

**SUPERIOR COURT
(CLASS ACTION)**

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

N° : 500-06-001054-200

DATE : February 25, 2021

PRESIDING: THE HONOURABLE MR. JUSTICE THOMAS M. DAVIS, J.S.C.

CENTRE DENTAIRE BOULEVARD GALERIES D'ANJOU INC.
Applicant

v.

L'UNIQUE ASSURANCES GÉNÉRALES INC.
Defendant

**JUDGMENT AUTHORIZING THE FILING OF APPLICANT'S AMENDED
APPLICATION FOR AUTHORIZATION TO INSTITUTE A CLASS ACTION AND TO
OBTAIN THE STATUS OF REPRESENTATIVE, AND AUTHORIZING THE FILING OF
RELEVANT EVIDENCE BY DEFENDANT**

[1] On March 31, 2020, the Applicant filed an *Application for Authorization to Institute a Class Action and to Obtain the Status of Representative* against Defendant L'Unique Assurances Générales Inc., as appears from the Court record.

[2] On September 17, 2020, counsel for the Applicant provided the undersigned with an *Amended Application for Authorization to Institute a Class Action and to Obtain the Status of Representative* dated September 16, 2020 (the "*Amended Application*"), as well as two additional Exhibits (namely Exhibits P-6 and P-7) referred to therein, all of which had been notified on counsel for the Defendant.

[3] The Applicant seeks the Court's authorization to file said *Amended Application* and Exhibits P-6 and P-7 into the Court record. This request is not contested by the Defendant.

[4] The amendments contained in the *Amended Application* are limited to referring to a residential insurance policy offered by the Defendant (Exhibit P-6), and to providing updated directives regarding the resumption of elective procedures in dental clinics (Exhibit P-7) that were issued following the filing of the initial *Application for Authorization*.

[5] In light of the criteria provided for in Article 206 C.C.P. and subject to the parties' submissions as to their relevance to the issues to be decided at the authorization hearing, the Court considers these amendments and Exhibits P-6 and P-7 to be admissible. The Court accordingly authorizes the Applicant to file the *Amended Application* and Exhibits P-6 and P-7 into the Court record.

[6] As well, on October 9, 2020, counsel for the Defendant provided counsel for the Applicant with the French version of Forms B1000 and E2000 of the L'Unique insurance policy that the Applicant had filed with its *Application for Authorization* as Exhibit P-3, and indicated that it wished to file these Forms as relevant evidence ("preuve appropriée"). This request is not contested by the Applicant.

[7] On December 23, 2020, counsel for the Defendant provided counsel for the Applicant with the French and English versions of Form E2050 of the L'Unique insurance policy, which Form is not included in the Applicant's own insurance policy with L'Unique (Exhibit P-3), and indicated that it wished to file this Form as relevant evidence ("preuve appropriée"). The Applicant does not object to the filing of this Form E2050, but reserves its right to make the appropriate representations in respect of its relevance to the issues to be decided at the authorization hearing.

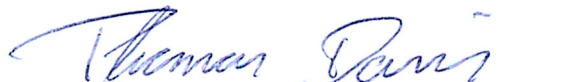
[8] In light of the foregoing, the Court accordingly authorizes the Defendant to file the French versions of Forms B1000 and E2000, and to file the French and English versions of Form E2050, as relevant evidence.

FOR THESE REASONS, THE COURT:

[9] **AUTHORIZES** the filing into the Court record of the Applicant's *Amended Application for Authorization to Institute a Class Action and to Obtain the Status of Representative* dated September 16, 2020, and of Exhibits P-6 and P-7 referred to therein.

[10] **AUTHORIZES** the filing into the Court record of the French version of Forms B1000 and E2000 and the French and English versions of Form E2050 of the L'Unique insurance policy as relevant evidence.

[11] **THE WHOLE WITHOUT LEGAL COSTS**, given the absence of contestation by either party.


THOMAS M. DAVIS, J.S.C.

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