

SUPERIOR COURT

(Class Actions Chamber)

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

N° : 500-06-001063-201

DATE : December 10, 2020

PRESIDING: THE HONOURABLE GARY D.D. MORRISON, J.S.C.

9311408 CANADA INC.

Applicant

v.

AVIVA INSURANCE COMPANY OF CANADA
and
AVIVA GENERAL INSURANCE COMPANY
and
CO-OPERATORS GENERAL INSURANCE COMPANY
and
DESJARDINS GROUPE D'ASSURANCES GÉNÉRALES INC.
and
ECONOMICAL, COMPAGNIE MUTUELLE D'ASSURANCE
and
FEDERATED INSURANCE COMPANY OF CANADA
and
LA PERSONNELLE ASSURANCES GÉNÉRALES INC.
and
LA PERSONNELLE, COMPAGNIE D'ASSURANCES
and
LLOYD'S UNDERWRITERS
and

MARC LIPMAN as "attorney-in fact" in CANADA for LLOYD'S UNDERWRITERS
and
NORTHBRIDGE GENERAL INSURANCE CORPORATION
and
**PROMUTUEL BAGOT, SOCIÉTÉ MUTUELLE
D'ASSURANCE GÉNÉRALE**
and
**PROMUTUEL BOIS-France, SOCIÉTÉ MUTUELLE
D'ASSURANCE GÉNÉRALE**
and
**PROMUTUEL BORÉALE, SOCIÉTÉ MUTUELLE
D'ASSURANCE GÉNÉRALE**
and
**PROMUTUEL CENTRE-SUD, SOCIÉTÉ MUTUELLE
D'ASSURANCE GÉNÉRALE**
and
**PROMUTUEL CHAUDIÈRE-APPALACHES, SOCIÉTÉ MUTUELLE
D'ASSURANCE GÉNÉRALE**
and
**PROMUTUEL DE L'ESTUAIRE, SOCIÉTÉ MUTUELLE
D'ASSURANCE GÉNÉRALE**
and
**PROMUTUEL DEUX-MONTAGNES, SOCIÉTÉ MUTUELLE
D'ASSURANCE GÉNÉRALE**
and
**PROMUTUEL DU LAC AU FLEUVE, SOCIÉTÉ MUTUELLE
D'ASSURANCE GÉNÉRALE**
and
**PROMUTUEL LANAUDIÈRE, SOCIÉTÉ MUTUELLE
D'ASSURANCE GÉNÉRALE**
and
**PROMUTUELMONTMAGNY-L'ISLET, SOCIÉTÉ MUTUELLE
D'ASSURANCE GÉNÉRALE**
and
**PROMUTUEL PORTNEUF-CHAMPLAIN, SOCIÉTÉ MUTUELLE
D'ASSURANCE GÉNÉRALE**
and
**PROMUTUEL RIVE-SUD, SOCIÉTÉ MUTUELLE
D'ASSURANCE GÉNÉRALE**
and
**PROMUTUEL VALLÉE DE L'OUTAOUAIS, SOCIÉTÉ MUTUELLE
D'ASSURANCE GÉNÉRALE**

and
**PROMUTUEL VALLÉE DU ST-LAURENT, SOCIÉTÉ MUTUELLE
D'ASSURANCE GÉNÉRALE**
and
**PROMUTUEL VAUDREUIL-SOULANGES, SOCIÉTÉ MUTUELLE
D'ASSURANCE GÉNÉRALE**
and
**PROMUTUEL VERCHÈRES – LES FORGES, SOCIÉTÉ MUTUELLE
D'ASSURANCE GÉNÉRALE**
and
ROYAL & SUN ALLIANCE DU CANADA, SOCIÉTÉ D'ASSURANCES
and
THE WAWANESA MUTUAL INSURANCE COMPANY
and
WYNWARD INSURANCE GROUP

Defendants

JUDGMENT

CONSIDERING Applicant's Motion for leave to add representative Plaintiffs;

CONSIDERING that what Applicant seeks is the Court's authorization to amend by adding two additional applicants, Gestion Ric'Art Ltée and Joenette Inc. and otherwise amending, as per its Second Amended Application for Authorization to Institute a Class Action, so as to provide additional allegations regarding the applicants;

CONSIDERING Article 585 *Code of Civil Procedure*;

CONSIDERING that the Motion is not contested;


CONSIDERING that the Court is of the view that the Motion is well founded and in the interests of the putative class members;

FOR THESE REASONS, THE COURT:

AUTHORIZES Applicant to amend its current Application for authorization to institute a class action by adding as additional applicants Gestion Ric'Art Ltée and Joenette Inc. and as well, by further adding allegations as per the *Second*

Amended Application for Authorization to Institute a Class Action and to Appoint a Representative Plaintiff, dated October 20, 2020;

THE WHOLE without judicial costs.



Gary D.D. Morrison, J.S.C.