

CANADA
Province of Québec
District: of Montréal
Locality: Montréal
File No.: 500-06-000798-161

SUPERIOR COURT
(Class action)

STÉPHANIE J. BENABU

176
Applicant

vs.

VIDÉOTRON S.E.N.C. *et al.*

Defendants

ANSWER

1. We, **LinkedIn Ireland**, Defendant, are answering in this cause so as to:

make a settlement;

or

contest and determine the protocol of the proceeding with the other parties:

(Optional)

And I propose a mediation a settlement conference.

2. (Choose one of the following two options)

I am not represented by counsel.

or

We are represented by counsel, whose contact information is:

Me Nick Rodrigo
Davies Ward Phillips & Vineberg LLP
1501 McGill College Avenue, 26th floor, Montréal, Québec H3A 3N9
514.841.6548 Fax: 514.841.6499
Email: nrodrigo@dwpv.com

At Montréal, Québec on August 25, 2016



(Signature)

0332753-011-1603
DROITS DE GREFFE
Gouvernement du Québec
Palais Justice MONTREAL

0332753-011-1603
170,00
2016-09-01

Bienz, Dorothy

De: Bienz, Dorothy de la part de Rodrigo, Nick
Envoyé: August 25, 2016 3:38 PM
À: 'henrisimon@simonlaw.ca'
Cc: Rodrigo, Nick
Objet: Stéphanie J. Benabu vs. Vidétron S.E.N.C. et al. - S.C. 500-06-000798-161
Pièces jointes: MTL_DOCUMENTS-#2333081-v1-Answer_LinkedIn_Ireland.pdf

**Notification by e-mail
(via technological means)**

(Arts. 133 and 134 C.C.P.)

Our File No.

**Number of attachments
transmitted** 1

Please acknowledge receipt by return e-mail.

NATURE OF DOCUMENT

Title of proceeding	Answer
Case No.	500-06-000798-161
Plaintiff	Stéphanie J. Benabu
Defendant	vs. Vidéotron S.E.N.C. <i>et al.</i>

SENDER

Mtre Nick Rodrigo
DAVIES WARD PHILLIPS & VINEBERG LLP
1501 McGill College Avenue, 26th Floor
Montréal, Québec H3A 3N9
T 514.841.6548
F 514.841.6499
nrodrigo@dwpv.com

Counsel for Defendant LinkedIn Ireland

PARTY(IES) RECEIVING NOTIFICATION

Mtre Henri Simon
Simon & Associés, Attorneys
1224 Stanley
Montréal, Québec H3B 2S7
T 514.985.0995
F 514.985.0944
henrisimon@simonlaw.ca

Counsel for Applicant

No. 500-06-000798-161

S U P E R I O R C O U R T

District of Montreal

135475

Rpsn 1709

~

01 SEP. 2016

1709

STÉPHANIE J. BENABU

Applicant

VS.

VIDÉOTRON S.E.N.C. ET AL.

Defendants

ANSWER

ORIGINAL

Justice Montréal
1-8-13



Dossier: 257490

Attorneys for Defendants
Linkedin Ireland
Per: Me Nick Rodrigo (nrodrigo@dwpv.com)
514.841.6548

DAVIES WARD PHILLIPS & VINEBERG LLP

1501 McGill College Avenue, 26th Floor
Montréal QC H3A 3N9
Canada
T 514.841.6400
F 514.841.6499
BP-0181

CANADA

PROVINCE OF QUÉBEC
DISTRICT OF MONTREAL
LOCALITY OF MONTREAL

No: 500-06-000798-161

(Class Action)
SUPERIOR COURT

17
e

STEPHANIE J. BENABU

Applicant

v.

VIDÉOTRON S.E.N.C.

-and-

VIDÉOTRON LÉE

-and-

NETFLIX, INC.

-and-

BELL CANADA

-and-

TELUS COMMUNICATIONS COMPANY

-and-

TELUS COMMUNICATIONS INC.

-and-

ROGERS COMMUNICATIONS INC.

-and-

AMEX BANK OF CANADA

-and-

BANQUE DE MONTRÉAL

-and-

THE TORONTO-DOMINION BANK

- 2 -

-and-

**JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION**

-and-

ROYAL BANK OF CANADA

-and-

**CANADIAN IMPERIAL BANK OF
COMMERCE**

-and-

AMAZON.COM LLC

-and-

AUDIBLE, INC.

