

**CANADA**

PROVINCE OF QUEBEC  
DISTRICT OF **LONGUEUIL**

NO.: 505-06-000024-203

**SUPERIOR COURT**  
(Class Action)

---

**JOHN CORMIER**, an individual residing  
and domiciled at [REDACTED]

Petitioner

-vs-

**CITY OF LONGUEUIL**, a legal person, duly  
constituted according to law, domiciled at  
4250 de la Savane Rd, in the City of  
Longueuil, Province of Quebec, J3Y 9G4

-and-

**THE ESTATE OF THE LATE FRANÇOIS  
LAMARRE**, having its last known address  
at [REDACTED]

Respondents, *solidarily*

---

**APPLICATION FOR AUTHORIZATION TO INSTITUTE A CLASS ACTION  
AND TO OBTAIN THE STATUS OF REPRESENTATIVE  
(Articles 574 et seq. C.C.P.)**

**TO ONE OF THE HONOURABLE JUDGES OF THE SUPERIOR COURT, SITTING IN  
AND FOR THE DISTRICT OF LONGUEUIL, PETITIONER RESPECTFULLY SUBMITS  
THE FOLLOWING:**

1. The Petitioner requests authorization to represent numerous individuals seeking justice as a result of being sexually assaulted in their childhood by François Lamarre (“**Lamarre**”), a hockey coach in Greenfield Park and a former Montreal police officer;
2. Lamarre abused the power and authority given to him by the City of Greenfield Park, now part of the City of Longueuil (the “**Respondent City**”), to prey upon dozens, if not hundreds, of innocent and vulnerable children during the formative years of their youth, necessarily and automatically causing them serious and irreparable injury;

3. Not only is the Respondent City responsible for the unlawful behaviour of its hockey coach Lamarre, but the Respondent City was also negligent in failing to ensure the safety of the children enrolled in its hockey program, in turning a blind eye to the disgraceful conduct of Lamarre, and in failing to put an end to Lamarre's abuse in order to save numerous other children from becoming victims;
4. Lamarre died on or about July 26, 2020, soon after he was finally arrested on charges of, *inter alia*, molesting young children;
5. **The Petitioner wishes to institute a class action on behalf of the class of persons hereinafter described, namely:**

“All individuals who were sexually abused by the late François Lamarre while he was a hockey coach in and for the City of Greenfield Park, as well as the estates of any such individuals who passed away since September 1, 2017”

« Toutes les personnes qui ont été abusées sexuellement par feu François Lamarre alors qu'il était un entraîneur de hockey dans et pour la Ville de Greenfield Park, de même que les successions de telles personnes qui sont décédées depuis le 1<sup>er</sup> septembre 2017 »

(the “**Class**”);

6. **The facts that give rise to an individual action on behalf of the Petitioner and the Class members against the Respondents, are as follows:**

#### **I. THE RESPONDENTS**

- 6.1. In virtue of Article 5 of Schedule III of the *Act to Reform the Municipal Territorial Organization of the Metropolitan Regions of Montréal, Québec and Outaouais* (S.Q., 2000, c. 56), the Respondent City assumed the rights and obligations of the former City of Greenfield Park as of January 1, 2002, following the merger of the former City of Greenfield Park with the Respondent City;
- 6.2. For at least three decades, from 1970 to 2000, the Respondent City offered a minor hockey program for children residing in the area, implicitly holding out that the minor hockey program would be staffed by responsible and law-abiding adults who would keep the children safe and secure;
- 6.3. Instead, at all relevant times, the Respondent City entrusted the care of thousands of children enrolled in the hockey program to Lamarre, without implementing the necessary measures to ensure that he was acting appropriately with and securing the welfare of the children;

- 6.4. Lamarre passed away on or about July 26, 2020, and his estate is now seized of his obligations (the “**Respondent Estate**”);

