

SUPERIOR COURT

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

No: 500-06-000502-100

DATE: February 13, 2015

IN THE PRESENCE OF: THE HONOURABLE PEPITA G. CAPRIOLO, S.C.J.

ARGYRO MOURELATOS

Petitioner

v.

GENERAL MOTORS OF CANADA LIMITED

-and-

GENERAL MOTORS CORPORATION

Respondents

-and-

NEW UNITED MOTOR MANUFACTURING, INC.,

-and-

TOYOTA CANADA INC.,

-and-

TOYOTA MOTOR CORPORATION

-and-

TOYOTA MOTOR NORTH AMERICA, INC.,

Intervenants

JUDGMENT

[1] The Court is seized of Petitioner's "Motion for Discontinuance of a Motion to Authorize the Bringing of a Class Action and to Ascribe the Status of Representative", (the "**Motion for Discontinuance**") pursuant to Articles 1010.1 and 1016 of the *Code of Civil Procedure*.

[2] In addition, third parties, New United Motor Manufacturing Inc., Toyota Canada Inc., Toyota Motor Corporation, and Toyota Motor North America, Inc., notified and filed a Declaration of Intervention, pursuant to Articles 2, 20, 46, 208, 209, 210, and 999 and following of the *Code of Civil Procedure*, to which the Petitioner initially opposed.

[3] **CONSIDERING** the allegations contained in the Petitioner's "Motion to Authorize the Bringing of a Class Action and to Ascribe the Status of Representative" (the "Motion for Authorization").

[4] **CONSIDERING** the allegations in the Motion for Discontinuance and the exhibits in support thereof, particularly in regard to the difficulties the Petitioner may have in proving economic loss in connection with the Pontiac Vibe.

[5] **CONSIDERING** that the Potential Group members may still pursue individual legal actions based on the same facts, allegations, and legal issues as the Motion for Authorization.

[6] **CONSIDERING** that the Respondents and the Intervenants consent to the discontinuance on a without costs basis.

[7] **CONSIDERING** the above, and that Petitioner no longer objects to the Declaration of Intervention.

FOR THESE REASONS, THE COURT:

[8] **GRANTS** New United Motor Manufacturing Inc., Toyota Canada Inc., Toyota Motor Corporation, and Toyota Motor North America, Inc.'s declaration of intervention;

[9] **PERMITS** the intervention of New United Motor Manufacturing Inc., Toyota Canada Inc., Toyota Motor Corporation, and Toyota Motor North America, Inc.

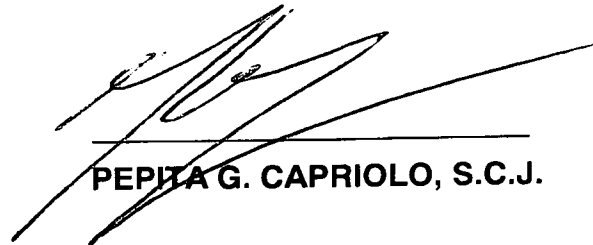
[10] **GRANTS** the Petitioner's Motion for Discontinuance of a Motion to Authorize the Bringing of a Class Action and to Ascribe the Status of Representative;

[11] **PERMITS** the Petitioner to discontinue her Motion to Authorize the Bringing of a Class Action and to Ascribe the Status of Representative;

[12] **ORDERS** the Petitioner's counsel to insert a hyperlink on the website www.merchantlaw.com granting access to a copy of the present judgment for a period of one hundred eighty (180) consecutive days following the date of the present Judgment;

[13] **ORDERS** Petitioner's counsel to send an email, as set out in a copy of the email attached hereto as Schedule A, notifying individuals who have provided their information to Merchant Law Group in connection with these proceedings of the discontinuance;

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



PEPITA G. CAPRIOLO, S.C.J.

Me Daniel Chung
MERCHANT LAW GROUP
Attorney for the Petitioner

Me Robert Charbonneau
BORDEN LADNER GERVAIS
Attorney for the Respondents

Me Jean Saint-Onge
LAVERY, DE BILLY
Attorney for the Intervenants