

5908

C A N A D A

PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

(Class Actions)
SUPERIOUR COURT

No : 500-06-000760-153

MARCEL DURAND

Petitioner

-vs-

ATTORNEY GENERAL OF QUEBEC ET ALS.

Respondents

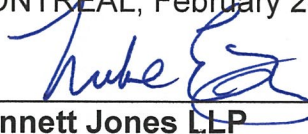
A N S W E R
(Sections 145 and 147 CCP)

We, the undersigned, Bennett Jones LLP, attorneys for the Respondent Marriott International Inc., answer to the summons in order to:

NOM Long Concurrence

- Negotiate a Settlement;
or
 Defend the application and establish a case protocol with the other parties.

MONTREAL, February 24, 2017



Bennett Jones LLP
Attorneys for the Respondent
Marriott International Inc.
Me Mike Eizenga
3400 One First Canadian Place
P.O. Box 130
Toronto, Ontario, M5X 1A4
Tel: 416 777 4879
Fax: 416 863 1716

APPLICATION FOR A SPECIAL AUTHORIZATION
For a person practising outside Québec (section 42.4 Professional Code)

IMPORTANT: For the current year, I present a:

- First application / date: _____ Third application / date: _____
 Second application / date: February 6, 2017 More than three applications

PART A ■ APPLICANT'S INFORMATION

1. Personal information

Family name: Eizenga First name: Michael
 Complete address: PH7 - 993 Queen Street West, Toronto, Ontario M6J 1H2

2. Professional contact information

Complete address: Bennett Jones LLP, Suite 3400, 100 King Street West, Toronto, Ontario M6J 1B8
 Téléphone: 416-777-4879 Fax: 416-863-1716
 E-mail: eizengam@bennettjones.com

3. Bar membership(s)

I am a member of the following bar(s)
 Name of the bar: The Law Society of Upper Canada Date of admission: March 19, 1991
 Member number: 31470T Status: Active
 Name of the bar: _____ Date of admission: _____
 Member number: _____ Status: _____

Please attach to this application the original of a certificate of good standing issued by the appropriate officer of the bar of which you are a member, attesting that you are authorized to practise law outside Québec.

4. I am making this application in connection with the following case:

Name and address of the client: Marriott International Inc.
 Court: Quebec Judicial district: Montreal Court number: _____
 Brief description of the case: Court File No.: 500-06-000760-153 - Marriott International Inc., et al are being sued for allegedly damaging people in Quebec by allowing the release of electromagnetic emissions by operation of WiFi access.
 Case Name: Marcel Durand vs. Toshiba, et al.

5. I intend to retain the services of a member of the Barreau du Québec to serve as counsel:

YES NO Lawyer's name: Pascale Dionne-Bourassa Member number: 199515-4

6. I am attaching a certificate from my professional liability insurer guaranteeing that my professional services in connection with the above-mentioned case are insured.

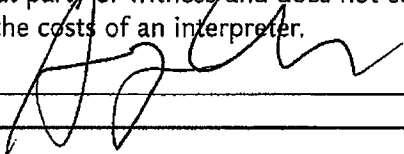
YES NO

PART B ■ INFORMATION TO THE CLIENT

Knowledge of french and interpreter's costs:

French is the official language of the province of Québec and a party, witness or lawyer may, if he so chooses, express himself in French during judicial proceedings. Furthermore, the right of a party or witness to obtain the assistance of an interpreter, as such right is conferred by section 14 of the *Canadian Charter of Rights and Freedoms*, generally does not extend to the lawyer for that party or witness and does not contemplate legal persons. Therefore, a unilingual English lawyer may have to bear the costs of an interpreter.

CLIENT'S SIGNATURE REQUIRED: _____

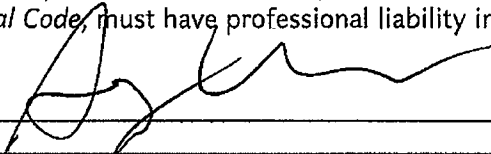


Professional liability insurance:

A Quebec lawyer's coverage for professional liability insurance is \$10,000,000.

A Canadian or foreign lawyer who obtains a special authorization to practise law in Québec in a specific case, pursuant to section 42.4 of the *Professional Code*, must have professional liability insurance which the coverage is not necessary of at least \$10,000,000.

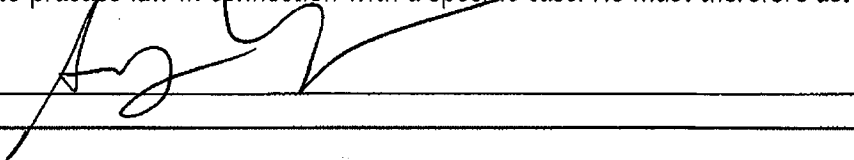
CLIENT'S SIGNATURE REQUIRED: _____



Special authorization:

A Canadian or foreign lawyer who obtains a special authorization to practise law in Québec, pursuant to section 42.4 of the *Professional Code*, is authorized to practise law in connection with a specific case. He must therefore act within the parameters of said authorization.