## **II. THE PETITIONER’S INDIVIDUAL CLAIM**

- 6.5. Petitioner’s family moved to the Respondent City in or about 1971, when Petitioner was 9 years-old, at which time he was enrolled in the Respondent City’s minor hockey program;
- 6.6. In his first year at the “mosquito” level, Petitioner proved to be a very skilled hockey player, made friends in his new community, and developed a passion for the sport of hockey;
- 6.7. Petitioner first met Lamarre in 1972, as he was the coach of Petitioner’s team in his second year of “mosquito” level hockey for the Respondent City;
- 6.8. In light of the success enjoyed during his first season of hockey, Petitioner spent significant time at the Respondent City’s arena during the 1972-1973 season, playing games, attending practices or simply running around the arena with other children;
- 6.9. In hindsight, Petitioner remembers that:
- 6.9.1 Lamarre, a single adult male then in his mid-20s, was constantly present at the arena whenever Petitioner was there;
- 6.9.2 Lamarre was constantly “play fighting” / wrestling and rolling on the ground with children the same age as Petitioner;
- 6.9.3 Lamarre began play fighting with Petitioner, at which time Lamarre would regularly grab Petitioner’s genitals under the guise that he was throwing fake punches to his stomach;
- 6.9.4 Lamarre acted in the same manner with numerous other children;
- 6.10. Although Petitioner considered Lamarre’s behaviour to be unusual, as he was only 10 years of age, he did not know what to do or say, and simply hoped the behaviour would stop. It did not;
- 6.11. After realizing that Petitioner did not complain or report his behaviour, Lamarre escalated his unlawful sexual touching, both in terms of frequency and gravity, constantly grabbing Petitioner’s genitals on a regular basis at the Respondent City’s arena;
- 6.12. As the season wore on, Lamarre came over to Petitioner’s house and befriended his parents;

- 6.13. As Lamarre was the “esteemed” hockey coach for the Respondent City, as well as a Montreal police officer, Petitioner’s parents encouraged him to spend more and more time with Lamarre;
- 6.14. Lamarre began driving Petitioner to hockey games in neighbouring municipalities and spending more and more time with him;
- 6.15. Virtually every time Lamarre would pick up Petitioner, Lamarre would initiate a “play fight”, at which time Lamarre would grab Petitioner’s genitals;
- 6.16. Lamarre attended the vast majority of Petitioner’s games and practices during the 1973-1974 hockey season, notwithstanding that he was not his coach. Lamarre initiated play fighting with Petitioner repeatedly, culminating in Lamarre grabbing Petitioner’s genitals;
- 6.17. For the 1974-1975 season, Lamarre once again became Petitioner’s coach;
- 6.18. Although Petitioner was excelling on the ice, off the ice Lamarre was escalating his deviant behaviour, becoming more aggressive with Petitioner, with incidents occurring in the Respondent City’s arena (including in the referees’ lockers room), in Lamarre’s car, while on biking trips around town and elsewhere;
- 6.19. On one occasion, Lamarre lured Petitioner from the Respondent City’s arena to his family home, where Lamarre gave the Petitioner a drink and then suddenly jumped on him, pinning him down in an effort to remove Petitioner’s pants, while Lamarre had an erection;
- 6.20. Petitioner managed to escape Lamarre’s attempted rape, however he had nowhere to turn for help;
- 6.21. On another occasion, Lamarre brought Petitioner on a bike ride in and around La Ronde. Lamarre lured Petitioner to a dark area in the woods of St Helen’s Island, where he again attacked Petitioner, fondled his genitals and attempted to further molest him, until Petitioner finally managed to escape;
- 6.22. After each incident, Lamarre would not speak of what happened and acted as if nothing happened. Petitioner was afraid and confused regarding whether this behaviour was normal, particularly given that Lamarre engaged in similar behaviour with other children at the Respondent’s arena with impunity;
- 6.23. On numerous occasions, Lamarre attempted to force Petitioner to fondle his penis including one occasion that particularly marked the Petitioner, when Lamarre attempted to confine Petitioner in a tent in the backyard of his family home;

