

CANADA  
PROVINCE OF QUÉBEC  
DISTRICT OF MONTRÉAL

SUPERIOR COURT

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NO.: 500-17-125289-234

**ANDREW CADDELL**

-and-

**E.M**

-and-

**M.G.**

-and-

**FRED VICKERSON**

-and-

**TIMOTHY CROTEAU**

-and-

**PATRICK KIELY**

**Applicants**

-vs-

**ATTORNEY GENERAL OF QUÉBEC**

-and-

**ATTORNEY GENERAL OF CANADA**

**Respondents**

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**APPLICATION FOR INTERLOCUTORY INJUNCTION**  
**(Articles 510 and following C.C.P)**

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**TO ONE OF THE HONOURABLE JUDGES OF THE SUPERIOR COURT SITTING IN PRACTICE DIVISION FOR THE DISTRICT OF MONTRÉAL, APPLICANTS SAY:**

1. They have commenced an Originating Application for Judicial Review and Declaratory Judgment (Application for Judicial Review), saying in part at Paragraph 1 therefrom, "... [to] seek declarations and orders from this Court that select sections of *An Act Respecting French, the Official and Common Language of Québec*, SQ 2022, c 14, assented to June 1, 2022, are unconstitutional, inoperative, *ultra vires* and in violation of the *Constitution Act*, 1867, the *Constitution Act*, 1982, the essential framework of Canadian federalism, and Canadian constitutionalism; including the rule of law, the essential underlying principles of Québec civil law, and the framework, convention, customs and traditions of human rights in Canada and Québec";

2. In bringing their Application for Judicial Review, the Applicants, sometimes referred to as Plaintiffs, state at Paragraphs 15 and 16 thereof:

"15. The Plaintiffs make clear that they recognize that the National Assembly of Québec has an obligation to preserve, protect, and promote the French language in Québec;

16. Plaintiffs object to that obligation being fulfilled by the suppression of individual rights and freedoms as defined in Canada's and Québec's constitutional and legal order";

3. The Applicants, while asserting their individual legal interests to bring the Application for Judicial Review, also assert at Paragraphs 67 to 71 inclusive, that they are public interest litigants and according to the criteria put out by the Supreme Court of Canada in the case of *Downtown Eastside Sex Workers United Against Violence Society v. Canada (Attorney General)*, 2012 SCC 45 and *British Columbia (Attorney General) v. Council of Canadians with Disabilities*, 2022 SCC 27. The said Paragraphs 67 to 71 read as follows:

67. The Applicants take this Application, have a legal interest in same, in their private capacities and as public interest litigants in accordance with the

criteria set out by the Supreme Court of Canada;

68. The issues raised in Bill 96 are serious as they constitute encroachment on constitutional and human rights with respect to rights to life, liberty, and security; equality; healthcare services; government services; education; employment; as well as freedoms of expression and mobility, and freedom from undue state interference are all serious and justiciable;

69. The Applicants are claimants with respective genuine interest in the proceedings;

70. This litigation is not only a reasonable and effective means of bringing on the challenge to the impugned provisions of Bill 96, but indispensable in protecting the human rights which underpin the authority of the rule of law in Canada's constitutional system;

71. The above also corresponds to the legal interest mandated by the C.C.P. at article 85 and article 529 para. 2;

4. *An Act Respecting French, the Official and Common Language of Québec*, SQ 2022, c 14 (Bill 96) came into force on June 1, 2022, other than certain articles thereof, some of which came into force on September 1, 2022, some of which came into force on June 1, 2023, some of which will come into force on June 1, 2024, some of which will come into force for the 2024/2025 school year and some of which will come into force on June 1, 2025, the whole as per Article 2018 of Bill 96, a copy of which article is attached to this Application;

5. In effect, Bill 96 is substantially and currently in force;

6. The Government of Québec has been zealous in both implementing the letter and spirit of Bill 96;

7. In doing so, the Government of Québec has created and promoted a social climate where the use of the English language is restricted and disdained and is considered to

be a threat to the survival of the French language and identity in Québec;

