

CANADA

PROVINCE OF QUÉBEC  
DISTRICT OF MONTRÉAL

(Class Action)  
SUPERIOR COURT

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NO: 500-06-000824-165

ANTONIO BRAMANTE

Representative Plaintiff

-VS-

LES RESTAURANTS MCDONALD DU  
CANADA LIMITÉE

Defendant

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**NOTICE TO MEMBERS: CLASS ACTION AGAINST  
McDONALD'S RESTAURANTS OF CANADA LIMITED**

NOTICE TO CONSUMERS WHO HAVE PURCHASED, SINCE NOVEMBER 15, 2013  
IN QUÉBEC, A TOY OR A HAPPY MEAL FOR A PERSON UNDER 13 YEARS OF  
AGE PRESENT INSIDE A MCDONALD'S RESTAURANT DURING AN ADVERTISING  
CAMPAIGN DIRECTED AT PERSONS UNDER 13 YEARS OF AGE TAKING PLACE  
INSIDE THE RESTAURANT.

1. **TAKE NOTICE** that on November 14, 2018, the Honourable Justice Pierre-C. Gagnon of the Superior Court of Québec authorized the bringing of a class action against McDonald's Restaurants of Canada Limited and appointed the status of representative plaintiff to Mr. Antonio Bramante to act on behalf of the class of persons described as:

Every consumer pursuant to the Québec Consumer Protection Act who, since November 15<sup>th</sup>, 2013 purchased in Québec for a child under 13 years of age then present inside a McDonald's restaurant, a toy or Happy Meal, during an advertising campaign directed at children taking place inside the restaurant.

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

**Me Joey Zukran  
LPC Avocat Inc.**

5800 boulevard Cavendish, Suite 411  
Côte Saint-Luc, (Québec), H4W 2T5

Telephone: (514) 379-1572

Fax: (514) 221-4441

Email: [jzukran@lpclex.com](mailto:jzukran@lpclex.com)

Website: [www.lpclex.com](http://www.lpclex.com)

4. The principal questions of facts and law that will be dealt with collectively are:
  - a) Does McDonald's use inside its stores in Québec advertisements directed at children under 13 years of age?
  - b) Do said advertisements directly incite a child to buy a toy or a Happy Meal? Or to urge another person to buy a toy or Happy Meal? Or to seek information about either?
  - c) If so, what is the appropriate remedy?
  - d) Are the class members entitled to compensatory damages? To punitive damages?
  - e) Should an injunction be issued to order McDonald's to cease said advertisements?
5. The conclusions sought in relation to the above questions are as follows:

**GRANT** Plaintiff's action against Defendant on behalf of all the members of the class;

**DECLARE** the Defendant liable for the damages suffered by the Applicant and each of the members of the class;

**ORDER** the Defendant to cease making use of commercial advertisements directed at persons under 13 years of age, regarding the sale of Happy Meals and toys;

**CONDEMN** the Defendant to pay to each member of the class a sum to be determined in compensation of the damages suffered, and **ORDER** collective recovery of these sums;

**CONDEMN** the Defendant to pay to each of the members of the class punitive damages, in an amount to be determined, and **ORDER** collective recovery of these sums;

**CONDEMN** the Defendant to pay legal 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 and to Appoint the Status of Representative Plaintiff*;

**ORDER** the Defendant to deposit in the office of this Court the totality of the sums which form 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 or alternately, of individual liquidation;

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

**RENDER** any other order that the Court shall consider appropriate.

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. McDonald's denies the allegations contained in the class action.
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 May 2, 2019**, 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 *Antonio Bramante v. Les Restaurants McDonald du Canada Limitée* (case number 500-06-000824-165).

8. The date after which a class member can no longer request his exclusion from the class, unless specifically authorized by the Court, is **May 2, 2019**.
9. A class member who has not requested his 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 McDonald's, nor any of the judges of the Superior Court.**

**Me Joey Zukran  
LPC Avocat Inc.**

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