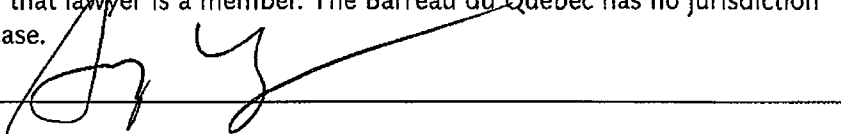
CLIENT'S SIGNATURE REQUIRED: _____



Jurisdiction of the local bar:

If a dispute arises regarding the professional services rendered by a Canadian or foreign lawyer who has obtained a special authorization to practise law in Québec, pursuant to section 42.4 of the *Professional Code*, all complaints will have to be submitted to the bar of which that lawyer is a member. The Barreau du Québec has no jurisdiction to deal with any complaint arising from the case.

CLIENT'S SIGNATURE REQUIRED: _____



PART C ■ FEES

I am attaching hereto a cheque or postal money order in the amount of \$215, payable to the Barreau du Québec, as payment of the administrative fees for the review of my first application. For the current year, there will be no fee for other applications. I am also aware that there is no administrative fees for renewal application.

PART G ■ AUTHORIZATION AND DECLARATION

I undertake to practise law in Québec in accordance with this special authorization.

I undertake to abide by all the obligations set out in *An Act respecting the Barreau du Québec*, the *Code of ethics of advocates* and the other regulations of the Barreau du Québec.

I agree to indicate to the Barreau du Québec, **immediately**, any change in the information provided in this application.

Signature

Solemnly affirmed before me at Toronto, this 14th day of February of the year 2017.

(Commissioner of Oaths)

Nathan Shaheen

No. of the Commissioner: 602804

Special authorization to practise duly granted on 16 FEV. 2017

President of the Barreau du Québec

This authorization is valid only for this case, until a final judgment has been rendered within a period not exceeding 12 months. It can be renewed only by the board of directors.

RETURN BY MAIL at the following address

- this duly completed form
- a certificate of good standing
- a professional liability insurance certificate
- the \$215 fees payable to the Barreau du Québec by cheque or postal money order

Secretariat of the Barreau du Québec

Maison du Barreau, 445, boulevard Saint-Laurent, Montréal (Québec) CANADA H2Y 3T8

APPLICATION FOR A SPECIAL AUTHORIZATION
For a person practising outside Québec (section 42.4 *Professional Code*)

IMPORTANT: For the current year, I present a:

First application / date: February 6, 2017 Third application / date: _____
 Second application / date: _____ More than three applications

PART A ■ APPLICANT'S INFORMATION

1. Personal information

Family name: Agarwal First name: Ranjan
 Complete address: 266 Willow Avenue, Toronto, Ontario M4E 3K7

2. Professional contact information

Complete address: Bennett Jones LLP, Suite 3400, 100 King Street West, Toronto, Ontario M6J 1B8
 Téléphone: 416-777-6503 Fax: 416-863-1716
 E-mail: agarwalr@bennettjones.com

3. Bar membership(s)

I am a member of the following bar(s)
 Name of the bar: The Law Society of Upper Canada Date of admission: July 23, 2004
 Member number: 49488H Status: Active
 Name of the bar: _____ Date of admission: _____
 Member number: _____ Status: _____

Please attach to this application the original of a certificate of good standing issued by the appropriate officer of the bar of which you are a member, attesting that you are authorized to practise law outside Québec.

4. I am making this application in connection with the following case:

Name and address of the client: Marriott International Inc.
 Court: Quebec Judicial district: Montreal Court number: _____
 Brief description of the case: Court File No.: 500-06-000760-153 - Marriott International Inc., et al are being sued for allegedly damaging people in Quebec by allowing the release of electromagnetic emissions by operation of WiFi access.
 Case Name: Marcel Durand vs. Toshiba, et al.

5. I intend to retain the services of a member of the Barreau du Québec to serve as counsel:

YES NO Lawyer's name: Pascale Dionne-Bourassa Member number: 199515-4

6. I am attaching a certificate from my professional liability insurer guaranteeing that my professional services in connection with the above-mentioned case are insured.

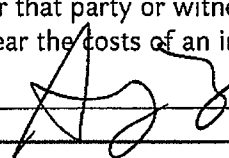
YES NO

PART B ■ INFORMATION TO THE CLIENT

Knowledge of french and interpreter's costs:

French is the official language of the province of Québec and a party, witness or lawyer may, if he so chooses, express himself in French during judicial proceedings. Furthermore, the right of a party or witness to obtain the assistance of an interpreter, as such right is conferred by section 14 of the *Canadian Charter of Rights and Freedoms*, generally does not extend to the lawyer for that party or witness and does not contemplate legal persons. Therefore, a unilingual English lawyer may have to bear the costs of an interpreter.

CLIENT'S SIGNATURE REQUIRED: _____

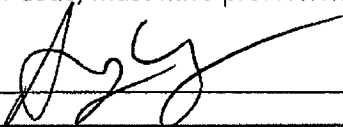


Professional liability insurance:

A Quebec lawyer's coverage for professional liability insurance is \$10,000,000.