8. The pre-Bill 96 version of the *Charter of the French Language* provisions were either accepted or acquiesced to by most of the Québec population, and for which a kind of linguistic peace existed for several decades. Bill 96 has completely disrupted Québec's linguistic peace and replaced it with a sentiment that, regardless of the effects of the pre-Bill 96 *Charter of the French Language*, these efforts failed and now require harsh and discriminatory measures against the Anglophone community of Québec who represent a force threatening the Québec Francophone society. That threat is manifested, not simply by the alleged decline of the French language in Québec and the attraction of the English language, but by the very existence of the Anglophone community in Québec, whether or not intended, is the manifestation of the magnetic pull of the English language. The enactment of Bill 96 is in part based on certain interpretations of demographic statistics which are said to demonstrate that the French language is in decline in Québec, notably in the Greater Montréal area, other interpretations of these statistics are possible that suggest the stability of the French language or the growth of its use;
9. Whatever may be the beliefs that Bill 96 is necessary, in the result the Anglophone community of Québec is being treated as a "whipping boy" [person] or despite the community's good will is somehow, by its existence, hostile to the French language;
10. The Applicants have been informed of numerous instances where they have been discriminated against because they speak English, of which the following are examples:
  - a) woman with a learning disability is unable to seek justice for human rights violations because the HRC is refusing to communicate with her in English;
  - b) traffic ticket was only issued in French, when an English copy was requested, the response was that there needed to be proof that the person requesting the English copy was entitled to be served in English. The person did so and received an English translation two weeks later;

- c) 17-year-old son with autism and ADHD, mother fears for her son's future and his ability to function in society. She also fears that he will be berated in public for not being able to speak French;
- d) did English CEGEP and University, is returning to English CEGEP and is now required to do additional French courses and the French Exit Exam because of Bill 96;
- e) French speaker is wanting to get further education after already having completed her DEC and is feeling punished because her French credits are not transferable to her new program and she has to take more French courses and take the French exit exam;
- f) wanted to study at an English CEGEP, but does not possess enough French skills to pass the exam;
- g) woman moved to Québec from B.C. She wanted to sign up for French courses via the Québec website, but the registration was only in French and all communication with them was in French. She ended up using a private French course;
- h) 64-year-old man called the RAMQ about an issue with his medicare card, was hung up on when he asked for service in English;
- i) middle-aged woman went to Glen Hospital and triage nurse refused to speak to her in English. She left. Next day she went to Queen Elizabeth and was found to have sepsis which triggered a cardiac event which sent her to ISU. She almost died;
- j) nursing home refused to serve in English, was interviewed with CTV Global News (March 17/18, 2019);
- k) called 811, was transferred 3 times and then hung up on when speaking English;
- l) mother was treated for terminal cancer and while being a historic anglophone was not receiving full English care. Doctors instructed nurses and orderlies to provide care in English, but some refused. This caused added stress to the terminally ill patient as well as the family of said patient;
- m) woman was injured and did not receive care in English, was made to wait an additional 3 hours in the waiting room for an English doctor, in the end she still only received care in French;

- n)** man has been served in French during multiple hospital visits despite being a historical anglophone;
- o)** man was only given his health insurance packet in French by his employer and was told to just google whatever he did not understand;
- p)** (1) Middle-aged woman moved here 13 years ago and has not been able to find work due to her not speaking French. (2) She was refused healthcare services in English on multiple occasions. (3) Has a family member with dementia at Lakeshore Hospital being only treated in French.
- q)** son was told that he and other catering staff would be 'expelled' if they were caught serving clients in English;
- r)** English residents in municipality no longer receive information in English unless specifically requested with the exception for matters of safety/security;
- s)** adult couple was called by a government office. The caller refused to speak English to them. They were unable to clarify what the call was about. The call made them feel discriminated;
- t)** wants to buy a car and would like to get more information for SAAQclic, but the website is only available in French;
- u)** how it feels to immigrate as a non-French speaking person. They feel discriminated and not able to assimilate;
- v)** young man was denied English instructions for his driver's test. It appears he was not a 'historic anglophone', but also the instructor did not ask him;
- w)** woman attempted to get information from the government regarding how the pension would be split after her divorce, but was hung up on after not speaking French. She is a historical anglophone."
- x)** Woman called Revenue Quebec as liquidator of her mother's estate. As the telephony options were only in French, she found it extremely difficult to connect to the correct department. She was made to attest that she was a historical anglophone giving her family history before being transferred to an English speaker. She is extremely frustrated and angry at the situation and worries about vindictiveness of the Quebec government and the inaction from the Federal government.

