dated February 17, 2021, **Exhibit R-1**, which contains information pertaining to Taiga's Management Team, the proposed Qualifying Transaction, and Taiga's capabilities and advantages, among other things. The Investor Presentation is referenced in the Jones Report;

   b. Notice of Special Meeting of the Shareholders and Extraordinary Meeting of the Warrantholders to be held on March 30, 2021 and Management Information Circular dated February 26, 2021 with respect to the Qualifying Transaction, **Exhibit R-2**, which contain information pertaining to the proposed Qualifying Transaction, among other things;

c. Canaccord Genuity Growth II Corp.'s Management's Discussion and Analysis ("**MD&A**") for the year ended December 31, 2020, **Exhibit R-3**, which provides additional information regarding the sequence of events leading to the Qualifying Transaction, in light of the allegations contained in paragraph 18.14 of the Amended Application for Authorization;

d. Taiga's MD&A for the three month and nine-month periods ended September 30, 2022, dated November 11, 2022, and Taiga's related Press Release dated November 14, 2022, **Exhibit R-4**, *en liasse*, which provide details surrounding Taiga's production and forecasts, to complete the allegations contained in paragraph 18.40 of the Amended Application for Authorization and offer additional information to assess the alleged corrective disclosure that would be contained in Taiga's MD&A for the year ended December 31, 2023;

e. Taiga's MD&A for the years ended December 31, 2021 and December 31, 2022, **Exhibits R-5 and R-6**, which contain investment risks that were disclosed and demonstrate how that disclosure was updated during the Class Period. These MD&As are referenced in the Jones Report;

f. Taiga's Press Release, dated March 30, 2023, further to the publication of its financial and operating results for the fourth quarter and full year 2022 ending December 31, 2022, **Exhibit R-7**, which provides details surrounding Taiga's production and forecasts, to complete the allegations contained in paragraph 18.40 of the Amended Application for Authorization and offers additional information to assess the alleged corrective disclosure that would be contained in Taiga's MD&A for the year ended December 31, 2023;

g. Taiga's MD&A for the three and six month periods ended June 30, 2023, dated August 11, 2023, and Taiga's related Press Release dated August 14, 2023, **Exhibit R-8**, *en liasse*, which provide details surrounding Taiga's production and forecasts, to complete the allegations contained in paragraph 18.40 of the Amended Application for Authorization and offer additional information to assess the alleged corrective disclosure that would be contained in Taiga's MD&A for the year ended December 31, 2023;

h. Taiga's MD&A for the three month and nine-month periods ended September 30, 2023, dated November 10, 2023, and Taiga's related Press Release dated November 13, 2023, **Exhibit R-9**, *en liasse*, which provide details surrounding Taiga's production and forecasts, to complete the allegations contained in paragraph 18.40 of the Amended Application for Authorization and offer additional information to assess the alleged corrective disclosure that would be contained in Taiga's MD&A for the year ended December 31, 2023;

i. Consolidated audited financial statements of Taiga for the years ended December 31, 2021 to 2023, inclusive, **Exhibits R-10, R-11, and R-12**, which contain information pertaining to Taiga's financial situation, valuation, and the risks that were disclosed and their evolution during the Class Period. The financial statements are referenced in the Jones Report.

21. All these documents are publicly available on SEDAR and discuss, or allegedly fail to address, the issues at the heart of this case. They are indisputably relevant and useful for the Court's assessment of whether the present claim meets the authorization threshold, and also serve to complete the exhibits filed by the Applicant.

<u>Internal Documents of Canaccord</u>

22. Given the alleged breaches of the Defendants' obligations under the QSA and the CCQ with respect to Canaccord's valuation processes and the process surrounding the Qualifying Transaction, the Court should have access to a limited number of internal documents prepared and received in the course of the SPAC with Taiga, to assess the factual allegations set out in the Amended Application for Authorization and determine whether such allegations are manifestly inaccurate and contradicted by other evidence.