- 6.24. Petitioner escaped, but the accumulation of events led Petitioner to be more and more afraid, confused and unable to protect himself;
- 6.25. In that regard, Lamarre often had Petitioner accompany him to the police precinct where he worked, showing him prison cells and prisoners, which Petitioner now understands were deliberate attempts by Lamarre to intimidate Petitioner into not complaining about his conduct, failing which he might end up in prison;
- 6.26. In between hockey seasons, Lamarre introduced Petitioner to the game of golf. Petitioner, an excellent athlete, became very proficient at golf, and Lamarre encouraged petitioner's parents to allow Lamarre to take him to play golf throughout the Summer;
- 6.27. During the Summer, Lamarre would continue to sexually assault Petitioner, who did not know how to protect himself, given Lamarre's status as an esteemed member of the Respondent City's minor hockey program and a Montreal police officer;
- 6.28. Despite Petitioner excelling at hockey to the point that he had an opportunity to play at an exceptionally high level, Petitioner decided to deliberately play poorly during the tryouts for the next hockey season, realizing that his only chance of getting away from Lamarre was to give up the sport that he loved;
- 6.29. Petitioner "succeeded" in getting cut from the elite team based on his tryout performances, the whole in order to save himself from Lamarre;
- 6.30. Sad, confused, ashamed and depressed, at the age of 15 years-old, Petitioner began to consume alcohol excessively, a common consequence for victims of childhood sexual abuse;
- 6.31. Petitioner also managed to convince his parents to join him at a private golf club in order to compete in tournaments, the whole in order to avoid having to go to different golf courses with Lamarre;
- 6.32. Although the Petitioner is now a 58-year-old adult, happily married with a son, Lamarre's barrage of sexual assaults during his childhood have haunted him throughout his life. In particular, Petitioner is anxious, fearful of police and adults in positions of authority, he feels misplaced shame for the assaults that took place, has consumed alcohol excessively, has had suicidal thoughts, has had to deal with anger issues and has always remained convinced that something terrible will happen to him;
- 6.33. As a result of his inability to tolerate people in positions of authority, Petitioner realized he could not work for other people, and decided that he had no choice but to become self-employed, starting a business with his wife;

- 6.34. Unfortunately, due to anger issues resulting from the sexual assaults he suffered at the hands of Lamarre, it was virtually impossible for Petitioner to accept rejection from customers, or to properly deal with clients, suppliers or business partners, seriously jeopardizing his ability to reach his potential;
- 6.35. Petitioner's reduced productivity is due to the consequences arising from the sexual abuse he endured as a child;
- 6.36. Petitioner has also done everything in his power to avoid the police, never even having gotten a parking ticket, due to his fear of people in positions of authority;
- 6.37. In an effort at self-improvement, Petitioner began various therapies in the past and realizes that he needs significant therapy going forward to help him try to get past the tremendous suffering he has endured as a result of being sexually abused by Lamarre as a child;
- 6.38. Petitioner's foregoing problems are all common to victims of sexual assault;
- 6.39. Petitioner is entitled to claim, and hereby claims from the Respondents, the sum of **\$350,000.00** for the psychological and moral damages sustained throughout his life as a result of the sexual abuse suffered at the hands of Lamarre;
- 6.40. Petitioner further claims from the Respondents the sum of **\$350,000.00** in respect of a loss of productivity in his career associated with the consequences of rampant sexual abuse that he endured as a child;
- 6.41. In addition, Petitioner is entitled to be compensated for the therapy he has undergone and would like to continue to undergo in order to work through the problems associated the abuse he endured as a child. Petitioner evaluates that said therapy will cost **\$75,000.00**;

