

SUPERIOR COURT
(Class Action)

CANADA

PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

NO.: 500-06-000754-156

DATE: December 22, 2021

PRESENT: THE HONOURABLE PIERRE-C. GAGNON, J.S.C.

STEVE ABIHSIRA

Representative Plaintiff

v.

VIAGOGO AG

Defendant

CLOSING JUDGMENT REGARDING VIAGOGO AG (ONLY)

- [1] **WHEREAS** on December 15, 2021, the Representative Plaintiff has brought before this Court an Application to Approve the Disposal of the Remaining Balance and to Order a Closing Judgment Regarding Viagogo AG (the "Application");
- [2] **CONSIDERING** the Application before the Court;
- [3] **CONSIDERING** that the Defendant, Viagogo AG, consents to the Application;
- [4] **CONSIDERING** the Report by Paiements Velvet Payments on the execution of the Approval Judgment dated December 14, 2021, filed in support of the Application as Exhibit A-3;
- [5] **CONSIDERING** that there remains a balance of \$5,701.96 from the settlement funds;

[6] **CONSIDERING** the submissions of counsel for the Representative Plaintiff and counsel for the Defendant;

[7] **CONSIDERING** a payment to the P.K. Subban Foundation will actually benefit the Montréal Children's Hospital;

[8] **CONSIDERING** the acceptable connection between hockey professional Subban and the purchase of tickets for hockey games on the Viagogo website by Representative Plaintiff Abihisira;

[9] **CONSIDERING** article 596 al. 3 of the *Code of Civil Procedure*, section 60 of the *Regulation of the Superior Court of Québec in civil matters*¹, section 42 of the *Act Respecting the Fonds d'aide aux actions collectives*² and section 1(1)(a) of the *Regulation respecting the percentage withheld by the Fonds d'aide aux actions collectives*³.

POUR CES MOTIFS, LE TRIBUNAL:

FOR THESE REASONS, THE COURT:

[10] **ACCUEILLE** l' « *Application to Approve the Disposal of the Remaining Balance and to Order a Closing Judgment Regarding Viagogo AG* » du demandeur; **GRANTS** the Representative Plaintiff's *Application to Approve the Disposal of the Remaining Balance and to Order a Closing Judgment Regarding Viagogo AG*;

[11] **ORDONNE** à Velvet Payments, l'administrateur des réclamations, de verser au Fonds d'aide aux actions collectives 50 % de la somme de 2 850,98 \$ provenant du solde des fonds du règlement, dans les trente jours du présent jugement; **ORDERS** Velvet Payments, the Claims Administrator, to pay to the Fonds d'aide aux actions collectives 50% of \$2,850.98 from the remaining balance of the settlement funds, within thirty days of this judgment;

[12] **APPROUVE** le paiement de 2 850,98 \$ provenant de 50 % du solde des fonds du règlement à la Fondation P.K. Subban (no d'enregistrement 800699910RR 0001) et **ORDONNE** à Velvet Payments d'effectuer ledit paiement à partir du solde des fonds du règlement, dans les trente jours du présent jugement; **APPROVES** the payment of 50% of \$2,850.98 from the remaining balance of the settlement funds to the P.K. Subban Foundation (registered charity no. 800699910RR 0001) and **ORDERS** Velvet Payments to make said payment from the remaining balance of the settlement funds, within thirty days of this judgment;

[13] **DÉCLARE** que la défenderesse Viagogo AG a satisfait à toutes ses obligations en vertu de l'Entente de **DECLARES** that the Defendant Viagogo AG has satisfied all of its obligations under

¹ CQLR c. C-25.01, r 0.2.1.

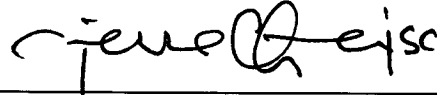
² c. F- 3.2.0.1.1.

³ c. F-3.2.0.1.1, r.2.

règlement approuvée par le Tribunal le 18 décembre 2020; the Settlement Agreement approved by the Court on December 18, 2020;

[14] **REND** le présent jugement de clôture; **DELIVERS** this closing judgment;

[15] **SANS FRAIS** de justice. **THE WHOLE**, without legal costs.



PIERRE-C. GAGNON, j.s.c.

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IMK
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