

Superior Court
(Class Action Division)

CANADA

PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

NO.: 500-06-000824-165

DATE: MARCH 19, 2020

PRESENT: THE HONORABLE THOMAS M. DAVIS, J.S.C.

ANTONIO BRAMANTE

Representative Plaintiff

v.

LES RESTAURANTS MCDONALD DU CANADA LIMITÉE

Defendant

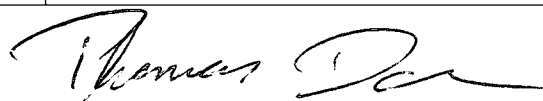
JUDGMENT APPROVING THE SUSPENSION OF THE PUBLICATION NOTICES

- [1] **CONSIDERING** that on January 27, 2020, the Court granted the Representative Plaintiff's *Application for Approval of Notices to Class Members of a Settlement Approval Hearing* and approved the notice plan (the "**Notice Plan**" or "**Plan de Notification**");¹
- [2] **CONSIDERING** that the Notice Plan required the Defendant to post notices, *inter alia*, in its restaurants in Quebec for a period of 30 days commencing no later than April 15, 2020;
- [3] **CONSIDERING** the global health pandemic resulting from the novel coronavirus ("**COVID-19**") necessitates suspension of the Notice Plan previously approved by the Court;

¹ *Bramante c. Restaurants McDonald du Canada limitée*, 2020 QCCS 237.

- [4] **CONSIDERING** the written request made by the parties on March 18, 2020, asking the Court to suspend the Notice Plan in order to take COVID-19 into account;
- [5] **CONSIDERING** the request made by counsel to the Representative Plaintiff regarding an advance payment of a portion of Class Counsel Fees and of disbursements incurred, as well as Class Counsel's undertaking to reimburse these sums to the Defendant should the settlement not be approved;
- [6] **CONSIDERING** that it is in the interest of justice to grant the parties' applications made on March 18, 2020;
- [7] **CONSIDERING** articles 25, 49, 580, 581 and 590 of the *Code of Civil Procedure*;
- FOR THESE REASONS, THE COURT:**

ACCEUILLE la demande des parties du 18 mars 2020;	GRANTS the application made by the parties on March 18, 2020;
DÉCLARE que le jugement du 27 janvier 2020 approuvant le Plan de Notification est toujours valable, sous réserve de l'ordonnance ci-après;	DECLARES that the judgment of January 27, 2020, approving the Notice Plan is still valid, subject to the order hereinafter;
SUSPEND le Plan de Notification au moment où les restaurants de McDonald's Canada résumant leurs opérations normales.	SUSPENDS the Notice Plan until such time as McDonald's restaurants in Quebec resume their normal operation;
APPROUVE , compte tenu des circonstances exceptionnelles uniquement, le versement d'une avance de 207 500 \$ plus taxes et de 25 000 \$ pour les débours et PREND ACTE de l'engagement de l'avocat du groupe de rembourser cette avance à la Défenderesse si la transaction n'est pas approuvée;	APPROVES , given the exceptional circumstances only, the advance payment of \$207,500.00 plus taxes and \$25,000.00 for disbursements and TAKES ACT of Class Counsel's undertaking to reimburse this advance to the Defendant should the settlement not be approved;
LE TOUT sans frais.	THE WHOLE without costs.



Thomas M. Davis, J.S.C.

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Attorney for the Representative Plaintiff

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Mtre Doug Mitchell

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Attorneys for Les Restaurants McDonald du Canada Limitée