### **III. LAMARRE'S ARREST AND COMPLAINTS FROM OTHER VICTIMS**

- 6.42. As an adult, Petitioner made numerous attempts to report Lamarre to the police. Petitioner felt that Lamarre needed to be punished for his conduct, and Petitioner wished to ensure that Lamarre would not abuse other victims, as he was still involved in the Respondent City's minor hockey program with young children;
- 6.43. On December 3, 2019, at the age of 71, Lamarre was finally arrested by the police at his home in Longueuil, as appears from an article from CTV News dated December 4, 2019 (updated December 5, 2019), communicated herewith as **Exhibit R-1**;

- 6.44. On December 19, 2019, Lamarre was charged with nine criminal counts, (including gross indecency, indecent exposure, sexual assault, sexual touching and invitation to sexual touching) involving four children aged between 9 and 16 years-old at the time of the crimes, from 1972 to 1997, the whole as appears from an extract from the *Plumitif criminel* and from an article from Radio-Canada dated December 19, 2019, communicated *en liasse* herewith as **Exhibit R-2**;
- 6.45. Not surprisingly, within two weeks following the public announcement of Lamarre's arrest, numerous additional individuals contacted the police to disclose that they had also been abused by Lamarre, the whole as appears from an article from Radio-Canada dated December 16, 2019, communicated herewith as **Exhibit R-3**;
- 6.46. On December 16, 2019, Patrick Barrière, spokesperson for the *Police Department of Longueuil*, publicly stated that "*le fait qu'il [Lamarre] était en présence de jeunes comme entraîneur dans la communauté de Greenfield Park, à l'époque, sur plusieurs décennies, laissait déjà croire aux enquêteurs qu'après avoir déposé les quatre dossiers, il y aurait, avec l'appel à la population, d'autres témoins et victimes qui se manifesteraient*", the whole as appears from the Radio-Canada article dated December 16, 2019 (R-3);
- 6.47. Thus, it is manifest that Lamarre's *modus operandi* was to meet children through his position as a hockey coach for the Respondent City, initiate "play fighting" culminating in grabbing children's genitals, and then escalating his deviant behaviour over time upon realizing that the Respondent City would not intervene to protect the children;
- 6.48. In light of the fact that the Respondent City allowed Lamarre to be responsible for hundreds of children for a period of decades, without ever ensuring that he was acting appropriately, it is manifest that the victims that have come forward to date merely represent the tip of the iceberg;
- 6.49. Wade Wilson, a local city councilor for Greenfield Park and a victim of Lamarre, publicly stated that he believes there might be as many as 100 victims of sexual assaults by Lamarre, the whole as appears from an article from CBC dated December 16, 2019, communicated herewith as **Exhibit P-4**;

#### **IV. THE RESPONDENTS' LIABILITY**

##### **A. THE RESPONDENT CITY**

- 6.50. Upon establishing a minor hockey program for children in the community, the Respondent City was responsible for ensuring that its coaches and staff were responsible, properly trained and would ensure the safety and well-being of the children;

