

SUPERIOR COURT

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

No: 500-06-000714-143

DATE: October 1, 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

JUDGMENT

[1] **CONSIDERING** the Court's judgment of May 3, 2018;

[2] **CONSIDERING** Plaintiff's September 13, 2018 Application to Extend the Delay to File his Originating Application;

[3] **CONSIDERING** that Plaintiff raises the need to evaluate additional documents from the Pest Management Regulatory Agency ("PMRA");

[4] **CONSIDERING** that Defendants consent to Plaintiff's request for an extension of the delay subject to certain conditions:

- that the Court reserves their rights to oppose the filing of any additional PMRA documents;
- that Plaintiff's counsel provide Defendants' counsel with a list of all PMRA documents referred to in its Application to Extend the Delay;
- that said list be provided within a time frame sufficient to allow Defendants to raise any objections to the filing of these documents prior to the filing of the Originating Application into the Court record;

[5] **CONSIDERING** that these conditions are well founded and that the parties have agreed on a time frame for the exchange of documents;

FOR THESE REASONS, THE COURT:

[6] **GRANTS** Plaintiff's Application to Extend the Delay to File his Originating Application;

[7] **DECLARES** that prior to the filing of said Originating Application, the following measures shall occur:

- on or before October 29, 2018, Plaintiff shall communicate the list of PMRA documents that it intends to rely on in support of its Originating Application to Defendants' counsel;
- Defendants shall have fifteen (15) days to communicate any objections to the production of said documents to Plaintiff's counsel and the Court;
- the Court shall adjudicate upon these objections on November 9, 2018, if necessary;

[8] **EXTENDS** the delay for Plaintiff to produce his Introductory Application to November 30, 2018;

[9] **WITHOUT COSTS.**



THOMAS M. DAVIS J.S.C.