- y) Family business was started from scratch in the 1970's and grew to approx. 150 employees (of many languages and backgrounds) were exporting products to the US and making a positive contribution to their community. The person feels that the business would never have succeeded under Bill 96.
  - z) 77 year old man, born in Quebec and refused French public education because of his Jewish faith, has been served in French only at multiple hospital visits despite being a historical Anglophone.
  - aa) Person has issues getting service at the SAAQ. A phone number for English communication is provided however no one seems to answer it. As well, there seems to be a delayed response for forms submitted.
  - bb) Woman lost custody of her grandchildren after the death of her daughter. She needs to file complaints to child protective services in order to get to see the children, however the entire process is only available in French.
  - cc) All forms to file complaints against a case worker for child protective services are exclusively in French. After the passing of her mother, she had to declare her death, but the forms were only available in French. As French is not her first language and the legal terms on the form were foreign to her, she accidentally declared herself dead. Luckily the mistake was caught before it was too late. After the passing of her mother and daughter, she needed grief counseling, however neither the police nor healthcare workers were able to refer her to services available in English.
  - dd) Person called SAAQ and had to confirm their eligibility to be served in English. After being on hold for 36 minutes, someone on the other end picked up and then hung up the phone without saying anything.
11. In October 2023, the Québec government announced that it would impose 50 new language measures consequent on Bill 96 for the purpose of protecting and enhancing the generalized use of the French language; not all of these measures have been announced.
12. M. Jean-Francois Roberge, the Minister of the French language, published in the Gazette officielle du Québec, on the 10<sup>th</sup> of January, 2024, the publication of new draft regulations concerning the language of commerce, business and signs:

- a. Regulation to amend mainly the Regulation respecting the language of commerce and business;
  - b. This regulation in part makes clear that French must not only be predominant on signs but at least double of any other language. The message is clear, French is not simply the “visage” of Québec, English must be shown as visually undesirable.
13. The Québec government has imposed on English universities in Québec increases in Canadian out-of-province tuition fees and the requirement that 80% of such students attain a level 5 French-language proficiency failing which the universities would be sanctioned.
14. The government is mobilizing all its resources to promote the French language, even giving the public the choice of proposing measures to achieve this goal. In fact, the government is consulting the Quebec population on the future of the French language through a consultation platform aimed at "gathering the population's ideas to ensure the future and sustainability of Quebec's official language". It is calling on the population of Quebec to be unified based on a common language and urges the necessity to protect the said language jointly, and so restricting the English community's rights.
15. The government is trying to sow a common sense of belonging for each and every French speaker, leaving out those who don't speak it. The aim is to create a sense of pride among Quebecers, who are duty-bound to protect their language. The Prime Minister of Québec said the following : “Chaque génération qui passe a la responsabilité de la survie de notre langue, et là, c'est à notre tour. Notre génération doit porter le flambeau avec fierté”;
16. The government sees any non-speaking French person as a threat to the preservation of the French language. Thus, because of the English language and the



representative of the English language being the English community, the use of this language shall be restrained.

17. The government is also calling on researchers, specialists, organizations and civil society groups to submit briefs proposing "structuring measures to ensure the future of the French language";
18. In an article entitled "Comment freiner le déclin du français au Québec" (How to halt the decline of French in Quebec), the authors of a press article put forward 5 suggestions for measures to "reverse the destructive spiral in which French in Quebec finds itself";
19. In fact M. Jean-François Roberge has declared the following : « Il est prioritaire, pour le Groupe d'action pour l'avenir de la langue française, d'entendre les préoccupations des Québécoises et des Québécois quant à la situation du français. Les consultations visent à donner une voix à la population québécoise, en lui permettant de s'exprimer sur les meilleurs moyens de protéger, de promouvoir et de valoriser notre langue. Je vous invite à participer en grand nombre, car il est de notre responsabilité collective de protéger notre langue. »;
20. Starting in fall 2024, the Québec government plans to increase university fees for international students and Canadian students from outside Quebec, whose presence, according to its assessment, mainly benefits English-language institutions such as McGill, Concordia and Bishop's, exhibit P-5. This measure is part of the Coalition avenir Québec (CAQ) government's action plan to halt the decline in the use of the French language in the province;
21. An increase in tuition fees could have a significant impact on institutions, and that if fees rise significantly, many students might consider studying elsewhere, damaging both the diversity of the student body at English-language institutions and its finances;