- 6.51. The Respondent City knew or ought to have known that the coaches it engaged, including Lamarre, would be in close proximity of minor-age children, would exert power and influence over them, and would command the respect of the children and their parents;
- 6.52. The Respondent City knew or ought to have known that the failure to properly train and supervise its coaches would expose the minor-age children to serious risks;
- 6.53. The Respondent City engaged Lamarre as its hockey coach, with the expectation that he would closely interact with minor-age children enrolled in its hockey program;
- 6.54. The Respondent City engaged Lamarre as its hockey coach and permitted him to interact with minor-age children for approximately three decades (precise dates to be obtained from the Respondent City);
- 6.55. The Respondent City blatantly failed to properly train or supervise Lamarre, and allowed him to abuse numerous minor-age children with impunity for decades;
- 6.56. Lamarre sexually abused the Petitioner and the other members of the Class in the performance of his duties as coach of the Respondent City's minor hockey program, including at the Respondent City's arena;
- 6.57. The Respondent City is accordingly responsible for the conduct of Lamarre in the course of his functions as a coach of its minor hockey program;
- 6.58. The Respondent City was also responsible for ensuring the protection of the children who enrolled in its minor hockey program, and the Respondent City failed to fulfill its legal obligations in that regard;
- 6.59. The Respondent City failed to implement measures to ensure the safety and welfare of the children enrolled in its minor hockey program, failed to properly train Lamarre, failed to properly supervise him, failed to ensure that he was not alone with any given child for any extended period of time, and simply turned a blind eye to his rampant and serial abuse;
- 6.60. In particular, Lamarre was able to sexually abuse Petitioner and numerous other minor-age children in the Respondent City's arena, where children and their parents have an expectation that they will be safe and secure. The Respondent City's employees turned a blind eye to the abuse occurring in its arena;
- 6.61. In light of the number of times Lamarre sexually abused Petitioner, as well as the number of victims known as of today over the course of several decades,

it is manifest that the Respondent City has been either grossly negligent for having failed to put an end to its coach's sexual abuse and/or willfully having turned a blind eye to Lamarre's serial abuse of children;

- 6.62. In either event, the Respondent City is liable for the serious injury caused to Petitioner and to the members of the Class, arising from its numerous direct faults;

#### **B. THE RESPONDENT ESTATE**

- 6.63. In virtue of the rules set forth in the *Civil Code of Quebec*, the Respondent Estate is liable for the damages resulting from the sexual assaults committed by Lamarre on the Petitioner and the members of the Class;

#### **7. The personal claims of each of the members of the Class against the Respondents are based on the following facts:**

- 7.1. Each Class member was abused by Lamarre while he was a coach of the Respondent City's minor hockey program;

- 7.2. Each class member necessarily and automatically suffered serious injury as a result of being sexually abused by Lamarre;

- 7.3. Among the common damages suffered by children who are victims of sexual abuse by an adult in position of authority are: anxiety, depression, loss of self-esteem, fear of authority, interpersonal and sexual difficulties, alcoholism, drug consumption, trouble with sexual identity, and loss of productivity leading to a loss of earning capacity;

- 7.4. Each Class member was the victim of an unlawful and intentional interference with his Charter rights, thus giving rise to punitive damages in virtue of *Quebec's Charter of Human Rights and Freedoms*;

#### **8. The composition of the Class makes it difficult or impracticable to apply the rules for mandates to take part in judicial proceedings on behalf of others or for consolidation of proceedings:**

- 8.1. To the best of the Petitioner's knowledge, several thousand children enrolled in the Respondent City's minor hockey program while Lamarre was a coach;

- 8.2. Given the number of Lamarre's victims who have already come forward (twenty as of December 2019), it is manifest that Lamarre sexually assaulted in excess of one hundred children over the course of approximately three decades;

- 8.3. Petitioner does not know, and cannot possibly know the names of all of the individuals who were sexually assaulted by Lamarre, who often remain anonymous;
  - 8.4. Furthermore, Petitioner understands that many of the victims have moved away from the Respondent City, and are now dispersed throughout Quebec, the rest of Canada, the United States and Europe;
  - 8.5. The abuse perpetrated by Lamarre took place over the course of several decades, and the victims likely do not know one another;
  - 8.6. The social purpose of class actions seeks to enable access to justice to multiple victims of misconduct who otherwise have no practical access to seeking justice;
  - 8.7. The social purpose of class actions is clearly applicable to the proposed class action;
  - 8.8. Victims of sexual abuse fear coming forward; it takes one courageous individual to come forward in order to enable many other vulnerable victims to have access to justice;
  - 8.9. It is telling that not a single victim of Lamarre has publicly come forward to seek justice for the serious injury suffered, notwithstanding that Lamarre's abuses started taking place approximately 50 years ago;
  - 8.10. Under the circumstances, it would be impossible, and certainly difficult or impracticable, for the Petitioner to locate and contact all members of the Class to obtain a mandate to institute proceedings for their benefit;
9. **The identical, similar or related questions of law or of fact raised by the members of the Class, which Petitioner wishes to have decided by this class action, are:**
- 9.1. Did Lamarre sexually assault members of the Class while a hockey coach for the Respondent City?
  - 9.2. Is the Respondent City liable towards the members of the Class for the damages caused to them by Lamarre's sexual assaults?
  - 9.3. Is the Respondent Estate liable towards the members of the Class for the damages caused to them by Lamarre's sexual assaults?
  - 9.4. What kinds of damages are commonly suffered by victims of sexual assault perpetrated by adults in positions of authority, such as a hockey coach?
  - 9.5. May the Court determine a minimum quantum of damage that the members of the Class suffered in common and/or set parameters for the damages

