

**[LONG FORM NOTICE]**

**NOTICE OF AUTHORIZATION OF A CLASS  
ACTION**

**THIS NOTICE CONCERNS YOU IF, ON APRIL 4<sup>th</sup> OR 5<sup>th</sup>, 2021, YOU PLACED AN ORDER FOR AN ITEM PRICED AT \$3.49 ON WWW.WALMART.CA WHILE YOU WERE DOMICILED OR RESIDING IN THE PROVINCE OF QUEBEC, AND AFTER RECEIVING A PURCHASE CONFIRMATION AT THE PRICE INITIALLY ADVERTISED SUBSEQUENTLY HAD YOUR PURCHASE CANCELLED:**

1. By judgment dated March 30<sup>th</sup>, 2022, in case number 500-06-001142-211 of the Superior Court of Quebec, the Court authorized the bringing of a class action seeking compensation on behalf of the following class of persons:

All consumers domiciled or residing in Quebec who, on April 4<sup>th</sup> or 5<sup>th</sup>, 2021, placed an order for an item priced at \$3.49 on the [www.walmart.ca](http://www.walmart.ca) website and who, after receiving a purchase confirmation from Wal-Mart Canada at the price initially advertised, subsequently had their purchase cancelled by Wal-Mart Canada;

Hereinafter referred to as the “**Class.**”

2. The class action alleges that Wal-Mart Canada Corp. (“Wal-Mart Canada”) carried out two prohibited business practices by charging, for goods or services, a higher price than that advertised and by advertising goods or services of which Wal-Mart Canada had an insufficient quantity to meet public demand in violation of the Quebec *Consumer Protection Act* (the “CPA”). The Court have made no determination regarding the merits of those allegations, which Wal-Mart Canada denies.

3. The principal questions of fact and law to be determined collectively by the Court are the following:

- a. By cancelling consumers' orders on April 4th and 5th, 2021, did Wal-Mart Canada violate s. 16, 231 and 224c) CPA?
- b. If so, are Class members entitled to compensation and in what amount?
- c. Are the Class members entitled to punitive damages and, if so, in what amount?

4. The conclusions sought in relation to these questions are the following:

**GRANT** the Plaintiff's action against Defendant for all class members;

**CONDEMN** the Defendant to pay for the members of the Class an amount to be determined in compensatory damages, and **ORDER** collective recovery of these sums;

**CONDEMN** the Defendant to pay for the members of the Class \$500 each in punitive damages, and **ORDER** collective recovery of these sums;

**CONDEMN** the Defendant to pay interest at the legal rate and the additional indemnity provided for in art. 1619 C.C.Q. on the above sums 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 forms part of the collective recovery, with interest and costs;

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

**CONDEMN** the Defendant 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;

5. The Court appointed Mr. Dominique Lavoie as the Representative Plaintiff.
6. The address of the attorney of the Representative Plaintiff is:

**Mr. Joey Zukran**  
LPC Avocat Inc.  
276 Saint Jacques St., Suite 801  
Montreal, Quebec, H2Y 1N3  
Tel.: 514-379-1572  
[jzukran@lpclex.com](mailto:jzukran@lpclex.com)

7. If you do nothing, you will remain a member of the Class and will be bound by any judgment in this action. If you do not want to participate in the class action, you can opt out of the Class. You may wish to opt out if, for example, you prefer to pursue your own legal action at your own expense against Wal-Mart Canada.
8. Any Class member who has not requested to opt out in the manner set out below will be bound by the judgment to be rendered in the class action. If you opt out, you will not be entitled to any compensation if a favourable judgment or settlement is reached in this class action.
9. The date after which a Class member may no longer opt out without special permission is September 2, 2022.
10. A Class member who wishes to opt out of the class action may do so before the expiration of the deadline to opt out by advising the Clerk of the Superior Court of Quebec in the District of Montreal in writing, indicating the court number 500- 06- 001142-211 and case name (*Lavoie v. Wal-Mart Canada Corp*) :

**Clerk of the Superior Court of Quebec**  
1 Notre-Dame Street East  
Montreal, Quebec, H2Y 1B6

11. Any Class member who has brought (prior to the expiration of the deadline to opt out) an action having the same subject matter as the class action is deemed to have opted out of the Class if he or she does not discontinue that court action before the expiration of the deadline to opt out.

12. A member of the Class may seek authorization from the Court to intervene if the intervention is considered helpful to the Class. A Class member who intervenes is required to submit to a pre-trial examination at the request of the Defendant. A Class member who does not intervene may not be subject to a pre-trial examination unless the Court considers that it would be useful for its determination of the issues of law or fact to be dealt with collectively.
13. A member of the Class, other than the Representative or an Intervenor may not be required to pay the legal costs arising from the class action.
14. This class action will proceed in the Judicial District of Montreal.

This notice is only a summary of the judgment authorizing the class action, the complete text of which may be found on the website [here](#). You may also contact class counsel listed above. Your name and, any information provided, will be kept confidential. Please do not contact the Judges of the Superior Court.

**DISTRIBUTION OF THIS NOTICE HAS BEEN ORDERED BY  
THE SUPERIOR COURT OF QUEBEC.**