- 22.** The commission in charge of the said plan also intends to put in place measures to force streaming giants such as Netflix and Spotify to make Quebec content "more visible", according to the Minister of Language.
- 23.** The Québec government announced proposals for major regulatory changes to the immigration system in order to promote French-speaking economic immigration with the aim of achieving, by 2026, a proportion of nearly 100% of principal applicants in the economic category who know French;
- 24.** Currently, under the "Programme de l'Expérience Québécoise" (PEQ), the first route to permanent residency in Quebec, principal applicants must demonstrate a minimum of level 7 oral proficiency in French. Their spouses, meanwhile, must demonstrate a minimum level 4 in the same skill. These requirements apply to both the worker and student streams. Regulatory changes have been proposed to extend the knowledge of French a requirement for all economic immigration programs in Quebec.
- 25.** By requiring proficiency in French as an eligibility criterion, the Quebec government makes speaking French a criterion to be able to live in Quebec and participate fully in social and economic life, the English-Speaking community no longer having this privilege;
- 26.** Many new requirements of French are being set in place :

  - a.** A minimum oral knowledge of French will now be required for adults wishing to be selected for all economic immigration programs.
  - b.** A new permanent immigration program for skilled workers, the Skilled Worker Selection Program, will be introduced. The new program has four components to better select all types of workers in sectors in need of manpower. For three of these sectors, knowledge of French will be required

of principal applicants and their accompanying spouses.

- c. The Investor, Entrepreneur and Self-Employed programs will also be revised, notably to require oral French for principal applicants.
- d. Changes will also be made to the family reunification category to make it mandatory for the guarantor to submit a reception and integration plan, in which he or she undertakes to support the learning of French by the person they are taking in. M. Legault sees it as a “real challenge” to be resolved with Ottawa;

**27.** The gamut of these measures has the practical effect of restricting and restraining use of the English language and has been the antidote for the alleged declining use of the French language;

**28.** Québec anglophones, whether defined as mother-tongue English speakers or English speakers of choice or English language users, are effectively second-class citizens subject to legally discriminatory measures.

**29.** The continuation of the measures and their supplement by further measures have the effect of creating fear and insecurity amongst Québec anglophones bringing them into disrepute, as a thorn, however unfounded, to the identity, culture and language of the Francophone majority.

**30.** In their Application for Judicial Review, the Applicants raise serious issues as to whether or not substantial portions of Bill 96 are constitutional;

**31.** The continued creation of new measures which may fail should the Applicants succeed in their judicial review, creates a hostile discriminatory environment where the deleterious effects cannot be undone even if the Applicants are successful after years of constitutional litigation;

32. Accordingly, the Government of Québec should be restrained from promulgating new language measures consequent on the authority and powers given to it by Bill 96;
33. Bill 96 defines “civil administration” as including all governmental, legislative, municipal, school centers, government ministries, government agencies, public and para-public agencies, and legal persons owned, controlled, or financed by the State, pursuant to Schedule I of Bill 96;
34. Bill 96 requires that as of June 1, 2023 all enterprises communicate, whether orally or in writing, with the civil administration in French, to the exclusion of any other language, other than in certain and express limited situations, pursuant to sections 6-10 inclusively;
35. Bill 96 requires that as of June 1, 2023 all natural persons, who are not enterprises, communicate, whether orally or in writing, with the civil administration in French, to the exclusion of any other language, other than in certain and express limited situations;
36. The exception for natural persons, who are not enterprises, permits certain qualifying natural persons to communicate orally and in writing with the civil administration in English and the civil administration is then permitted to respond in English;
37. Qualifying natural persons who are not enterprises who may communicate with the civil administration in English consists of those natural persons who were educated in primary and secondary school in Canada in English, subject to the natural person proving that qualification to the representative of the civil administration;
38. These restrictions are impermissible in that:
  - a. They create two classes of Canadian citizens, distinguishing between those educated in English in primary and secondary school in Canada and those who were not;
  - b. This distinction is arbitrary and impermissibly applies some of the criteria of Section 23 of the *Constitution Act*, 1982 (Education Rights);