-and-

APPLE INC.

-and-

LINKEDIN IRELAND

-and-

GOOGLE INC.

-and-

SHOMI PARTNERSHIP

-and-

ROGERS MEDIA INC.

-and-

SHAW MEDIA INC.

-and

SIRIUS XM CANADA INC.

-and-

SPOTIFY AB

-and-

AFFINITAS GMBH

-and-

MATCH.COM LLP

Defendants

ANSWER

(art. 147 C.C.P.)

IN ANSWER TO THE APPLICATION TO AUTHORIZE THE BRINGING OF A CLASS ACTION TO APPOINT THE STATUS OF REPRESENTATIVE PLAINTIFF, THE DEFENDANT SPOTIFY CANADA INC. (INCORRECTLY IDENTIFIED AS SPOTIFY AB) STATES THE FOLLOWING:

1. Spotify Canada inc. ("**Spotify Canada**"), which is incorrectly identified by the Applicant as Spotify AB, intends to contest the Application to authorize the bringing of a class action to appoint the status of representative plaintiff (the "**Applicant**") of the applicant Stephanie J. Benabu and to cooperate with the said applicant in preparing the case protocol that is to govern the conduct of the proceeding;
2. The undersigned are filing this Answer for Spotify Canada with the understanding that the Application will be modified as soon as possible to replace Spotify AB by Spotify Canada;
3. Spotify Canada is represented by Mtre Martin Sheehan, whose contact information is the following:

Mtre Martin F. Sheehan

Fasken Martineau DuMoulin LLP

Stock Exchange Tower

800 Victoria Square, Suite 3700

P.O. Box 242

Montréal Quebec H4Z 1E9

DRÔITS DE GREFFE
Gouvernement du Québec
Palais Justice MONTREAL

0332790-0091-1404
200,00
2016-09-02

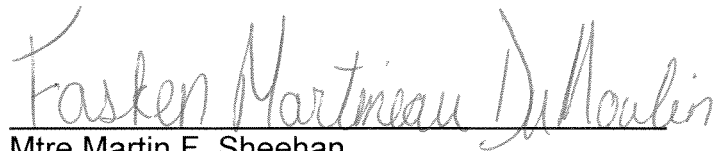
Phone: +1 514 397 4395

Fax: +1 514 397 7600

E-mail: msheehan@fasken.com

4. Spotify Canada reserves all of its rights, including the right to contest this Court's jurisdiction.

Montréal, this September 1st, 2016

A handwritten signature in cursive script, reading "Fasken Martineau DuMoulin", written over a horizontal line.

Mtre Martin F. Sheehan

Fasken Martineau DuMoulin LLP

Attorneys for the Defendant Spotify Canada
inc.

Stock Exchange Tower

800 Victoria Square, Suite 3700

P.O. Box 242

Montréal, Quebec H4Z 1E9

Phone number: +1 514 397 4395

Fax number: +1 514 397 7600

Email: msheehan@fasken.com

Isabelle Vallée

De: Isabelle Vallée de la part de Martin Sheehan
Envoyé: 2 septembre 2016 09:58
À: 'henrisimon@simonlaw.ca'
Objet: Stephanie J. Benabu vs. Vidéotron Ltée and Spotify AB and ALS. - 500-06-000798-161

Me Simon,

You will find enclosed a copy of the answer concerning the above-mentioned file. This document will be filed in the Court's record today. Please follow the instructions below in order to be able to download the document.

Regards,

Isabelle Vallée on behalf of:

Martin F. Sheehan | Associé | Partner

T. +1 514 397 4395 | F. 1 514 397 7600
msheehan@fasken.com | www.fasken.com

Fasken Martineau DuMoulin S.E.N.C.R.L., s.r.l.
800 Place Victoria, Bureau 3700, Montréal, Québec H4Z 1E9



VANCOUVER CALGARY TORONTO OTTAWA MONTRÉAL QUÉBEC LONDRES JOHANNESBURG

Fichiers attachés à ce message / Files attached to this message

Nom du fichier/Filename	Taille/Size	Chiffrement/Checksum (SHA1)
94056928_v(1)_answer_01 sept 2016_spotify AB_500-06-000798-161.PDF	950 ko	74115e8e006d84c7b6a50da5fb8eb32f23461a5f

Veillez cliquer sur le lien suivant pour télécharger les fichiers attachés / Please click on the following link to download the attachments: <https://clientftp.fasken.com/message/FPCfrykc80qCdDP9nRuq6J>

Ce courriel ou lien peut être envoyé à d'autres destinataires.

