

CANADA

PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

SUPERIOR COURT
(Class Action)

NO: 500-06-000888-178

JAMES GOVAN

Representative Plaintiff

-VS-

**LOBLAW COMPANIES LIMITED
LOBLAWS INC.
GEORGE WESTON LIMITED
WESTON FOOD DISTRIBUTION INC.
METRO INC.
SOBEYS QUEBEC INC.
SOBEYS CAPITAL INCORPORATED
WAL-MART CANADA CORP.
CANADA BREAD COMPANY LIMITED
GIANT TIGER STORES LIMITED**

Defendants

LONG NOTICE TO CLASS MEMBERS

NOTICE TO ALL PERSONS, PARTNERSHIPS AND ASSOCIATIONS RESIDENT IN
QUÉBEC WHO PURCHASED AT LEAST ONE PACKAGE OF BREAD IN BETWEEN
JANUARY 1, 2001 AND DECEMBER 19, 2019

1. **TAKE NOTICE** that on December 19, 2019, the Honourable Justice Pierre-C. Gagnon of the Superior Court of Québec authorized the bringing of a class action against Loblaw Companies Limited, Loblaws Inc., George Weston Limited, Weston Food Distribution Inc., Metro Inc., Sobeys Quebec Inc., Sobeys Capital Incorporated, Wal-Mart Canada Corp., Canada Bread Company Limited and Giant Tiger Stores Limited (hereinafter collectively the “**Defendants**”) and appointed the status of representative plaintiff to Mr. James Govan to act on behalf of the class of persons described as:

All persons, partnerships and associations resident in Québec who purchased at least one package of bread in between January 1st, 2001 and December 19, 2019;

The word “bread” in the class description means bread products and bread alternatives, produced or retailed by any of the Defendants,

excluding bread frozen when sold and bread baked on-site in the establishment where it is retailed.

2. This class action will be brought in the district of Montréal.
3. For the purpose of this class action, the representative plaintiff has elected domicile at his attorneys' offices located at:

Renno Vathilakis Avocats Inc. Mtres Michael Vathilakis / Karim Renno 145 St. Pierre, suite 201 Montreal, Quebec, H2Y 2L6 Tel: (514) 937-1221 Fax: (514) 221-3334 Email: mvathilakis@renvath.com / krenno@renvath.com Website: www.renvath.com	LPC Avocats Inc. Mtre Joey Zukran 276 Saint-Jacques Street, Suite 801 Montreal, Quebec, H2Y 1N3 Tel: (514) 379-1572 Fax: (514) 221-4441 Email: jzukran@lpclex.com Website: www.lpclex.com
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4. The principal questions of facts and law that will be dealt with collectively are:
 - a) Did the Defendants conspire, coalesce, or enter into any agreement or arrangement that unduly restricts competition in the sale of packaged bread and, if so, during what period did this cartel have its effects on Class members?
 - b) Does the participation of the Defendants in the cartel constitute a fault triggering their solidary liability to Class members?
 - c) Has the effect of the cartel been an increase in the price paid in Québec for the purchase of the packaged bread sold by Defendants and, if so, does the increase constitute a damage for each Class member?
 - d) What is the total amount of damages suffered by all Class members?
 - e) Is the Defendants' solidary liability triggered with respect to the following costs incurred or to be incurred on behalf of class members :
 - The costs of investigation;
 - The extrajudicial fees of counsel for the Applicant, Plaintiff and Class members; and
 - The extrajudicial disbursements by counsel for the Applicant, Plaintiff and Class members?
5. The conclusions sought in relation to the above questions are as follows:

GRANT the Representative Plaintiff's action against Defendants on behalf of all the

Class members;

DECLARE the Defendants liable for the damages suffered by the Representative Plaintiff and each of the Class members;

CONDEMN the Defendants, solidarily, to pay the Representative Plaintiff and the Class members an amount equal to the sum of the Defendants' revenues generated by the artificially inflated portion of the sale price of the packaged bread sold in Québec and **ORDER** collective recovery of these sums;

CONDEMN the Defendants, solidarily, to pay the costs incurred for any investigation necessary to establish their liability in the present proceeding, including the extrajudicial class counsel fees and extrajudicial disbursements, and expert fees, and **ORDER** collective recovery of these sums;

CONDEMN the Defendants, solidarily, to pay interest and the additional indemnity on the above sums according to law from the date of service of the Application to Authorize the Bringing of a Class Action;

ORDER the Defendants, solidarily, to deposit in the office of this Court the totality of the sums which forms part of the collective recovery, with interest and costs;

ORDER that the claims of individual Class members be the object of collective liquidation if the proof permits and alternately, by individual liquidation;

CONDEMN the Defendants to bear the costs of the present action including the cost of notices, the cost of management of claims and the costs of experts, if any, including the costs of experts required to establish the amount of the collective recovery orders;

6. The Superior Court has not yet ruled on the merits of the class action, nor on any compensation that may be awarded to class members. The Defendants deny the Plaintiff's claims and allegations, which have not been proven.
7. **If you wish to opt-out of the class action**, you have to notify the registry of the Superior Court of Quebec, District of Montreal **no later than June 1st, 2020**, by registered or certified mail at this address:

Superior Court of Québec, 1 Notre-Dame street East, Montreal, H2Y 1B6.

You must state that you wish to exclude yourself from the class action of *Govan v. Loblaw Companies Limited et als.* (case number 500-06-000888-178).

8. The date after which a class member can no longer request his or her exclusion from the class, unless specifically authorized by the Court, is **June 1st, 2020**.

9. A class member who has not requested his or her exclusion is bound by any judgement that may be rendered in the class action to be instituted in the manner provided for by law.
10. **If you wish to be included** in the class action, **you have nothing to do.**
11. As a class member, you have the right to intervene in the present class action, in the manner provided for by law.
12. No class member other than the representative plaintiff or an intervenor may be required to pay legal costs arising from the class action.
13. For further information, you may contact class counsel listed below. Your name and any information provided will be kept confidential. **Please do not contact the Defendants, nor any of the judges of the Superior Court.**

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THE PUBLICATION OF THIS NOTICE TO CLASS MEMBERS HAS BEEN APPROVED AND ORDERED BY THE SUPERIOR COURT OF QUÉBEC.