

SUPERIOR COURT

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

No.: 500-06-000751-152

DATE: March 13, 2017

BEFORE THE HONOURABLE MARC DE WEVER, J.S.C.

GUSTAV NADEAU

Applicant

v.

FIAT CHRYSLER AUTOMOBILES N.V.

and

FCA US LLC

and

FCA CANADA INC.

Respondents

JUDGMENT

- [1] **CONSIDERING** the Applicants' Application for Leave to Discontinue;
- [2] **CONSIDERING** the Affidavit in support of the Application;
- [3] **CONSIDERING** the representations of counsel for the Applicant that the discontinuance of the present proceedings will not prejudice the rights of the potential class members;
- [4] **CONSIDERING** that the Application for Leave to Discontinue is not contested by the Respondents;
- [5] **CONSIDERING** that the role of the Court is to protect the rights of the potential class members;

[6] **CONSIDERING** that the court can impose conditions to protect said rights of the potential class members;


FOR THESE REASONS, THE COURT:

[5] **AUTHORIZES** the Applicant to discontinue his Motion to Authorize the Bringing of a Class Action and to Ascribe the Status of Representative;

[6] **AUTHORIZES** the filing of a Notice of Discontinuance in the Court's record;

[7] **ORDERS** the Applicant to publish a Notice in French and in English in the form of Annex A, on the class action registry, and on their counsel's website: www.merchantlaw.com for at least 120 consecutive days;

[8] **WITHOUT COSTS.**



MARC DE WEVER, J.S.C.

Mtre. Daniel Chung
MERCHANT LAW GROUP
Attorneys for the Applicant

Mtre. Stéphane Pitre
BORDEN LADNER GERVAIS
Attorneys for the Respondents

ANNEXE A

AVIS AUX MEMBRES POTENTIELS

PRENEZ AVIS que le 13 mars 2017, l'honorable juge Marc De Wever de la Cour supérieure a autorisé le désistement d'une demande d'autorisation d'action collective.

Le Requéérant demandait à représenter le groupe proposé et décrit ci-après, à savoir :

All residents in Quebec who own, lease or otherwise possess one or more of the following Fiat Chrysler vehicles:

- 2008-2012 Dodge Ram 1500 pickups
- 2008-2012 Dodge Ram 4500 and 5500 heavy-duty pickups
- 2009-2011 Dodge Dakota
- 2009 Dodge Durango
- 2009 Chrysler Alpen
- 1993-2015 Jeep Grand Cherokee
- 2002-2007 Jeep Liberty

("Class Vehicles")

En raison du désistement, les effets de l'article 2908 du Code civil du Québec ont cessé et le délai de prescription à recommencer à courir. Veuillez tenir compte de ce changement si vous entendez instituer une poursuite judiciaire contre les intimés en relation avec une des voitures ci-haut mentionnée.

Toutefois, vous pourriez être membre d'une des actions collectives proposées dans une autre province (Alberta, Saskatchewan ou Ontario), mais leur dénouement n'est pas encore connu.

ANNEX A

NOTICE TO POTENTIAL MEMBERS

TAKE NOTICE that on •, 2017, the Honourable Justice Marc De Wever of the Superior Court authorized the discontinuance of a proposed class action.

The Applicant was seeking to represent the following proposed group:

All residents in Quebec who own, lease or otherwise possess one or more of the following Fiat Chrysler vehicles:

- 2008-2012 Dodge Ram 1500 pickups
- 2008-2012 Dodge Ram 4500 and 5500 heavy-duty pickups
- 2009-2011 Dodge Dakota
- 2009 Dodge Durango
- 2009 Chrysler Alpen
- 1993-2015 Jeep Grand Cherokee
- 2002-2007 Jeep Liberty

("Class Vehicles")

By reason of the discontinuance, the operation of Article 2908 of the Civil Code of Quebec has ceased and prescription has started to run again. Please take this change into account if you wish to institute court proceedings against the respondents in relation to one of the Class Vehicles.

You may, however, be a member of one of the proposed class actions instituted in another province (Alberta, Saskatchewan or Ontario), but their outcome are not known yet.