23. In light of the allegations contained in the Amended Application for Authorization, Canaccord asks for leave to produce the following internal documents:

   a. A Consolidation Summary, **Exhibit R-13**, which provides a list of the shareholdings, including options and warrants, pre- and post-consolidation. The names of employees and individual shareholders have been redacted to protect their personal information;

   b. A Pro Forma Capitalisation Table, **Exhibit R-14**, which provides the assumptions and mathematical calculations supporting how the merger and consolidation flowed in the context of the Qualifying Transaction;

   c. A Financial Model, **Exhibit R-15**, which contains the full financial model corresponding to the forecasts provided to investors in the 2021 prospectus;

   d. A Sworn Statement signed by Mr. Oliver Yang, **Exhibit R-16**, confirming that the above-referenced documents are Canaccord's internal documents received in the course of the SPAC with Taiga;

24. These limited internal documents are relevant and useful for the Court's assessment of whether the present claim meets the authorization threshold. They will support Canaccord's expert's analysis and serve to contradict the factual allegations made by the Applicant, without supporting evidence, by detailing Canaccord's valuation processes and the process surrounding the Qualifying Transaction.

Counter-expertise

25. The Jones Report provides comments on the fair market value representations regarding Taiga in the Final Prospectus filed by Canaccord Genuity Growth II Corp. dated March 26, 2021 and the Material Change Report dated April 27, 2021, including on the various valuation models that would support – or not – the $300 million fair value established for Taiga.

26. The proposed counter-expertise will, mainly:

    a. Explain the relationship between the value at which the Qualifying Transaction was priced and the notional fair market value of the business at the time;

    b. Explain why the fair market value of Taiga at the time of the Qualifying Transaction was unrelated to its historical research and development expenditures; and

    c. Explain why the discounted cash flow analysis of the Jones Report does not indicate that the business was worth significantly less than the price at which the Qualifying Transaction was concluded.

27. The counter-expertise will be directly relevant and useful at the authorization hearing as it concerns this Court's consideration and analysis of the Applicant's contentions as to faults allegedly committed by Canaccord in connection with the Qualifying Transaction.

28. Although Canaccord retained the firm NERA and its expert, Mr. Bradley A. Heys, to prepare a counter-expertise further to the filing of the Jones Report, taking into consideration the necessary time to identify and provide the relevant information to NERA and the summer period, Mr. Heys confirmed that he would be able to finalize the counter-expertise by early September 2026.

29. In light of the filing of the Jones Report as an exhibit in support of the Amended Application for Authorization, the Court would benefit from reviewing both experts' opinions on the quantitative and qualitative information made available to investors as it pertains to the valuation of Taiga's fair market value at the time of the Qualifying Transaction.

30. This analysis goes to the heart of the claim against Canaccord and forms part of the analysis that the Court will have to perform in the context of the leave application under the QSA to determine whether there is a reasonable possibility that the claim will be resolved in favour of the Applicant.

D. Conclusion

31. To be successful at the authorization stage, the Applicant must convince the Court that there is a reasonable chance that the action will be resolved in his favour (QSA prong) or that the action presents an “arguable cause” (CCP prong).

32. In assessing the criteria established at Article 575 CCP, the Court must consider the entirety of the evidence on the record and take the factual allegations set out in the Amended Application for Authorization as true, unless such allegations are manifestly inaccurate and contradicted by other evidence.

33. Moreover, at the authorization stage, the Court must not accept as true those portions of the Amended Application for Authorization that constitute opinion, argument, or submissions rather than allegations of fact.

34. The evidence proposed by Canaccord is limited, essential, and indispensable to rectify and complete the allegations contained in the Amended Application for Authorization and to allow this Court to properly evaluate whether the authorization criteria are met and, more specifically, whether the Applicant has a defendable cause (Art. 575(2) CCP). It also meets the criterion of proportionality.

35. Furthermore, the proposed evidence demonstrates that the Applicant failed to disclose relevant information to the Court, and such conduct may affect the Court’s assessment of adequate representation (Art. 575(4) CCP).

36. Canaccord should therefore be authorized to file the proposed evidence at this stage.

FOR THESE REASONS, MAY IT PLEASE THE COURT TO:

GRANT the present *Application of Defendants CG Investments Inc. III and Canaccord Genuity Corp. for Leave to Adduce Relevant Evidence*;

