

SUPERIOR COURT

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

No: 500-06-000824-165

DATE: March 2, 2020

BY THE HONOURABLE THOMAS M. DAVIS, J.S.C.

ANTONIO BRAMANTE
Representative Plaintiff

v.

LES RESTAURANTS MCDONALD DU CANADA LIMITÉE
Defendant

JUDGMENT ON AN APPLICATION TO MODIFY THE CLASS DEFINITION

[1] **CONSIDERING** the *Application to Modify the Class Definition* filed on February 19, 2020 (the “**Application**”);

[2] **CONSIDERING** that pursuant to the Application, the Parties are asking the Court to modify the Class definition in order to include the end date of April 15, 2020;

[3] **CONSIDERING** that the proposed end date of April 15, 2020 is consistent with the Class Period defined in the settlement agreement executed between the parties, as well as with the notices approved by the Court on January 27, 2020.¹

[4] **CONSIDERING** that at this stage of the present case, it is now appropriate for the Class definition to provide for a start and end date;

¹ *Bramante c. Restaurants McDonald du Canada limitée*, 2020 QCCS 237.

[5] **CONSIDERING** articles 25, 49 and 588 of the *Code of Civil Procedure*;

PAR CES MOTIFS, LE TRIBUNAL :	FOR THESE REASONS, THE COURT:
<p>[1] MODIFIE la définition du groupe pour se lire comme suit:</p> <p>« Tout consommateur au sens de la <i>Loi sur la protection du consommateur du Québec</i> qui, entre le 15 novembre 2013 et le 15 avril 2020, a acheté au Québec pour un enfant de moins de 13 ans alors présent dans un restaurant McDonald, un jouet ou un Joyeux festin, durant une campagne publicitaire destinée aux enfants à l'intérieur de tel magasin. »</p>	<p>[1] MODIFIES the Class definition to read as follows:</p> <p>“Every consumer pursuant to the <i>Québec Consumer Protection Act</i> who, from November 15th, 2013 to April 15th, 2020 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.”</p>
<p>[2] LE TOUT, sans frais de justice.</p>	<p>[2] THE WHOLE, without legal costs.</p>



THOMAS M. DAVIS, J.S.C.

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