

SUPERIOR COURT

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

No: 500-06-000670-139

DATE: October 21, 2014

BY: THE HONOURABLE CHANTAL CORRIVEAU, J.S.C.

PATRICK BERGERON
Petitioner

BLACKBERRY LIMITED,
and
THORSTEIN HEINS,
and
BRIAN BIDULKA
Respondents

JUDGMENT

[1] CONSIDERING that, on October 15 2013, the Petitioner instituted a *Motion to Authorize the Bringing of a Class Action & to Ascribe the Status of Representative* (the Motion to Authorize”);

[2] CONSIDERING that the group on behalf of which the Motion to Authorize is presented is described as follows:

“All persons or entities domiciled in Québec (other than the Defendants, their past and present subsidiaries, affiliates, officers, directors, senior employees, partners, legal representatives, heirs, predecessors,

successors and assigns, and any individual who is an immediate member of the families of the individual named defendants) who purchased or otherwise acquired BlackBerry Limited shares (through the TSX or NASDAQ exchanges) from and including September 27, 2012 to September 20, 2013 inclusively (hereinafter the "Class Period")

[3] CONSIDERING that on December 20 2013, a similar action (Court file no. CV-13-49541300CP) was filed in Ontario (the "Ontario action") on behalf of the following group:

"all persons or entities, wherever they may reside or be domiciled, who acquired BlackBerry's Securities during the Class Period and continued to hold some or all of those Securities as of the close of trading on September 20, 2013, other than the Excluded Persons";

[4] CONSIDERING that the object of the Quebec and Ontario proceedings are similar;

[5] CONSIDERING that the Quebec and Ontario proceedings are based on the same essential facts;

[6] CONSIDERING that the Ontario action includes the proposed group in the present proceedings;

[7] CONSIDERING that it would be in the interest of the parties and of justice that a single action proceed;

[8] CONSIDERING that staying the present proceedings would ensure the efficient use of legal resources in Quebec;

[9] CONSIDERING that the Ontario action is proceeding diligently;

[10] CONSIDERING that the Petitioner's counsel and the counsel representing the plaintiff have come to an agreement in the coordination of the two proceedings;

[11] CONSIDERING that the Respondents do not oppose the staying of the present proceedings and reserve their rights to contest the Quebec proceedings;

FOR ALL THESE REASONS, THE COURT:

[12] **STAYS** the present proceedings until final judgment on leave and certification is pronounced in the *Swisscanto Asset Management AG v. BlackBerry Limited et al.* Action, Ontario Superior Court of Justice, Court file No. CV-13-495413-00CP;

[13] **ORDERS** Petitioner's counsel to provide the Court with an update of the advancement in the *Swisscanto Asset Management AG v. BlackBerry Limited et al.* Action, Ontario Superior Court of Justice, Court file No. CV-13-495413-00CP on February 20th, 2015, May 26th, 2015, October 16th, 2015, and thereafter every 4 months;

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



CHANTAL CORRIVEAU, J.S.C

Me Daniel Chung
Attorney for the Petitioner

Me Geneviève Bertrand
Attorney for the Respondents

Date of hearing: October 14, 2014