A Canadian or foreign lawyer who obtains a special authorization to practise law in Québec in a specific case, pursuant to section 42.4 of the *Professional Code*, must have professional liability insurance which the coverage is not necessary of at least \$10,000,000.

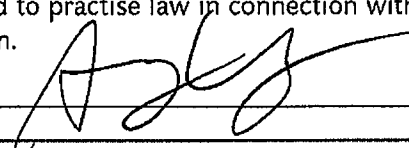
CLIENT'S SIGNATURE REQUIRED: _____



Special authorization:

A Canadian or foreign lawyer who obtains a special authorization to practise law in Québec, pursuant to section 42.4 of the *Professional Code*, is authorized to practise law in connection with a specific case. He must therefore act within the parameters of said authorization.

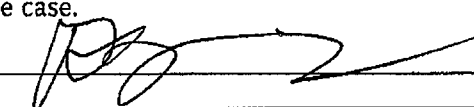
CLIENT'S SIGNATURE REQUIRED: _____



Jurisdiction of the local bar:

If a dispute arises regarding the professional services rendered by a Canadian or foreign lawyer who has obtained a special authorization to practise law in Québec, pursuant to section 42.4 of the *Professional Code*, all complaints will have to be submitted to the bar of which that lawyer is a member. The Barreau du Québec has no jurisdiction to deal with any complaint arising from the case.

CLIENT'S SIGNATURE REQUIRED: _____



PART C ■ FEES

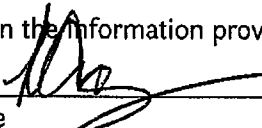
I am attaching hereto a cheque or postal money order in the amount of \$215, payable to the Barreau du Québec, as payment of the administrative fees for the review of my first application. For the current year, there will be no fee for other applications. I am also aware that there is no administrative fees for renewal application.

PART G ■ AUTHORIZATION AND DECLARATION

I undertake to practise law in Québec in accordance with this special authorization.


I undertake to abide by all the obligations set out in *An Act respecting the Barreau du Québec*, the *Code of ethics of advocates* and the other regulations of the Barreau du Québec.

I agree to indicate to the Barreau du Québec, immediately, any change in the information provided in this application.



Signature

Solemnly affirmed before me at Toronto, this 14th day of February of the year 2017.

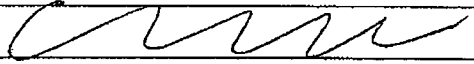


(Commissioner of Oaths)

No. of the Commissioner: 70846N
DAVID CASSIN



Special authorization to practise duly granted on 16 FEV. 2017



President of the Barreau du Québec

This authorization is valid only for this case, until a final judgment has been rendered within a period not exceeding 12 months. It can be renewed only by the board of directors.

RETURN BY MAIL at the following address

- this duly completed form
- a certificate of good standing
- a professional liability insurance certificate
- the \$215 fees payable to the Barreau du Québec by cheque or postal money order

Secretariat of the Barreau du Québec
Maison du Barreau, 445, boulevard Saint-Laurent, Montréal (Québec) CANADA H2Y 3T8

Sara-Maude Tremblay

De: Sara-Maude Tremblay
Envoyé: 27 février 2017 15:16
À: 'bluegreenlaw@gmail.com'
Objet: Réponse
Pièces jointes: Answer of Bennett Jones LLP.pdf

NOTIFICATION PAR UN MOYEN TECHNOLOGIQUE (Art. 133 et 134 C.p.c.)

NUMÉRO DE COUR : 500-06-000760-153

NOM DES PARTIES : MARCEL DURAND

Requérant

- c.-

PROCUREUR GÉNÉRAL DU QUÉBEC *ET ALS.*

Intimés

DATE DE TRANSMISSION : Le 27 février 2017

HEURE DE TRANSMISSION : Heure indiquée sur le courriel

DESTINATAIRES :

Nom	Coordonnées
Me Charles O'Brien Charles O'Brien, Avocat Avocat du Requérant	bluegreenlaw@gmail.com

EXPÉDITEUR

NOM : Me Pascale Dionne-Bourassa
ÉTUDE : d3b Avocats s.e.n.c.
ADRESSE : 19, rue Le Royer Ouest, Bureau 106
Montréal (Québec) H2Y 1W4
TÉLÉPHONE : 514 360-5731
TÉLÉCOPIEUR : 514 447-1953
COURRIEL : pdb@d3bavocats.com

GREFFE DE MONTREAL
PLUMITIF

17 FEB 28 -8 :11

Joos
RPOB
MS

N° : 500-06-000760-153

SUPERIOUR COURT
(Class Actions)
DISTRICT OF MONTREAL

MARCEL DURAND

Petitioner

-vs-

ATTORNEY GENERAL OF QUEBEC et a/s.

Respondents

D

ANSWER
(Sections 145 and 147 CCP)

ORIGINAL

File: 2014-2

Me Mike Eizenga
Bennett Jones LLP
3400 One First Canadian Place
P. O. Box 130
Toronto (Ontario) M5X 1A4
Telephone: 416-777-4879
Fax: 416-863-1716

BVA0068

30607

28 FEB. 2017