

SUPERIOR COURT

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

No: 500-06-000714-143

DATE: August 9, 2018

PRESIDING: THE HONOURABLE THOMAS M. DAVIS, J.S.C.

STEVE MARTINEAU

Plaintiff

v.

BAYER CROPSCIENCE INC.

and

BAYER INC.

and

BAYER CROPSCIENCE AG

and

SYNGENTA CANADA INC.

and

SYNGENTA INTERNATIONAL AG

Defendants

RECTIFIED JUDGMENT

[1] **CONSIDERING** the judgment rendered on February 20, 2018;

[2] **CONSIDERING** that the judgment contains a clerical error at paragraph 81, subparagraphs a) and b) which read as follows:

a) Can any neonicotinoid based pest control products researched, designed, developed, manufactured, marketed, distributed and sold by Bayer CropScience

AG and/or Bayer CropScience Inc. and/or Bayer Inc. in Québec during the class period (i.e. imidacloprid, clothianidin and their related end-use products approved for agricultural use) cause honeybee colony loss resulting in financial damages or losses to commercial beekeepers?

b) Can any neonicotinoid based pest control product researched, designed, developed, manufactured, marketed, distributed and sold by Syngenta International AG and/or Syngenta Canada Inc. in Québec during the class period (i.e. thiamethoxam and its related end-use products approved for agricultural use) cause honeybee colony loss resulting in financial damages or losses to commercial beekeepers?

[3] **CONSIDERING** that these subparagraphs should have reflected the same wording as paragraph 93, subparagraphs a) and b) in the conclusions of the judgment;

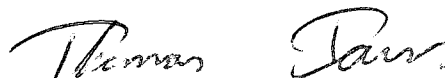
[4] **CONSIDERING** Article 338 of the *Code of Civil Procedure*;

FOR THESE REASONS, THE COURT:

[5] **RECTIFIES** the February 20, 2018 judgment at paragraph 81 subparagraphs a) and b) to read as follows:

- a) Can any neonicotinoid based pest control products researched, designed, developed, manufactured, marketed, distributed and sold by Bayer CropScience AG and/or BayerCrop Science Inc. and/or Bayer Inc. in Québec during the class period (i.e. imidacloprid, clothianidin and their related end-use products approved for agricultural use) cause honeybee colony loss resulting in financial damages or losses to beekeepers?
- b) Can any neonicotinoid based pest control product researched, designed, developed, manufactured, marketed, distributed and sold by Syngenta International AG and/or Syngenta Canada Inc. in Québec during the class period (i.e. thiamethoxam and its related end-use products approved for agricultural use) cause honeybee colony loss resulting in financial damages or losses to beekeepers?

[6] **WITHOUT COSTS.**



THOMAS M. DAVIS, J.S.C.