

CANADA

PROVINCE OF QUEBEC
DISTRICT OF GATINEAU

No.: 550-06-000032-236

SUPERIOR COURT
(Class actions)

ERIC GAËTAN PICARD, having elected domicile at the offices of his attorneys, 1 Place Ville Marie, Suite 1170, in the City and District of Montreal, Province of Quebec, H3B 2A7;

Plaintiff

v.

CITY OF GATINEAU, a legal person having a place of business at 25 Laurier Street, in the City and District of Gatineau, Province of Quebec, J8X 3Y9;

-and-

ATTORNEY GENERAL OF QUEBEC, *ès qualités* representative of the **MINISTER OF JUSTICE**, having a place of business at 1 Notre-Dame Street East, 8th Floor, in the City and District of Montreal, Province of Quebec, H2Y 1B6;

Defendants

**NOTICE CONCERNING THE AUTHORIZATION OF A CLASS ACTION RELATING
TO WARRANTS OF IMPRISONMENT FOR NON-PAYMENT OF FINES BY
HOMELESS PERSONS**

If, since June 5, 2020, a warrant of imprisonment for default to pay a fine has been issued against you while you were homeless, you could be a member of a class action

PLEASE READ THIS NOTICE

On September 5, 2024, the Honourable Justice Florence Lucas of the Superior Court of Quebec authorized a class action against the City of Gatineau and the Minister of Justice of Quebec (represented by the Attorney General of Quebec) on behalf of the members of the following subclasses:

SUBCLASS 1

Any individual who has served a sentence or part of a sentence of imprisonment due to the imposition of a sentence and warrant of imprisonment for default to pay sum(s) due, issued since June 5, 2020 in the Municipal Court of Gatineau, and rendered in their absence, and

- A. did not have a fixed address when the application for the issuance of an order of imprisonment was presented; or
- B. their residence or domiciliary address was listed as unknown in their Gatineau Municipal Court collector file or corresponded to that of a shelter or service center for homeless persons (see **Appendix 1**).

SUBCLASS 2

Any individual who has been the subject of the imposition of a sentence and a warrant of imprisonment for default to pay sum(s) due, requested since June 5, 2020 at the Municipal Court of Gatineau, and rendered in their absence, and

- A. did not have a fixed address when the application for the issuance of an order of imprisonment was presented; or
- B. their residence or domiciliary address was listed as unknown in their Gatineau Municipal Court collector file or corresponded to that of a shelter or service center for homeless persons (see **Appendix 1**).

(hereinafter referred to as the "**Class**")

You are a member of the Class if you meet the following criteria:

- You are an individual who has been sentenced to imprisonment under a warrant of imprisonment issued since June 5, 2020 at the Municipal Court of Gatineau for non-payment of sum(s) due, whether you have served this sentence, part of this sentence or not;
and
- You did not have a fixed address at the time the application for an order of imprisonment was presented;
or

- Your Gatineau Municipal Court collector's file indicated that your residence or home address was unknown;
or
- Your Gatineau Municipal Court collector's file indicated that your residence or home address was that of a shelter or service center for homeless persons (including, but not limited to, one of the addresses identified in **Appendix 1**).

Individuals who meet these criteria are **automatically members of the Class without having to take any steps to register.**

If the allegations are proven, the class action seeks:

- **For members of Subclass 1:** monetary compensation of \$10,000 per day (complete or partial) spent in prison, plus \$50,000 in punitive damages.
- **For members of Subclass 2:** monetary compensation of \$2,000 per Gatineau Municipal Court case in which the member is the subject of an application for imprisonment for non-payment of a fine and a warrant of imprisonment for non-payment of a fine that has not been executed (in whole or in part), plus \$1,000 in punitive damages per case.

You do not have to do anything to benefit from the class action. However, if you do **not wish to be included** in this class action, you may **exclude** yourself from the group by notifying the Clerk's Office of the Superior Court of Quebec of the judicial district of Gatineau, by registered or certified mail, before the expiry of the exclusion period, at the following address: Clerk's Office of the Superior Court of Quebec, Gatineau Courthouse, 17 Laurier street, Gatineau (Quebec) J8X 4C1.

In which case, you must indicate that you wish to **exclude** yourself from the *Picard v. Ville de Gatineau* class action (file number: 550-06-000032-236.) The deadline to exclude yourself is May 8, 2025 at 4:30 p.m.

If you exclude yourself, you will not be able to obtain payment from the collective action if it is granted or settled.

If you have already filed an individual claim having the same object as the class action, you are deemed to exclude yourself from the class if you do not withdraw your individual claim within 30 days of the date of this notice.

Any member of the Class who has not excluded themselves in the manner set forth above will be bound by any judgment rendered in such class action.

