

# SUPERIOR COURT

CANADA  
PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL

No: 500-06-000551-107

DATE: January 27, 2017

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**BY THE HONOURABLE PIERRE NOLLET, J.C.S.**

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**GAD ALBILIA**

Plaintiff/Class Representative

and

**NURA BALMER**

and

**LISE SÉNÉCAL**

and

**RAMZI SFEIR**

Petitioners-Proposed Substitute Plaintiffs/Class Representative

vs.

**APPLE INC.**

and

**APPLE CANADA INC.**

Respondents-Defendants

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## JUDGMENT

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[1] WHEREAS Representative Plaintiff is requesting that his "representative" status be waived and that three other members be appointed as substitute Plaintiffs/Class representatives;

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[2] WHEREAS the substitute Plaintiffs/Class representatives have agreed to provide the undertakings already requested from representative Plaintiff Albilgia;

[3] WHEREAS the substitute Plaintiffs/Class representatives have established "*prima facie*" that they belonged to the class;

[4] WHEREAS representatives must have authorization of the Court to be substituted;

[5] WHEREAS representative Plaintiff is no longer in a position to properly represent the class members as he refuses to disclose the UDID of his relevant IDevice as ordered by the Court while the proposed representatives Plaintiff do agree;

[6] WHEREAS defendants do not object to the substitution of representatives and admit that the proposed representatives are willing to act as representative Plaintiffs;

[7] WHEREAS the amendments to the amended particularized Motion are not contested;

**FOR THESE REASONS, THE COURT:**

**GRANTS** the Motion;

**AUTHORIZES** Gad Albilgia to waive his status as Plaintiff/Class representative;

**APPOINTS** Nura Balmer, Lise Sénécal and Ramzi Sfeir as representative Plaintiffs;

**ALLOWS** the amendments to the amended particularized Motion to institute proceedings dated December 29, 2016.



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PIERRE NOLLET, j.c.s.

Me Andrea Grass  
Attorneys for Petitioner-Plaintiff/Class representative

Me Kristian Brabander  
Attorneys for the Respondents-Defendants

Date of hearing: January 5, 2017