AUTHORIZE the Defendants CG Investments Inc. III and Canaccord Genuity Corp. to adduce into evidence the following:

a. Investor Presentation dated February 17, 2021, Exhibit R-1;

b. Notice of Special Meeting of the Shareholders and Extraordinary Meeting of the Warrantholders to be held on March 30, 2021 and Management Information Circular dated February 26, 2021 with respect to the Qualifying Transaction, Exhibit R-2;

c. Canaccord Genuity Growth II Corp.’s Management’s Discussion and Analysis for the year ended December 31, 2020, Exhibit R-3;

d. Taiga’s MD&A for the three month and nine-month periods ended September 30, 2022, dated November 11, 2022, and Taiga’s related Press Release dated November 14, 2022, Exhibit R-4, *en liasse*;

e. Taiga's MD&A for the years ended December 31, 2021 and December 31, 2022, Exhibits R-5 and R-6;

f. Taiga's Press Release, dated March 30, 2023, further to the publication of its financial and operating results for the fourth quarter and full year 2022 ending December 31, 2022, Exhibit R-7;

g. Taiga's MD&A for the three and six month periods ended June 30, 2023, dated August 11, 2023, and Taiga's related Press Release dated August 14, 2023, Exhibit R-8, *en liasse*;

h. Taiga's MD&A for the three month and nine-month periods ended September 30, 2023, dated November 10, 2023, and Taiga's related Press Release dated November 13, 2023, Exhibit R-9, *en liasse*;

i. Consolidated audited financial statements of Taiga for the years ended December 31, 2021 to 2023, inclusive, Exhibits R-10, R-11, and R-12;

j. A Consolidation Summary that forms part of Canaccord's internal records on Taiga, Exhibit R-13;

k. A Pro Forma Capitalization Table that forms part of Canaccord's internal records on Taiga, Exhibit R-14;

l. A Financial Model that forms part of Canaccord's internal records on Taiga, Exhibit R-15;

m. Sworn Statement signed by Mr. Oliver Yang, Exhibit R-16;

n. Expert Report by NERA (Mr. Bradley A. Heys), to be filed by September 30, 2026 at the latest.

THE WHOLE, without costs, except in the event of contestation.

Montreal, July 24, 2026

LCM Attorneys Inc.

LCM ATTORNEYS INC.
Attorneys for the Defendants
CG Investments Inc. III and Canaccord Genuity Corp.

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

No. 500-06-001346-242

SUPERIOR COURT
(CLASS ACTION)

ÉDOUARD LACERTE

Applicant

- vs.-

9526-1624 QUEBEC INC.
- and -
CG INVESTMENTS INC. III
- and -
CANACCORD GENUITY CORP.

Defendants

LIST OF EXHIBITS

(IN SUPPORT OF THE APPLICATION OF DEFENDANTS CG INVESTMENTS INC. III AND CANACCORD GENUITY CORP. FOR LEAVE TO ADDUCE RELEVANT EVIDENCE
(Art. 574(3) CCP))

EXHIBIT R-1 : Investor Presentation dated February 17, 2021

EXHIBIT R-2 : Notice of Special Meeting of the Shareholders and Extraordinary Meeting of the Warrantholders to be held on March 30, 2021 and Management Information Circular dated February 26, 2021 with respect to the Qualifying Transaction

EXHIBIT R-3 : Canaccord Genuity Growth II Corp.'s Management's Discussion and Analysis for the year ended December 31, 2020

EXHIBIT R-4 : *En liasse*, Taiga's MD&A for the three month and nine-month periods ended September 30, 2022, dated November 11, 2022, and Taiga's related Press Release dated November 14, 2022

EXHIBIT R-5 : Taiga's MD&A for the years ended December 31, 2021

EXHIBIT R-6 : Taiga's MD&A for the years ended December 31, 2022

EXHIBIT R-7 : Taiga's Press Release, dated March 30, 2023, further to the publication of its financial and operating results for the fourth quarter and full year 2022 ending December 31, 2022

EXHIBIT R-8 : *En liasse*, Taiga's MD&A for the three and six month periods ended June 30, 2023, dated August 11, 2023, and Taiga's related Press Release dated August 14, 2023

EXHIBIT R-9 : *En liasse,* Taiga's MD&A for the three month and nine-month periods ended September 30, 2023, dated November 10, 2023, and Taiga's related Press Release dated November 13, 2023

EXHIBIT R-10 : Consolidated audited financial statements of Taiga for the years ended December 31, 2021

EXHIBIT R-11 : Consolidated audited financial statements of Taiga for the years ended December 31, 2022

EXHIBIT R-12 : Consolidated audited financial statements of Taiga for the years ended December 31, 2023

EXHIBIT R-13 : A Consolidation Summary that forms part of Canaccord's internal records on Taiga

EXHIBIT R-14 : A Pro Forma Capitalization Table that forms part of Canaccord's internal records on Taiga

EXHIBIT R-15 : A Financial Model that forms part of Canaccord's internal records on Taiga

EXHIBIT R-16 : Sworn Statement signed by Mr. Oliver Yang

Montreal, July 24, 2026

LCM Attorneys Inc.

