

# **SUPERIOR COURT**

(Class Action)

CANADA  
PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL

No: 500-06-001023-197  
500-06-001025-192

DATE: November 12, 2020

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**BY THE HONOURABLE SUZANNE COURCHESNE, J.S.C.**

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**500-06-001023-197**

**MICHAEL ROYER  
PIERRE FAUVEL**  
Plaintiffs

v.

**SANOFI CONSUMER HEALTH INC.  
GLAXOSMITHKLINE INC.  
PFIZER CANADA SRI  
JOHNSON & JOHNSON INC.  
SANDOZ CANADA INCORPORATED  
PHARMASCIENCE INC.  
APOTEX INC.  
PRO DOC LTÉE  
SANIS HEALTH INC.  
SIVEM PHARMACEUTICALS ULC  
DOMINION PHARMACAL  
LABORATOIRE RIVA INC.  
SUN PHARMA CANADA INC.  
TEVA CANADA LIMITED  
VITA HEALTH PRODUCTS INC.**

Defendants

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**500-06-001025-192**

**PAULA MORAN**  
Plaintiff

v.

**APOTEX INC.**  
**SANDOZ CANADA INC.**  
**PRO DOC LIMITEE**  
**SANIS HEALTH INC.**  
**SIVEM PHARMACEUTICALS ULC**  
**THE JEAN COUTU GROUP (PJC) INC.**  
**SHOPPERS DRUG MART INC.**  
**UNIPRIX GROUP**  
**METRO INC.**  
Defendants

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**JUDGMENT**  
(Suspension)

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- [1] **CONSIDERING** that on October 2, 2019, Plaintiff Royer filed an Application to Authorize the Bringing of a Class Action & to Appoint the Petitioner as Representative Plaintiff in file number 500-06-001023-197 (the "First Action");
- [2] **CONSIDERING** that on October 4, 2019, Plaintiff Moran filed an Application for Authorization to Institute a Class Action and to Obtain the Status of Representative in file number 500-06-001025-192 (the "Second Action");
- [3] **CONSIDERING** that on July 17, 2020, the First Action was amended to, inter alia, add an additional Plaintiff and name several more Defendants;
- [4] **CONSIDERING** that the two Applications for Authorization to Institute a Class Action concern essentially the same or similar parties, are based on the same facts, and have the same object;
- [5] **CONSIDERING** that the Plaintiff in the Second Action consents to suspend this file until a final judgment has been rendered in the First Action;

[6] **CONSIDERING** the principles set out in the cases of Schmidt c. Johnson & Johnson inc., 2012 QCCA 2132 and Hotte c. Servier Canada inc., 1999 CanLII 13363 (QCCA).

**FOR THESE REASONS, THE COURT:**

[7] **ORDERS** the suspension of proceedings in Superior Court file number 500-06-001025-192 until a final judgment is rendered on the Application for Authorization to Institute a Class Action in file 500-06-001023-197;

[8] **THE WHOLE**, without legal costs.



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