

**SUPERIOR COURT
(Class Action)**

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

No: 500-06-000950-184

DATE: May 27, 2019

BY THE HONOURABLE CHANTAL CHATELAIN, J.S.C.

STUART THIEL
Applicant

v.

FACEBOOK INC.
and
FACEBOOK CANADA LTD.
Defendants

JUDGMENT OF TEMPORARY STAY

[1] **CONSIDERING** the *Joint Application to Temporarily Stay the Class Action*, whereby the parties are requesting that the Class Action filed by the Applicant, Mr. Stuart Thiel, against the Defendants, Facebook Inc. and Facebook Canada Inc. (the “**Québec Action**”) be stayed pending a final judgment in the putative class action filed by Hassan et al. before the Ontario Superior Court of Justice in court docket number CV-18-00606140-00CP, or earlier as may be subsequently requested by the parties and ordered by the Court (the “**Ontario Action**”);

[2] **CONSIDERING** the Ontario Action was filed on October 1, 2018, prior to the Québec Action which was filed on October 26, 2018;

[3] **CONSIDERING** the Ontario Action’s proposed national class definition includes the members of the Québec Action, which proposes a provincial class composed of Québec residents only;

[4] **CONSIDERING** the Ontario Action is based on the same facts, raises the same issues and is brought against the same Defendants as the Québec Action;

[5] **CONSIDERING** that Mr. Justice Glustein has been assigned to case manage the Ontario Action;

[6] **CONSIDERING** that no procedural steps have been taken in the Québec Action to date;

[7] **CONSIDERING** that Class counsel in Ontario have established a bilingual Web Site and registration system and have lawyers who are bilingual available to respond to any inquiries that putative class members in Québec may have;

[8] **CONSIDERING** that the Applicant has undertaken to provide this Court with an update on the status of the Ontario Action on a semi-annual basis, and to advise this Court within thirty (30) days of any significant development in the Ontario Action that may affect the course of the Québec Action;

[9] **CONSIDERING** that notwithstanding the stay sought, the rights and interests of the Québec Class Members will be protected in accordance with article 577 of the *Code of civil procedure*;

[10] **CONSIDERING** that a stay is consistent with the principles of proportionality and judicial economy and will avoid the risk of contradictory judgments and multiple proceedings;

FOR THESE REASONS, THE COURT:

[11] **GRANTS** the *Application to Temporarily Stay the Class Action*;

[12] **STAYS** any and all proceedings in the present matter until a final judgment is rendered in the putative class action filed by *Hassan et al.* before the Ontario Superior Court of Justice in court docket number CV-18-00606140-00CP, or such other date as may be further ordered by the Court or as requested by the parties;

[13] **PRAYS ACT** of the Applicant's undertaking to provide this Court with an update on the status of the Ontario Action on a semi-annual basis, and to advise this Court within thirty (30) days of any significant development in the Ontario Action that may affect the course of the Québec Action, and **ORDERS** the Applicant to comply with said undertaking;

[14] **RESERVES** the jurisdiction of the Court to lift this suspension on request or on its own initiative if the circumstances so warrant;

[15] **WITHOUT COSTS.**


CHANTAL CHATELAIN, J.S.C.

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Motion considered in writing