LCM ATTORNEYS INC.
Attorneys for the Defendants
CG Investments Inc. III and Canaccord
Genuity Corp.

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

No. 500-06-001346-242

SUPERIOR COURT
(CLASS ACTION)

ÉDOUARD LACERTE

Applicant

- vs.-

9526-1624 QUEBEC INC.
- and -
CG INVESTMENTS INC. III
- and -
CANACCORD GENUITY CORP.

Defendants

NOTICE OF PRESENTATION

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TAKE NOTICE that the Defendants, CG Investments Inc. III and Canaccord Genuity Corp., *Application for Leave to Adduce Relevant Evidence* shall be presented for hearing before the Honourable Justice Donald Bisson at a date to be jointly fixed with him.

DO GOVERN YHOURSELVES ACCORDINGLY.

Montreal, July 24, 2026

LCM Attorneys Inc.

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Objet :	Notification (art. 133 and 134 CCP) | CSQ 500-06-001346-242 [Edouard Lacerte vs. 9526-1624 Quebec inc. et als.] re Motion to Adduce Relevant Evidence (LCM) [LCM-ACTIVE.FID1074221]
Date :	24 juillet 2026 15:26:00
Pièces jointes :	image001.png image002.png 2026-07-24 Defendants Motion to Adduce Relevant Evidence (LCM)(5698262.1).pdf

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C A N A D A

PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

No. 500-06-001346-242

S U P E R I O R C O U R T
(CLASS ACTION)

ÉDOUARD LACERTE

Plaintiff

-vs.

9526-1624 QUEBEC INC.
- and -
CG INVESTMENTS INC.
- and -
CANACCORD GENUITY CORP

Defendants

NOTIFICATION BY EMAIL
(Articles 133-134 C.C.P.)

Documents notified:

- **APPLICATION OF DEFENDANTS CG INVESTMENTS INC. III AND CANACCORD GENUITY CORP. FOR LEAVE TO ADDUCE RELEVANT EVIDENCE (Art. 574(3) CCP)**
- **LIST OF EXHIBITS, EXHIBITS**
- **EXHIBITS R-1 TO R-16 (please see link below)**
- **NOTICE OF PRESENTATION**

Number of files: 2

Secured IManage Link to access to a Zip File containing the Exhibits R-1 to R-16: https://www.imanageshare-eu.com/pd/4GK5bsUqvBx

This link is available until: *August 28th, 2026.*

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Meilleures salutations,
Sincerely yours,

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Pour | for
Me Sébastien C. Caron, Ad. E., IAS.A | ICD.D
Me Lucy-Maude Lachance
Me Émilien Morin-Lévesque

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Confirmation de la transmission des documents

Succès

Vos documents ont bien été transmis.

Numéro de demande : 2026-PROC-00283846

Date et heure de transmission : 2026-07-24 15:32:43

Numéro de dossier judiciaire : 500-06-001346-242

Titre : Defendants Motion to Adduce Relevant Evidence, List of Exhibits, Notice of presentation et Preuve de notification

Aucun courriel de confirmation ne sera transmis. Il est recommandé d'imprimer cette page en vue de conserver ces informations pour vos dossiers.

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RETOURNER À L'ACCUEIL

FAIRE UN NOUVEAU DÉPÔT

Nº 500-06-001346-242

SUPERIOR COURT
CLASS ACTION
District of Montreal

EDOUARD LACERTE

Applicant

v.

9526-1624 QUEBEC INC. ET ALS.

Defendants

APPLICATION OF DEFENDANTS CG INVESTMENTS INC. III AND CANACCORD GENUITY CORP. FOR LEAVE TO ADDUCE RELEVANT EVIDENCE, LIST OF EXHIBITS, EXHIBITS R-1 TO R-16, AND NOTICE OF PRESENTATION

ORIGINAL

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