Les fichiers seront disponibles jusqu'à / The attachments are available until: **2/10/2016**.

Identifiant: FPCfrykc

Isabelle Vallée

De: Isabelle Vallée de la part de Martin Sheehan
Envoyé: 2 septembre 2016 09:34
À: Benjamin Helldén-Hegelund
Objet: Stephanie J. Benabu vs. Vidéotron Ltée and Spotify AB and ALS. - 500-06-000798-161

Mr. Helldén-Hegelund,

You will find enclosed a copy of the answer concerning the above-mentioned file. This document will be served today (September 1st, 2016) to Me Henri Simon and will be filed in the Court's record.

Please feel free to contact the undersigned should you have any questions.

Sincerely,

Isabelle Vallée on behalf of:

Martin F. Sheehan | Associé | Partner

T. +1 514 397 4395 | F. 1 514 397 7600
mshsheehan@fasken.com | www.fasken.com

Fasken Martineau DuMoulin S.E.N.C.R.L., s.r.l.
800 Place Victoria, Bureau 3700, Montréal, Québec H4Z 1E9



VANCOUVER CALGARY TORONTO OTTAWA MONTRÉAL QUÉBEC LONDRES JOHANNESBURG

Fichiers attachés à ce message / Files attached to this message

Nom du fichier/Filename	Taille/Size	Chiffrement/Checksum (SHA1)
94056928_v(1)_answer_01 sept 2016_spotify AB_500-06-000798-161.PDF	947 KB	74115e8e006d84c7b6a50da5fb9eb32f23461a5f

Veillez cliquer sur le lien suivant pour télécharger les fichiers attachés / Please click on the following link to download the attachments: <https://clientftp.fasken.com/message/GXtLFUv4Sy16pc0zzCckks>

Ce courriel ou lien peut être envoyé à d'autres destinataires.

Les fichiers seront disponibles jusqu'à / The attachments are available until: **2/10/2016**.

Identifiant: GXtLFUv4

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Ryan 2009

0 2 SEP. 2016

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17023

N° : 500-06-000798-161

PROVINCE OF QUÉBEC
SUPERIOR COURT
DISTRICT OF MONTRÉAL
LOCALITY OF MONTRÉAL

STEPHANIE J. BENABU

Applicant

VIDÉOTRON LTÉE

and

SPOTIFY AB

And ALS.

Defendants

10813/307553.00001

BF1339

Answer
(Class Action)

ORIGINAL

Fasken Martineau DuMoulin LLP
Stock Exchange Tower
800 Victoria Square, Suite 3700
P. O. Box 242
Montréal, Québec H4Z 1E9
Me Martin F. Sheehan Tél. +1 514 397 4395
msheehan@fasken.com Fax. +1 514 397 7600

Justice Montréal
16 SEP - 2 - 8 - 3

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

No: 500-06-000798-161

SUPERIOR COURT
(Class Action)

19

STEPHANIE J. BENABU

Applicant

v.

VIDÉOTRON S.E.N.C.
and
VIDÉOTRON LTÉE
and
NETFLIX, INC.
and
BELL CANADA
and
TELUS COMMUNICATIONS COMPANY
and
TELUS COMMUNICATIONS INC.
and
ROGERS COMMUNICATIONS INC.
and
AMEX BANK OF CANADA
and
BANQUE DE MONTRÉAL
and
THE TORONTO-DOMINION BANK
and
JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION
and
ROYAL BANK OF CANADA
and
CANADIAN IMPERIAL BANK OF
COMMERCE
and
AMAZON.COM
and
AUDIBLE, INC.
and
APPLE INC.
and
LINKEDIN IRELAND
and
GOOGLE INC.
and
SHOMI PARTNERSHIP
and