suffered by the members of the Class, based on the gravity of Lamarre's sexual assaults and the consequences thereof?

- 9.6. Did the Respondents unlawfully and intentionally interfere with the rights of the members of the Class that were protected by Quebec's *Charter of Human Rights and Freedoms*?
  - 9.7. If so, what is an appropriate amount of punitive damages to which the Respondents should be condemned in order to sanction and deter the conduct in question?
  - 9.8. Is it appropriate for punitive damages to be recovered collectively?
10. **The questions of law or of fact which are particular to each of the members of the Class are:**
- 10.1. Was each Class member sexually assaulted by Lamarre?
  - 10.2. What is the quantum of the pecuniary and non-pecuniary damages suffered by each of the Class members?
11. **It is expedient that the institution of a class action for the benefit of the members of the Class be authorized for the following reasons:**
- 11.1. The class action is the only procedural vehicle that will enable all victims of sexual assault perpetrated by Lamarre to access justice;
  - 11.2. It would be impossible, as well as disproportionate, to require each individual member of the Class to institute an individual action, whereas a class action allows an economy of resources by having one judge hear all of the evidence and render a decision binding upon the Respondents and all the members of the Class;
12. **The nature of the recourse which the Petitioner wishes to exercise on behalf of the members of the Class is:**
- 12.1. A class action in civil liability for compensatory and punitive damages against the Respondents;
13. **The conclusions sought by Petitioner against the Respondents are as follows:**
- MAINTAIN** the Class Action;
- CONDEMN** the Respondents, solidarily, to pay to the Petitioner the amount of **\$350,000.00** in non-pecuniary damages, plus interest at the legal rate as of the date of the *Application for Authorization to Institute a Class Action and to Obtain the Status*

*of Representative*, as well as the additional indemnity provided for by law in virtue of Article 1619 C.C.Q.;

**CONDEMN** the Respondents, solidarily, to pay to the Petitioner the amount of **\$425,000.00** in pecuniary damages, plus interest at the legal rate as of the date of the *Application for Authorization to Institute a Class Action and to Obtain the Status of Representative*, as well as the additional indemnity provided for by law in virtue of Article 1619 C.C.Q.;

**CONDEMN** the Respondents, solidarily, to pay punitive damages of **\$10,000,000.00**, plus interest at the legal rate as of the date of the *Application for Authorization to Institute a Class Action and to Obtain the Status of Representative*, as well as the additional indemnity provided for by law in virtue of Article 1619 C.C.Q.;

**DECLARE :**

a) That all Class members are entitled to be compensated for all of their pecuniary damages resulting from the faults of the Respondents, including, but without limitation, their loss of income, their loss of earning capacity and their expenses and disbursements pertaining to their therapy treatments;

b) That all Class members are entitled to be compensated for their non-pecuniary damages resulting from the faults of the Respondents, in accordance with parameters to be set by the Court during the trial pertaining to the collective questions;

**ORDER** collective recovery of the punitive damages claimed herein, and the liquidation of the Class members claims pursuant to Articles 595 to 598 C.C.P.;

