

SUPERIOR COURT
(Class Action)

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

No: 500-06-000965-182

DATE: April 30, 2019

BY THE HONOURABLE CHANTAL CHATELAIN, J.S.C.

NICHOLAS PAPADATOS
Applicant

v.

FACEBOOK, INC.
Defendant

JUDGMENT OF TEMPORARY STAY

[1] **CONSIDERING** the *Application to Temporarily Stay the Class Action*, whereby the Applicant, Nicholas Papadatos, is requesting that the Class Action filed by him against the Defendant, Facebook, Inc. (the "**Quebec Action**") be temporarily stayed for a period ending sixty (60) days after the Final Certification Judgment to be rendered in the parallel Class Action commenced in British Columbia in *Moretti et al. v. Facebook, Inc. et al.*, Court docket number VLC-S-S-1813727 (the "**BC Action**");

[2] **CONSIDERING** that the Defendant consents to the *Application to Temporarily Stay the Class Action*;

[3] **CONSIDERING** the BC Action was filed on December 20, 2018, prior to the Quebec Action which was filed on December 21, 2018;

[4] **CONSIDERING** the BC Action's proposed national class definition includes the members of the Quebec Action and raises the same issues as the Quebec Action;

[5] **CONSIDERING** that a Case Management Conference is scheduled to take place on May 14, 2019 before the Honourable Justice Masuhara, who has been assigned to case manage the BC Action;

[6] **CONSIDERING** that no procedural steps have been taken in the Quebec Action to date;

[7] **CONSIDERING** that Attorneys for the Applicant have undertaken to provide this Court with an update on the status of the BC Action on a semiannual basis, and to advise this Court within thirty (30) days of any significant development in the BC Action that may affect the course of the Quebec Action;

[8] **CONSIDERING** that the rights and interests of the Quebec Class Members will be protected;

[9] **CONSIDERING** that a stay is consistent with the principles of proportionality and judicial economy and will avoid the risk of contradictory judgments and multiple proceedings;

FOR THESE REASONS, THE COURT:

[10] **GRANTS** the *Application to Temporarily Stay the Class Action*;

[11] **STAYS** any and all proceedings related to the *Application for Authorization to Institute a Class Action and to Obtain the Status of Representative* for a period ending sixty (60) days after the Final Certification Judgment to be rendered in the BC Action (court docket number VLC-S-S-1813727), or such later date as may be further ordered by the Court or as requested by the parties;

[12] **PRAYS ACT** of the Applicant's undertaking to provide this Court with an update on the status of the BC Action on a semiannual basis, and to advise this Court within thirty (30) days of any significant development in the BC Action that may affect the course of the Quebec Action, and **ORDERS** the Applicant to comply with said undertaking;

[13] **RESERVES** the jurisdiction of the Court to lift this suspension on request or on its own initiative if the circumstances so warrant;

[14] **WITHOUT COSTS.**


CHANTAL CHATELAIN, J.S.C.

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Motion considered in writing