ROGERS MEDIA INC.
and
SHAW MEDIA INC.
and
SIRIUS XM CANADA INC.
and
SPOTIFY AB
and
AFFINITAS GMBH
and
MATCH.COM LLP

Defendants

**ANSWER TO THE SUMMONS
(Article 147 C.C.P.)**

1. The Defendants, **AMEX BANK OF CANADA** and **THE TORONTO-DOMINION BANK**, through their undersigned lawyers, respond to this case in order to challenge and establish the case protocol with the other parties;
2. The Defendants Amex Bank of Canada and The Toronto-Dominion Bank are represented by lawyers whose coordinates are:

Osler, Hoskin & Harcourt LLP
c/o Me Mahmud Jamal, Me Éric Préfontaine and Me Jessica Harding
1000 De La Gauchetière Street West
Suite 2100
Montreal, Quebec H3B 4W5
Tel: 514.904.5282
Fax: 514.904.8101
Email: mjamal@osler.com; eprefontaine@osler.com, jharding@osler.com

MONTRÉAL, September 6, 2016

Osler Hoskin & Harcourt

OSLER, HOSKIN & HARCOURT LLP
Lawyers for Defendants
Amex Bank of Canada and The Toronto-
Dominion Bank
Our file: 1175452

MOISIEU GEFRE
Gouvernement du Québec
Palais Justice MONTREAL

033915-0173-1531
200,00
2016-09-07

500-06-000798-161

SUPERIOR COURT
Class Action
DISTRICT OF MONTRÉAL

STEPHANIE J. BENABU

Applicant

VS.

VIDEOTRON S.E.N.C. ET ALS.

Defendants

ANSWER TO THE SUMMONS

ORIGINAL

M^e Éric Préfontaine
Osler, Hoskin & Harcourt LLP
1000 de La Gauchetière Street West
Suite 2100

Montréal, Québec H3B 4W5
Tél: 514.904.8100 Téléc.: 514.904.8101

eprefontaine@osler.com
notificationosler@osler.com

Code : BO 0323

o/f: 1175452

137876

dfs + dfid
Rpon
yD

CANADA
PROVINCE OF QUÉBEC
District of Montréal

(Class Action)
SUPERIOR COURT

23

File No.: 500-06-000798-161

STEPHANIE J. BENABU

Applicant

ll

vs.

VIDÉOTRON S.E.N.C.
-and-
GOOGLE INC.

ET ALS.

Defendants

ANSWER
(Art. 147 C.C.P.)

The undersigned lawyers, acting for and in the name of the Defendant, **Google Inc.**, answer this case so as to:

- make a settlement;
- or
- contest, and determine the protocol of the proceeding with the other parties;

Montréal, September 27, 2016

Borden Ladner Gervais

Borden Ladner Gervais LLP

Lawyers for Defendant

GOOGLE INC.

M^{re}. Marie Audren

1000 De La Gauchetière Street West, Suite 900

Montréal, QC, Canada H3B 5H4

Tel.: 514.954.3126

Fax: 514.954.1905

maudren@blg.com

INOTIS DE GREFFE
Gouvernement du Québec
Palais Justice MONTREAL

0333861-0099-1605
200,00
2016-09-27

Ciciotti, Fabiola

From: Microsoft Outlook
To: jzukran@lpclex.com
Sent: September-27-16 12:37 PM
Subject: Relayé : NOTIFICATION - ANSWER FOR GOOGLE INC. / Stephanie Benabu v. Vidéotron S.E.N.C. et als. #500-06-000798-161

La remise à ces destinataires ou groupes est achevée, mais aucune notification de remise n'a été envoyée par le serveur de destination :

jzukran@lpclex.com (jzukran@lpclex.com)

Objet : NOTIFICATION - ANSWER FOR GOOGLE INC. / Stephanie Benabu v. Vidéotron S.E.N.C. et als. #500-06-000798-161

Ciciotti, Fabiola

From: Ciciotti, Fabiola
Sent: September-27-16 12:37 PM
To: 'jzukran@lpclex.com'
Cc: Audren, Marie
Subject: NOTIFICATION - ANSWER FOR GOOGLE INC. / Stephanie Benabu v. Vidéotron S.E.N.C. et als. #500-06-000798-161
Attachments: ANSWER (Art. 147 C.C.P.) for Google Inc..pdf

Tracking:

Recipient	Delivery
'jzukran@lpclex.com'	
Audren, Marie	Delivered: 27/09/2016 12:37 PM

