

C A N A D A

**PROVINCE OF QUEBEC
DISTRICT OF MONTRÉAL
LOCALITY OF MONTRÉAL**

**SUPERIOR COURT
(Class Actions Division)**

No: 500-06-001012-190

MICHAEL FORIAN-ZYTYNSKY

-and-

ELISABETH PRASS

Petitioners

v.

CAPITAL ONE BANK

-and-

**CAPITAL ONE FINANCIAL
CORPORATION**

Defendants

ANSWER
(art. 147 C.C.P.)

IN ANSWER TO THE APPLICATION TO AUTHORIZE THE BRINGING OF A CLASS ACTION AND TO APPOINT THE STATUS OF REPRESENTATIVE PLAINTIFF, THE DEFENDANTS, CAPITAL ONE BANK AND CAPITAL ONE FINANCIAL CORPORATION, STATE THE FOLLOWING:

1. The Defendants intend to contest the originating application of the Petitioners and to cooperate with them in preparing the case protocol that is to govern the conduct of the proceedings;
2. The Defendants are represented by Mtre Noah Boudreau, whose contact information is the following:

Mtre Noah Boudreau
Fasken Martineau DuMoulin LLP

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P.O. Box 242
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3. The Defendants reserve all of their rights, including the right to contest this Court's jurisdiction.

Montréal, this August 14, 2019

A handwritten signature in blue ink, appearing to read "Fasken Martineau DuMoulin", is written over a horizontal line.

Fasken Martineau DuMoulin LLP
Attorneys for the Defendants, Capital One
Bank and Capital One Financial Corporation

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16989/016989.00001

BF1339

Answer
(Class Action)
Amount in dispute: à *parfaire*

ORIGINAL

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