**CONDEMN** the Respondents to any further relief as may be just and proper;

**THE WHOLE** with legal costs, including the costs of all exhibits, reports, expertise and publication of notices.

14. **Petitioner requests to be ascribed the status of representative. In that regard, the Petitioner is in a position to represent the member of the Class adequately for the following reasons:**

14.1. The Petitioner was sexually assaulted by Lamarre while Lamarre was a hockey coach for the Respondent City, such that he is a member of the Class;

14.2. The Petitioner had the courage to communicate with the undersigned attorneys to tell his story;

- 14.3. After having discussed with the undersigned attorneys his various legal options, the Petitioner opted for the institution of a class action, in the hopes of not only obtaining justice for himself, but also to allow many other victims suffering in silence to access justice;
- 14.4. The Petitioner has the time, energy, will and determination to assume all responsibilities incumbent upon him in order to diligently carry out the class action;
- 14.5. The Petitioner had the courage to press criminal charges against Lamarre, which led to numerous other victims coming forward once the media reported the arrest;
- 14.6. The Petitioner has provided the undersigned attorneys with all information necessary to institute the present class action;
- 14.7. The Petitioner has fully cooperated with the undersigned attorneys in the context of this action, including answering diligently and intelligently to their questions, and there is every reason to believe that he will continue to do so;
- 14.8. The Petitioner is in good faith and has as his sole goal to obtain justice for himself and each member of the Class;
- 14.9. The Petitioner was informed by the undersigned attorneys of the role and responsibilities he would have as the Class representative, and he agreed to act as such;
- 14.10. The Petitioner participated in the drafting of the present proceeding, and has spent countless hours devoted to obtaining justice for the conduct of Lamarre;
- 14.11. The Petitioner has the support of his family to act as the representative in this important matter;
- 14.12. The Petitioner has no conflict with the members of the Class;
- 14.13. The Petitioner is represented by an experienced law firm that specializes in class actions, and in particular class actions pertaining to sexual abuse of minors;
15. **Petitioner suggests that the class action be brought before the Superior Court for the District of Longueuil, for the following reasons:**
  - 15.1. This is the judicial district in which Lamarre resided and coached for the Respondent City, and in which numerous members of the Class sustained their abuse;
16. The present Motion is well-founded in fact and in law;

**WHEREFORE THE PETITIONER PRAYS THAT BY JUDGMENT TO BE RENDERED HEREIN, MAY IT PLEASE THIS HONOURABLE COURT TO:**

**GRANT** the present *Application for Authorization to Institute a Class Action and to Obtain the Status of Representative*;

**AUTHORIZE** the institution of the Class Action;

**GRANT** the status of representative to the Petitioner for the purpose of instituting the said Class Action for the benefit of the following group of persons, namely:

“All individuals who were sexually abused by the late François Lamarre while he was a hockey coach in and for the City of Greenfield Park, as well as the estates of any such individuals who passed away since September 1, 2017”

« Toutes les personnes qui ont été abusées sexuellement par feu François Lamarre alors qu’il était un entraîneur de hockey dans et pour la Ville de Greenfield Park, de même que les successions de telles personnes qui sont décédées depuis le 1<sup>er</sup> septembre 2017 »

(the “**Class**”);

**IDENTIFY** the principal questions of law and of fact to be dealt with collectively as follows:

- a. Did Lamarre sexually assault members of the Class while a hockey coach for the Respondent City?
- b. Is the Respondent City liable towards the members of the Class for the damages caused to them by Lamarre’s sexual assaults?
- c. Is the Respondent Estate liable towards the members of the Class for the damages caused to them by Lamarre’s sexual assaults?
- d. What kinds of damages are commonly suffered by victims of sexual assault perpetrated by adults in positions of authority, such as a hockey coach?
- e. May the Court determine a minimum quantum of damage that the members of the Class suffered in common and/or set parameters for the damages suffered by the members of the Class, based on the gravity of Lamarre’s sexual assaults, and the consequences thereof?
- f. Did the Respondents unlawfully and intentionally interfere with the rights of the members of the Class that were protected by Quebec’s Charter of Human Rights and Freedoms?