- c. The requirement of unilingual French communication with the civil administration is contrary to the conventions, customs, and traditions of Québec by which English could be used for communication with the civil administration;
  - d. The qualification creates an unequal, discriminatory and discriminated class of Canadians in violation of section 15 of the *Constitution Act, 1982*;
  - e. The exception for natural persons who are not enterprises is subject to no present regulation, directives, or guidelines. The determination of the qualification for the exception is in the discretion of the representative of the civil administration with whom the said natural person is dealing;
  - f. By its very nature, the exception is bound to be applied differently by different representatives of the civil administration;
  - g. in any event, the civil administration is prohibited from systematically making use of the English language, which means that the exception cannot be applied to the same natural person without that natural person once again proving that the exception applies;
- 39.** Canadian citizens have the right to primary and secondary education in English, and who are qualified by merit and academic or vocational performance to post-secondary education;
- 40.** Bill 96 limits the number of students eligible to attend an English college (CEGEP) by establishing, at section 60 amendments to the CFL adding sections 88.0.1 through 88.0.18 inclusively thereto;
- 41.** The objective of these sections is to create a quota system restricting the number of students who can enroll in English CEGEPs and imposing on those admitted students a language requirement unrelated to their studies;
- 42.** These amendments are impermissible in that:
- a. They restrict the admissibility of students based uniquely on an arbitrary quota system that has nothing to do with academic or vocational merit;

- b. They sanction English language CEGEPs who admit students in excess of the quota by disallowing government financing for those students;
  - c. They discriminate against students who choose to apply to English language CEGEPs; there being no quotas on French language CEGEPs;
  - d. They deny students the right to choose to attend an English language CEGEP for no other reason than government language policy, notwithstanding that no law prohibits freedom of choice of attending an English or French language CEGEP;
  - e. They treat students seeking admission to an English language CEGEPs differently as opposed to students applying and attending French language CEGEPs;
  - f. They diminish the quality and type of instruction available in English language CEGEPs as opposed to French language CEGEPs;
  - g. They impose conditions for graduation and the obtaining of a *Diplôme des études collégiale* on linguistic criteria that has nothing to do with academic or vocational merit, thus making it more difficult for non-francophone, English language students to graduate and thereafter apply to and attend university;
- 43.** Bill 96 through its sections 111 and following, empowers the O.Q.L.F. to arbitrarily and without judicial authorization, search and seize linguistic materials and determine compliance of enterprises with the C.F.L.;
- 44.** Section 157 of Bill 96 amends section 33 of the Act respecting the legal publicity of enterprises, CQLR c P-44.1 to require that enterprises declare to the R.E.Q. the number of their employees who cannot communicate in French.
- 45.** These amendments are impermissible in that:
- a. They empower the O.Q.L.F. without judicial or any other external authorization;
  - b. They exempt the O.Q.L.F. from judicial oversight and review;

- c. They violate the right to privacy in an arbitrary manner;
  - d. They authorize the O.Q.L.F. to require that enterprises in a designated sector to declare all enterprises with employees who cannot communicate in French on the R.E.Q. This is a form of public discrimination and shaming of that enterprise;
  - e. They insulate the O.Q.L.F. from any sanction for pursuing unfounded and abusive complaints;
- 46.** Section 4 of Bill 96 modifies the C.F.L. by adding section 6.2 C.F.L., specifying a contrario that there exists no right to justice and legislation in French;
- 47.** Section 164 of Bill 96 likewise amends the Courts of Justice Act by inserting section 1.1, which declares that "French is the language of the courts in Québec, as provided in section 7 of the Charter of the French language (chapter C-11)."
- 48.** These amendments are impermissible in that:
- a. They violate section 133 of the Constitution Act, 1867;
  - b. They violate the Criminal Code, RSC 1985, c C-46 which provides that criminal justice may be administered in French or English;
  - c. They violate the conventions, customs and traditions of Québec's system of and access to justice;
- 49.** In Québec, certain institutions, municipalities, school boards and school centers are authorized to be bilingual and service their constituents in English or French. These institutions include the various forms of healthcare services;
- 50.** Bill 96 at sections 6, 8 and 10, by inserting sections 13.1, 13.2, 16.1 and 18.1 into the C.F.L. impermissibly amends the linguistic structure of the institutions, municipalities, school boards and school centers to requires that they operate internally in French or in certain cases bilingually in both written and oral communication with their employees;
- 51.** These amendments are impermissible in that:

