

TCANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL
No: 500-06-000478-095

(Class action)
SUPERIOR COURT

ROGER LÉONARD

Representative

v.

ATTORNEY GENERAL OF QUEBEC

Respondent

OFFICIAL COURT NOTICE

PLEASE TAKE NOTICE that

1. On October 22, 2014, the Honourable Steve J. Reimnitz of the Superior Court authorized the bringing of a class action on behalf of the natural persons forming part of the class hereinafter described:

Every person who has been strip searched following a court order for their release in a detention facility located in Quebec since July 13th 2006.

2. The class action alleges that the Respondent has performed illegal strip searches and seeks \$1000 in compensatory damages and \$500 in punitive damages on behalf of all class members;
3. The class action will address the following questions of law or fact for all class members:
 - Do the strip searches performed by the employees of the Correctional Service of Quebec on persons who have received a release order violate the *Canadian Charter of Rights and Freedoms*?
 - In the affirmative, do these strip searches infringe upon the personal inviolability and dignity of the Representative and the class members?
 - Is the Respondent required to compensate the Representative and the class members for the damages they have suffered?
4. The conclusions sought with relation to such questions are as follows:

GRANT the action of the Representative on behalf of all class members;

CONDEMN the Respondent to pay the Representative and each class member an amount of \$1000 in damages with interest at the legal rate from the date of service of the motion as well as the additional indemnity provided for under section 1619 of the *Civil Code of Québec*;

CONDEMN the Respondents to pay the Representative and each of the class members an amount of \$500 in punitive damages;

ORDER the collective recovery of the class members' claims;

ORDER the liquidation of individual members' claims in conformity with the provisions provided for by sections 1037 to 1040 of the *Code of Civil Procedure*;

ORDER the Respondent to pay to the Representative and each of the class members the amount of his individual claim with interest at the legal rate from the date of service of the motion as well as the additional indemnity provided for under section 1619 of the *Civil Code of Québec*;

THE WHOLE with costs, including expert fees, notice costs and administration fees, where applicable;

5. A class member who has not requested his exclusion from the class action in the manner indicated below will be bound by any judgment rendered during the class action;
6. The date after which a class member can no longer request his exclusion without special permission has been set at sixty (60) days following the date of this notice;
7. A class member who has not already brought a suit in his own name, may request his exclusion from the class by advising the clerk of the Superior Court of the district of Montreal by registered or certified mail, before the expiry of the delay for exclusion;
8. A class member is deemed to have requested his exclusion from the class if he does not, before the expiry of the time limit for exclusion, discontinue a suit he has brought which the final judgment on the demand of the Representative would decide;
9. A class member other than the Representative or an intervener cannot be called upon to pay the costs of the class action;
10. The Court may permit a class member to intervene in the class action if it considers such intervention useful to the class. An intervening member may be bound to submit to an examination on discovery at the request of the Respondent. A member who does not intervene in the class action can only be required to submit to an examination on

discovery if the Court considers it useful;

11. The above-titled class action will be brought in the district of Montreal;
12. Mr. Roger Léonard, residing in Montreal, Quebec, has been attributed the status of Representative for the purpose of the class action;
13. Mr. Léonard is represented by the law firm Trudel Johnston & Lespérance, s.e.n.c., 750 Côte de la Place d'Armes, Suite 90, Montréal, Québec, H2Y 2X8;
14. The Respondent, Attorney General of Quebec, is represented by Bernard Roy (Justice-Québec), Direction du contentieux, 1 rue Notre Dame Est, bureau 8.00, Montreal, Quebec, H2Y 1B6.

Montreal, November 3, 2015

Trudel Johnston & Lespérance

Attorney for the Representative

Tel. 514-871-8385

www.tjl.quebec

info@tjl.quebec