- g. If so, what is an appropriate amount of punitive damages to which the Respondents should be condemned in order to sanction and deter the conduct in question?
- h. Is it appropriate for punitive damages to be recovered collectively?

**IDENTIFY** the conclusions sought by the class action to be instituted as being the following:

**MAINTAIN** the Class Action;

**CONDEMN** the Respondents, solidarily, to pay to the Petitioner the amount of **\$350,000.00** in non-pecuniary damages, plus interest at the legal rate as of the date of the *Application for Authorization to Institute a Class Action and to Obtain the Status of Representative*, as well as the additional indemnity provided for by law in virtue of Article 1619 C.C.Q.;

**CONDEMN** the Respondents, solidarily, to pay to the Petitioner the amount of **\$425,000.00** in pecuniary damages, plus interest at the legal rate as of the date of the *Application for Authorization to Institute a Class Action and to Obtain the Status of Representative*, as well as the additional indemnity provided for by law in virtue of Article 1619 C.C.Q.;

**CONDEMN** the Respondents, solidarily, to pay punitive damages of **\$10,000,000.00**, plus interest at the legal rate as of the date of the *Application for Authorization to Institute a Class Action and to Obtain the Status of Representative*, as well as the additional indemnity provided for by law in virtue of Article 1619 C.C.Q.;

**DECLARE :**

a) That all Class members are entitled to be compensated for all of their pecuniary damages resulting from the faults of the Respondents, including, but without limitation, their loss of income, their loss of earning capacity and their expenses and disbursements pertaining to their therapy treatments;

b) That all Class members are entitled to be compensated for their non-pecuniary damages resulting from the faults of the Respondents, in accordance with parameters to be set by the Court during the trial pertaining to the collective questions;

**ORDER** collective recovery of the punitive damages claimed herein, and the liquidation of the Class members claims pursuant to Articles 595 to 598 C.C.P.;

**CONDEMN** the Respondents to any further relief as may be just and proper;

**THE WHOLE** with legal costs, including the costs of all exhibits, reports, expertise and publication of notices.

**DECLARE** that any member of the Class who has not requested his/her exclusion from the Class be bound by any judgment to be rendered on the Class action, in accordance with law;

**FIX** the delay for exclusion from the Class at sixty (60) days from the date of notice to the members, and at the expiry of such delay, the members of the Class who have not requested exclusion be bound by any such judgment;

**ORDER** the publication of a notice to the members of the Class drafted according to the terms and in the media to be determined by the Court in a further management conference, at the expense of the Respondents;

**REFER** the record to the Chief Justice so that he may fix the district in which the Class action is to be brought and the Judge before whom it will be heard;

**ORDER** the Clerk of this Court, in the event that the Class action is to be brought in another district, upon receiving the decision of the Chief Justice, to transmit the present record to the Clerk of the district so designated;

**PERMITS** the use of pseudonyms for the identification of Class members (other than the Petitioner who has chosen to disclose his name) in the proceedings, exhibits, and/or all other documents filed into the court record, in order to protect their identities”

**THE WHOLE** with legal costs, including the costs of all publications of notices.

MONTREAL, September 1<sup>st</sup>, 2020

---

**KUGLER KANDESTIN LLP**  
Attorneys for Petitioner

Me Pierre Boivin  
Me Robert Kugler  
Me Jérémie Longpré  
1 Place Ville Marie, Suite 1170  
Montreal, Quebec, H3B 2A7  
Tel.: 514 878-2861 / Fax: 514 875-8424  
pboivin@kklex.com  
rkugler@kklex.com  
jlongpre@kklex.com