

NOTICE OF CLASS ACTION

Richard Gagné v. Vidéotron Ltée
Superior Court: 200-06-000255-227

Practice of charging interest and practice of reimbursement following the termination of a contract

The Superior Court authorized the institution of a class action against Videotron Ltd. in connection with a practice of charging interest on a contract, as well as a practice of reimbursement following the termination of a contract, for which the class members are described as follows:

"All Videotron residential customers domiciled or formerly domiciled in Québec who have entered into a communications services contract and who, between October 20, 2018 and February 3, 2023, were charged interest in contravention of their contract.

and

All Videotron residential customers domiciled or formerly domiciled in Québec who have cancelled their communications services contract without having obtained a proportional refund for prepaid and undelivered services between October 20, 2018 and February 3, 2023.

The representative status for the exercise of the class action was attributed to Mr. Richard Gagné.

However, the Court has not yet ruled on the merits of the class action, nor on the award of compensation to class members. Videotron Ltd. denies Mr. Richard Gagné's allegations and disputes the basis of the class action.

Principal questions to be treated collectively in the class action are the following:

1. Does the interest charged by Videotron to its residential customers under communications service contracts contravene the contractual terms and conditions?
2. If so, what damages may be claimed by Videotron's residential customers in connection with the interest charged by Videotron in breach of the contractual terms and conditions of the communications service contracts?

3. Must Videotron reimburse the proportion of prepaid services not rendered following the termination by residential customers of their communications service contracts?
4. Should collective recovery of damages be ordered?

The conclusions sought by the collective action are as follows:

GRANT the applicant's action to institute proceedings;

ORDER the defendant to pay to the class members any interest collected in contravention of the applicable contractual provisions, with interest at the legal rate plus the additional indemnity provided for in Article 1619 C.C.Q., calculated from the date of service of the application for authorization;

ORDER the defendant to pay to the class members the amount equivalent to the proportion of the prepaid services that were not rendered following the termination of services, with interest at the legal rate plus the additional indemnity provided for in Article 1619 C.C.Q., calculated from the date of service of the application for authorization;

ORDER that the above-mentioned damages be subject to collective recovery with individual compensation in accordance with Articles 595 to 598 of the *Code of Civil Procedure*;

If you wish to remain a member of this class action, you do not have to do anything.

However, if you wish to opt-out, you must notify the court office of the Superior Court of Quebec for the district of Quebec by mail at 300, boul. Jean-Lesage, Québec, G1K 8K6 no **later than • 2023**.

Members **cannot be** called upon to pay the legal costs of the class action if the application is rejected.

A member may apply to the Court to intervene in the class action. The Court will allow the intervention if it is of the opinion that it is useful to the group.

A new notice will be published at the time of the final judgment on the class action.

The judgment authorizing this class action and the formalities relating to the procedure for excluding members are also available at the court office of the Superior Court of the District of Montreal and in the Class Action Registry on the website **www.tribunaux.qc.ca**.

The members of the group are represented by the following prosecutors:

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**THE PUBLICATION OF THIS NOTICE
WAS ORDERED BY THE COURT**

In case of discrepancy, the authorizing judgment shall prevail.