No Class member other than the representative can be required to pay the legal costs of the class action if it is dismissed.

Additional information

If you have any questions about the class action and/or your rights, please contact Class counsel. **All communications are confidential, protected by attorney-client privilege and at no cost to you:**

KUGLER KANDESTIN
Class counsel

Mtre Eva Richard
Mtre Emily Painter

1 Place Ville Marie,
office 1170
Montreal, Quebec
H8P 1Y4

Tel.: 514-878-2861
Fax: 514-875-8424

erichard@kklex.com
epainter@kklex.com

JFB AVOCATS
CRIMINALISTES INC.
Class counsel

Mtre Jean-François
Benoît

166 rue Wellington
Gatineau, Quebec
J8X2J4

Tel.: 819-770-4888 # 112
Fax: 819-770-0712

jfb@avocat-droit-
criminel.com

ALEXEEV AVOCATS LLP
Class counsel

Mtre William Colish

2000 McGill College,
office 600
Montreal, Quebec
H3A 3H3

Tel.: 514-400-2480
Fax: 514-648-7700

wcolish@alexeevco.com

The present notice is an abridged version of the notice authorized by the Court. Class members are encouraged to consult with the long-form notice, which contains additional information. A copy of the abridged and long-form notice in both French and English is published on Class counsel's website: <https://kklex.com/class-actions/ongoing-class-actions/>

You can also consult the Quebec Class Action Registry:
<https://www.registredesactionscollectives.quebec/fr/Consulter/ApercuDemande?NoDossier=550-06-000032-236>

Date of notice : April 8, 2025

The publication of this notice has been authorized by the Honourable Florence Lucas, j.s.c.

Appendix 1

List of addresses corresponding to that of a shelter or service center for homeless persons

The list of addresses which correspond to homeless shelters or service centers includes, but is not limited to, the following addresses:

- a) 85 Morin street, Gatineau, QC, J8X 2S7 (Le Gîte Ami);
- b) 233 Murray street, Ottawa, ON, K1N 5N1 (Shepherds of Good Hope);
- c) 256 King Edward street, Ottawa, ON, K1N 7M1 (Shepherds of Good Hope);
- d) 35 Waller street, Ottawa, ON, K1N 7G4 (The Ottawa Mission);
- e) 27 Elm road, Pontiac, QC, J0X 2G0 or P.O. Box 482 Gatineau, Quebec, J9H 5E7 (Kogaluk Center);
- f) 3550 Lévesque boul. West, Laval, QC, H7V 1E8 (Maison Saint- Joseph or Refuge d'urgence de Laval);
- g) 515 MacLaren street, Ottawa, ON, K1R 5K5 (Le Pilier/Cornerstone);
- h) 314 Booth street, Ottawa, ON, K1R 7K2 (Le Pilier/ Cornerstone);
- i) 172 O'Connor street, Ottawa, ON, K2P 1T5 (Cornerstone Housing for Women/Logements pour femmes);
- j) 171 George street, Ottawa, ON, K1N 5W5 (Salvation Army);
- k) 180 Argyle av., Ottawa, ON, K2P 1B7 (YMCA-YWCA of the National Capital Region);
- l) 39 Richard street, Gatineau, QC, J8Y 4Y6 (Auberge du cœur Héberge- Ados);
- m) 10 Curé André Préseault street, Unit 2, Gatineau, QC, J8T 6N8 (L'Appart Adojeune);
- n) 175 Gréber boul., Gatineau, QC, J8T 3R1 (CISSSO's Motel Montcalm);
- o) 16 Bériault street, Gatineau, QC, J8X 1A3 (Père Arthur-Guertin Community Center);
- p) 120 Charlevoix street, Gatineau, QC, J8X 1R2 (Fontaine Community Center or Gîte Ami);
- q) 150 Gloucester street, Ottawa, ON, K2P 0A6 (Operation Come Home);
- r) 140 Laurier West av., Ottawa, ON, K2P 1L4 (Restoring Hope Ministries);
- s) 125 Carillon street, Gatineau, QC, J8X 2P8 (Halte-Chaleur du center Robert-Guertin);
- t) 111 Carillon street, Gatineau, QC, J8X 2P8 (Vallée jeunesse Outaouais);
- u) 98 James street, Ottawa, ON, K1R 5M2 (Youth Services Jeunesse YSB);
- v) 3840 Saint-Urbain street, Montreal, QC, H2W 1T6;
- w) 20 Émile-Bond street, Gatineau, QC, J8Y 3M7 (La Halte of Gatineau);
- x) 297 des Allumettières boul., Gatineau, QC, J8X 2S7 (La Soupe populaire of Hull);
- y) 1274 De Bullion street, Montréal, QC, H2X 2Z4 (Le Sac à Dos).