**NOTIFICATION BY ELECTRONIC
COURIER TRANSMISSION SLIP
(ARTICLE 134 C.P.C.)**

DATE:

Montréal, September 27, 2016

SENDER:

Name: Mtre. Marie Audren
Firm: **BORDEN LADNER GERVAIS, LLP**
Address: 1000 De La Gauchetière St. West, suite 900
Montréal, Québec, H3B 5H4
Telephone: 514.879.1212
Direct line: 514.954.3126
E-mail address: maudren@blg.com
Our file:

ADDRESSEE(S):

Name: Mtre. Joey Zukran
Firm: **LPC AVOCAT INC.**
Address: 7575 Transcanadienne, Suite 407, Montréal, Québec, H4T 1V6
Telephone: 514.703.7377
E-mail address: jzukran@lpclex.com
Your file: JZ-109

COURT FILE NUMBER AND NATURE OF THE NOTIFIED DOCUMENT:

File number: 500-06-000798-161
Parties: Stephanie J. Benabu v. Vidéotron S.E.N.C. and Google inc. et als.
Nature: ANSWER (Art. 147 C.C.P.) for Google Inc.

Number of pages:
(attachments only)

2



Fabiola Ciciotti

**Adjointe juridique de / Legal Assistant to
Anne Merminod & Josiane Brault**

Tél. 514.954.2555 x 22883 | Téléc. / F 514.954.1905 | fciciotti@blg.com

1000, rue De La Gauchetière Ouest, Bureau / Suite 900, Montréal, QC, Canada H3B 5H4

Pour notification de procédures / For notification of proceedings : notification@blg.com

Borden Ladner Gervais s.E.N.C.R.L., S.R.L. / LLP | D'abord le service / It begins with service

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27 SEP 2016

SUPERIOR COURT
Class action
District of Montréal
File No.: 500-06-000798-161

STEPHANIE J. BENABU

Applicant

vs.

VIDÉOTRON S.E.N.C.
-and-
GOOGLE INC.

ET ALS.

Defendants

ANSWER
(Art. 147 C.C.P.)
(Google inc.)

Amount: \$
Nature:
Code:

ORIGINAL

1000, De La Gauchetière Street West
Suite 900
Montréal, QC, Canada H3B 5H4
Tel. 514.879.1212
Fax. 514.954.1905
maudren@blg.com

BLG

Borden Ladner Gervais

B.N. 2545

Mre. Marie Audren

File:

CANADA

PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

N°: 500-06-000798-161

SUPERIOR COURT
(CLASS ACTION)

STÉPHANIE J. BENABU

Applicant

v.

VIDÉOTRON S.E.N.C.

VIDÉOTRON LTÉE

NETFLIX INC.

BELL CANADA

TELUS COMMUNICATIONS COMPANY

TELUS COMMUNICATIONS INC.

ROGERS COMMUNICATIONS INC.

AMEX BANK OF CANADA

BANQUE DE MONTRÉAL

THE TORONTO-DOMINION BANK

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION

ROYAL BANK OF CANADA

CANADIAN IMPERIAL BANK OF
COMMERCE

AMAZON.COM LLC

AUDIBLE INC.

APPLE INC.

LINKEDIN IRELAND

GOOGLE INC.

SHOMI PARTNERSHIP

ROGERS MEDIAS INC.

SHAW MEDIA INC.

SIRIUS XM CANADA INC.

SPOTIFY AB

AFFINITAS GMBH

MATCH.COM LLP

Defendants

ANSWER
(Art. 145, al. 2, 147 and 574 C.c.p.)

IN ANSWER TO THE APPLICATION TO AUTHORIZE THE BRINGING OF A CLASS ACTION AND TO APPOINT THE STATUS OF REPRESENTATIVE PLAINTIFF, THE DEFENDANTS IDENTIFIED BY APPLICANT AS **AMAZON.COM LLC** AND **AUDIBLE INC.** STATE THE FOLLOWING:

1. Their contact information are the following :

AMAZON.COM LLC

410 Terry Avenue North
Seattle, Washington, 98108
United States of America

AUDIBLE INC.

