

**SUPERIOR COURT**  
(Class Action)

CANADA  
PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL

N<sup>o</sup>: 500-06-000552-113

DATE: May 26, 2014

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**BY: THE HONOURABLE MADAM JUSTICE CHANTAL CORRIVEAU,**  
**J.S.C.**

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**GARETH HEDGES**  
Plaintiff

vs.

**MIDSTREAM MEDIA INTERNATIONAL N.V.**  
Defendant

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**JUDGMENT ON DISCONTINUANCE**

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[1] On December 19<sup>th</sup> 2011, the Superior Court of Quebec authorized (certified) the Plaintiff to institute a class action against the Defendant on behalf of the following class:

“all residents in Canada who have visited the Respondent’s  
YOUPORN Websites”;

[2] On March 7<sup>th</sup> 2014, the Petitioner filed a Motion for Discontinuance seeking permission to desist from the present legal proceedings (Art. 1016 C.C.P.);

[3] On May 26, 2014, the above-mentioned Motion was heard by the Court;

[4] The reasons alleged in the above-mentioned Motion to support the discontinuance are:

- a) THAT the present class action has not generated that much interest from class members. Only 30 persons filled out the form to join the class action at [www.clg.org](http://www.clg.org);
- b) THAT should the Motion to Institute Proceedings be granted, the damages granted are very minute;
- c) THAT the Plaintiff suffered a very serious physical injury leaving him unable to speak and he has not responded to any e-mails from his attorneys; and
- d) THAT the Plaintiff's attorneys do not wish to find a new Plaintiff given the above reasons;

[5] SEEING the above-mentioned Motion, as well as, the Exhibits in support thereof produced in the Court record;

[6] HEARING the representations made by the Plaintiff's attorneys;

[7] GIVEN the consent by the Defendant to the discontinuance without costs;

[8] GIVEN that the Plaintiff's attorney placed a notice on the website [www.clg.org](http://www.clg.org) and has emailed the 30 potential class members who had previously expressed interest in joining the present class action of the Plaintiff's intention to discontinue as well as the date, time, and place of the hearing of the present Motion;


[9] CONSIDERING that the Court finds the discontinuance to be in the interest of justice;

[10] **FOR THESE REASONS, THE COURT:**

[11] **GRANTS** the present Motion;

[12] **AUTHORIZES** the Plaintiff to discontinue his Motion to Institute Proceedings;

[13] **WITHOUT COSTS.**

  
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CHANTAL CORRIVEAU, J.S.C.

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