

ANNEXE B

CANADA

PROVINCE OF QUÉBEC

DISTRICT OF LONGUEUIL

(Class Action)

SUPERIOR COURT

No.: 505-06-000019-138

Mohamed Belmamoun
-and-
Gaétan L'Heureux

Representative Plaintiffs

v.

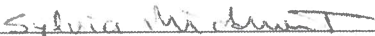
City of Brossard

Defendant

**NOTICE TO MEMBERS
AUTHORIZED CLASS ACTION
DES PRAIRIES ROAD IN BROSSARD
BETWEEN TASCHEREAU AND DU QUARTIER
(Art. 579, C.C.P.)**

1. TAKE NOTICE that on January 27, 2017, the Court of Appeal of Québec authorized a class action for the natural persons forming part of the group hereinafter described, namely:

Translation certified by the following member of the Ordre des traducteurs, terminologues et interprètes agréés du Québec (OTTIAQ) on April 18, 2018.


Sylvia Piedmont, C. Tr., Member #2862

"All persons residing or having resided, in the past three (3) years prior to the institution of these proceedings, as owner, tenant or occupant, along the section of Des Prairies Road bounded by Taschereau Boulevard to the west and Du Quartier Boulevard to the east, in the City of Brossard, at the following addresses:

-2280 to 4305 Des Prairies Road;
-4355, 4405, 4435, 4445, 4455, 4465 and 4685 Des Prairies Road (private street);
-2460 and 2620 Olivine Place;
-2400 and 2405 Outremont;
-3625 Oslo Street;
-3650 Orléans Street;
-8260 Louisbourg;
-8800, 8805, 8810, 9165, 9180, 9182, 9184, 9186, 9188, 9190, 9192 and 9194 Du Louvre Crescent;
-9005 Le Corbusier Street;

2. The authorized class action will proceed in the district of Longueuil where the defendant, City of Brossard, has its city hall, which is located at 2001 De Rome Boulevard, Brossard, province of Québec, J4W 3K5.
3. The class action initiated by the representative plaintiffs on behalf of the members of the group consists of an application for an injunction so that traffic calming measures be put in place on Des Prairies Road and seeks to obtain damages for abnormal neighbourhood disturbances and annoyances.
4. The Court of Appeal of Québec ascribed the status of representative plaintiff to Mohamed Belmamoun (3810 Des Prairies Road, Brossard, Québec, J4Y 2Y8) and to Gaétan L'Heureux (2650 Des Prairies Road, Brossard, Québec, J4Y 2X4), both representing the members of the group.
5. The principal questions of fact and law to be dealt with collectively are as follows:
 - Do the members of the Group have the right to apply for an injunction forcing the City of Brossard to take the necessary measures to stop infringing on their right to a healthy environment and/or to put a stop to the abnormal neighbourhood disturbances and annoyances?
 - Have the Group members suffered an infringement of their right to a healthy environment and/or have they suffered abnormal neighbourhood disturbances and annoyances due to the excessive flow of vehicles of all sizes on Des Prairies Road?

- Do the Group members have the right to claim compensatory and exemplary damages?

6. The conclusions sought with relation to such questions are as follows:

- a) **ALLOW** the class action of the representative plaintiffs and each member of the Group they represent;
 - b) **ORDER** the respondent, City of Brossard, to take the necessary measures to stop infringing on their right to a healthy environment and/or to put a stop to the abnormal neighbourhood disturbances and annoyances;
 - c) **CONDEMN** the respondent, City of Brossard, to pay, as compensatory damages, to each Group member and to the representative plaintiffs, an amount of \$10,000 per year, for each of the three years prior to the institution of these proceedings and until such time as the unlawful infringement of their rights and/or the abnormal neighbourhood disturbances and annoyances come to a stop, the whole with interest, at the legal rate, plus the additional indemnity to accrue from the date of service;
 - d) **CONDEMN** the respondent, City of Brossard, to pay, as exemplary damages, to each Group member and to the representative plaintiffs, an amount of \$5,000 per year, for each of the three years prior to the institution of these proceedings and until such time as the unlawful infringement of their rights and/or the abnormal neighbourhood disturbances and annoyances come to a stop, the whole with interest, at the legal rate, plus the additional indemnity to accrue from the date of service;
 - e) **ORDER** the collective recovery of the Group members' claims, in accordance with the terms and conditions established by the evidence, or if this is not possible, order the individual recovery of the Group members' claims;
 - f) **RESERVE** the right of the representative plaintiffs to subdivide the section of Des Prairies Road contemplated by these proceedings into segments in order to determine the damages claimed by each member of the Group;
 - g) **RESERVE** the representative plaintiffs' right to claim the indemnity provided for in article 593 C.C.P.;
 - h) **THE WHOLE** with legal costs against the respondent;
7. Any member of the group who has not requested his or her exclusion in the manner hereinafter indicated will be bound by any judgment to be rendered on the class action.

8. The date after which a member can no longer request his or her exclusion has been set at sixty (60) days following publication of this notice.
9. A member who has not already brought a suit in his or her own name, may request his or her exclusion from the group by advising the clerk of the Superior Court of the district of Longueuil by registered or certified mail, no later than sixty (60) days following publication of this notice at the following address. Clerk of the Superior Court, Longueuil Courthouse, 1111 Jacques-Cartier Boulevard East, Longueuil, Québec J4M 2J6.
10. Any member of the group who has brought a suit which the final judgment on the class action would decide upon is deemed to have requested his or her exclusion from the group if he or she does not, before the expiry of the aforementioned delay for exclusion, discontinue such suit;
11. A member of the group may intervene in the class action; however, only to assist the representative plaintiffs and support their applications or claims.
12. A member of the group other than a representative plaintiff or an intervener cannot be condemned to pay the costs of the class action.
13. The attorneys for the representative plaintiffs are Lamarre Linteau & Montcalm et Guilbault Gonthier (Me Marie-Élaine Guilbault and Me Pierre Gonthier), 1550 Metcalfe Street, Suite 900, Montréal, Québec H3A 1X6 Telephone: 514 396-0055; Facsimile: 514 396-0220.
14. The attorneys for the defendant are Miller Thomson, (Me Adina Georgescu) 1000 De la Gauchetière Street West, Suite 3700, Montréal, Québec H3B 4W5 Telephone: 514 871-5494; Facsimile: 514 875-4308.

PUBLICATION OF THIS NOTICE WAS ORDERED BY THE SUPERIOR COURT.