1 Washington Park – 16th Floor
Newark, New Jersey, 07102
United States of America

2. They are represented by Gowling WLG (Canada) LLP (Me Paule Hamelin and Me Mylène Lemieux) whose contact information is the following :

Me Paule Hamelin / Me Mylène Lemieux

Gowling WLG (Canada) LLP

3700-1 Place Ville Marie
Montreal (Québec) H3B 3P4
Telephone : 514-392-9411 / 514-392-9598
Fax : 514-876-9011 / 514-876-9598
Email : paule.hamelin@gowlingwlg.com / mylene.lemieux@gowlingwlg.com

3. They have the intention to contest orally the Application to authorize the bringing of a class action and to appoint the status of representative plaintiff as per section 574 C.c.p. and following.
4. This answer is filed under reserve of all legal rights and objections including the right to contest the existence of a cause of action and that Defendants, as identified by Applicant, were properly served.

Montreal, September 15, 2016


Gowling WLG (Canada) LLP

Lawyers for Defendants **AMAZON.COM LLC** and **AUDIBLE INC.**

Tremblay, Suzie

De: Tremblay, Suzie de la part de Hamelin, Paule
Envoyé: 15 septembre 2016 12:08
À: 'Notifications@lpclex.com'; 'jzukran@lpclex.com'
Cc: Lemieux, Mylene; henrisimon@simonlaw.ca; 'vincent.deletoile@langlois.ca';
'pouellet@woods.qc.ca'; 'ymartineau@stikeman.com'; 'msheehan@fasken.com';
'plefebvre@fasken.com'; 'eprefontaine@osler.com'; 'wmcnamara@torys.com';
'AMerminod@blg.com'; 'kbrabander@mccarthy.ca';
'eric.lefebvre@nortonrosefulbright.com'; 'fpare@stikeman.com'; 'msegal@pzss.ca';
'nrodrigo@dwpv.com'; 'eric.vallieres@mcmillan.ca'
Objet: 500-06-000798-161 - Stéphanie J. Benabu vs. Vidéotron s.e.n.c. et als.
Pièces jointes: Answer.pdf
Importance: Haute
ProfileOnSend: 1

**Notification by e-mail
(via technological means)**
(Arts. 133 and 134 C.C.P.)

Our File No. 03410374

**Number of pages of
documents transmitted** 3

Please acknowledge receipt by return e-mail.

NATURE OF DOCUMENT

Date:	September 15, 2016
Title of proceeding	Answer (Art. 145, al. 2, 147 and 574 C.c.p.)
Case No.	500-06-000798-161
Applicant	Stéphanie J. Benabu
Defendants	vs. Vidéotron s.e.n.c. et als.
Nature	Class Action

SENDERS

Me Paule Hamelin / Me Mylène Lemieux
GOWLING WLG (CANADA) LLP
3700-1 Place Ville Marie
Montreal (Québec) H3B 3P4
Phone : 514-392-9411 / 514-392-9598

Fax : 514-876-9011 / 514-876-9598

Email : paule.hamelin@gowlingwlg.com / mylene.lemieux@gowlingwlg.com
Counsels for the Defendants party, **AMAZON.COM LLC** and **AUDIBLE INC.**

PARTIE RECEIVING NOTIFICATION

Tremblay, Suzie

De: Joey Zukran <jzukran@lpclex.com>
Envoyé: 15 septembre 2016 12:13
À: Hamelin, Paule
Objet: Re: 500-06-000798-161 - Stéphanie J. Benabu vs. Vidéotron s.e.n.c. et als.

Bien reçu, merci. Vous pouvez retirer le courriel de Me Simon de votre liste.

Salutations,

Joey Zukran Avocat • Lawyer

LPC Avocat Inc.

Office: 514-703-7377
Email: jzukran@lpclex.com
Website: www.lpclex.com



From: "Tremblay, Suzie" <Suzie.Tremblay@gowlingwlg.com> on behalf of "Hamelin, Paule" <Paule.Hamelin@gowlingwlg.com>
Date: Thursday, September 15, 2016 at 12:07 PM
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Subject: 500-06-000798-161 - Stéphanie J. Benabu vs. Vidéotron s.e.n.c. et als.

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N° 500-06-000798-161

SUPERIOR COURT
(CLASS ACTION)

STÉPHANIE J. BENABU

Applicant

vs.

VIDÉOTRON S.E.N.C.

et als.

Defendants

P

BL0052

ANSWER
(Art. 145, al. 2, 147 and 574 C.c.p.)

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