- a. Bilingual institutions, municipalities, school boards and school centers are bilingual because a certain portion or their constituency or their entire constituency communicates with them in English;
- b. The amendments render these institutions, municipalities, school boards and school centers only superficially bilingual, creating an illusion to the public which is not in fact part of their internal operations;

52. Bill 96 makes no exception for handicapped persons who communicate in English and cannot learn another language;

53. This results in English-speaking handicapped persons in Québec, who cannot learn French due to the handicap, becoming second-class citizens;

54. The harm in the Anglophone community is irreparable, not simply in the expenditure of money to comply with applicable measures, but more importantly by the social climate created that the Anglophone community which, despite its good will, is a nefarious force.

**W H E R E F O R E** Applicants pray this Honourable Court:

**RECEIVE** the present Application for Interlocutory Injunction;

**ISSUE** an interlocutory injunction;

**ORDER AND ENJOIN** the Government of Québec not to promulgate new measures which have the effect of restricting the use of the English language or penalize its use in pursuance of the regulatory powers granted to the Government of Québec by the Charter of the French language;



**THE WHOLE** with costs.

Westmount, January 16<sup>th</sup>, 2024

A handwritten signature in blue ink that reads "Bergman & Assoc." with a stylized flourish at the end.

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**BERGMAN & ASSOC.**

**Mtre Michael N. Bergman**

**[mnb@bergmanlawyers.com](mailto:mnb@bergmanlawyers.com)**

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Lawyers for the Applicants

CANADA  
PROVINCE OF QUEBEC  
DISTRICT OF MONTRÉAL

No.: 500-17-116866-214

SUPERIOR COURT  
(Civil Division)

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**ANDREW CADDELL;**

Et al.

**Applicants**

vs.

**ATTORNEY GENERAL OF QUÉBEC;**

*and*

**ATTORNEY GENERAL OF CANADA;**

**Respondents**

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**AFFIDAVIT OF ANDREW CADDELL**

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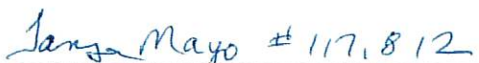
I, the undersigned, Andrew Caddell, residing at 178, av. Morel, Kamouraska, QC G0L1M0, do solemnly declare that:

1. I am one of the Applicants in the present action.
2. I have read the Application for interlocutory injunction.
3. I repeat in this affidavit what is written in the Application for interlocutory injunction.
4. All the facts alleged in this application are true and to the best of my knowledge.

And I have signed.

  
ANDREW CADDELL

SOLEMNLY AFFIRMED before me  
in the District of Montréal and City  
of Westmount this January 16<sup>th</sup>, 2024.

  
COMMISSIONER OF OATHS



CANADA  
PROVINCE DE QUÉBEC  
DISTRICT DE MONTRÉAL

COUR SUPÉRIEURE  
(Chambre civile)

N° : 500-17-125289-234

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Andrew CADDELL

ET AL.

Partie demanderesse

c.

PROCUREUR GÉNÉRAL DU QUÉBEC

et

PROCUREUR GÉNÉRAL DU CANADA

Partie défenderesse

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**AVIS DE PRÉSENTATION  
CIVILE (SALLE 2.16)**

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**1. PRÉSENTATION DE LA DEMANDE**

**PRENEZ AVIS** que la demande « Application for interlocutory judgment » sera présentée en division de pratique de la Chambre civile de la Cour supérieure, en salle 2.16 du palais de justice de Montréal, situé au 1 Rue Notre-Dame Est, Montréal, le 6 février 2024, à 9 h 00, ou aussitôt que le conseil pourra être entendu.

**2. COMMENT JOINDRE L'APPEL DU RÔLE DE PRATIQUE VIRTUEL**

Les coordonnées pour vous joindre à l'appel du rôle virtuel de la salle 2.16 sont les suivantes :

a) **par l'outil Teams** : en cliquant sur le lien correspondant à la salle 2.16 disponible [ici](#)<sup>1</sup>.

Vous devrez alors inscrire votre nom et cliquez sur « Rejoindre maintenant ». Afin de faciliter le déroulement et l'identification des participants, nous vous invitons à inscrire votre nom de la façon suivante :

Les avocats : Me Prénom, Nom (le nom de la partie représentée)

Les parties non représentées par avocat : Prénom, Nom (précisez : demandeur(esse), défendeur(esse) ou autre)

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<sup>1</sup> Les *Liens TEAMS pour rejoindre les salles du Palais de justice de Montréal en matière commerciale, civile et familiale* sont publiés sous la rubrique *Audiences virtuelles* disponible sur le site Internet de la Cour supérieure à l'adresse suivante : <https://coursuperieureduquebec.ca/roles-de-la-cour/audiences-virtuelles>.

Pour les personnes qui assistent à une audience publique : se limiter à inscrire la mention « public »

**b) par téléphone :**

Canada (Numéro gratuit) : (833) 450-1741

Canada, Québec (Numéro payant) : +1 581-319-2194

ID de conférence : 470 980 973#

**c) par vidéoconférence :** [teams@teams.justice.gouv.qc.ca](mailto:teams@teams.justice.gouv.qc.ca)

ID de la conférence VTC : 1197347661

**d) en personne**, si et seulement si vous n'avez pas accès aux autres moyens précités.

### **3. DÉFAUT DE PARTICIPER À L'APPEL DU RÔLE DE PRATIQUE**

**PRENEZ AVIS** qu'à défaut par vous de participer à l'appel du rôle, un jugement par défaut pourrait être rendu contre vous, sans autre avis ni délai.

### **4. OBLIGATIONS**

#### **4.1 La collaboration**

**PRENEZ AVIS** que vous avez l'obligation de coopérer avec l'autre partie, notamment en vous informant mutuellement, en tout temps, des faits et des éléments susceptibles de favoriser un débat loyal et en vous assurant de préserver les éléments de preuve pertinents (*Code de procédure civile*, art. 20).

#### **4.2 Mode de prévention et de règlement des différends**

**PRENEZ AVIS** que vous devez, avant de vous adresser au Tribunal, considérer le recours aux modes privés de prévention et de règlement de votre différend qui sont la négociation entre les parties de même que la médiation ou l'arbitrage, pour lesquels les parties font appel à l'assistance d'un tiers (*Code de procédure civile*, art. 1 et 2).


### **VEUILLEZ AGIR EN CONSÉQUENCE.**

Montréal, ce 16 Janvier 2024.



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Me Michael Bergman  
Avocats de la partie requérante  
Courriel : [mnb@bergmanlawyers.com](mailto:mnb@bergmanlawyers.com)  
Tél. : (514)-842-9994

No.: 500-17-125289-234
SUPERIOR COURT
District of Montréal
Province of Québec
<b>ANDREW CADDELL</b>
-and-
<b>E.M</b>
-and-
<b>M.G</b>
-and-
<b>FRED VICKERSON</b>
-and-
<b>TIMOTHY CROTEAU</b>
-and-
<b>PATRICK KIELY</b>
<i>Applicants</i>
<b>v.</b>
<b>ATTORNEY GENERAL OF QUÉBEC</b>
-and-
<b>ATTORNEY GENERAL OF CANADA</b>
<i>Respondents</i>
<b>APPLICATION FOR INTERLOCUTORY INJUNCTION</b>
<b>(Articles 510 and following C.C.P)</b>
<b>ORIGINAL</b>
 <p> <b>B E R G M A N &amp; A S S O C .</b>  <i>Lex Est Dicamen Rationis</i>  <b>Me Michael N. Bergman</b>  4 Westmount Square, Suite 150  Montréal, QC, H3Z 2P9  Tel : 514.842.9994 ext. 1818  <a href="mailto:mnb@bergmanlawyers.com">mnb@bergmanlawyers.com</a>  <a href="http://www.bergmanlawyers.com">www.bergmanlawyers.com</a> </p>
<b>Code: BB6936</b> <i>Lawyers for the Applicants</i>