

# SUPERIOR COURT

(Class Action Division)

CANADA  
PROVINCE OF QUÉBEC  
DISTRICT DE MONTRÉAL

N.: 500-06-000076-980

DATE : April 15, 2025

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**BY THE HONOURABLE MARIE-ANNE PAQUETTE, Chief Justice**

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**CONSEIL QUÉBÉCOIS SUR LE TABAC ET LA SANTÉ AND AL.**

Plaintiffs

v.

**JTI-MACDONALD CORP. AND AL.**

Defendants

and

**DELOITTE RESTRUCTURING INC. AND AL.**

Mis en cause

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**DESIGNATION ORDER**  
**(Article 572 of the Code of Civil Procedure)**

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- [1] **CONSIDERING** the judgment on the merits in the present court file rendered by Justice Brian Riordan J.S.C. on May 27, 2015, as rectified on June 9, 2015 (the "**First Instance Judgment**") that established the liability of the Defendants towards Quebecers who smoked, between January 1, 1950, and November 20, 1998, a minimum of 12 pack/years of cigarettes manufactured by the Defendants and were diagnosed before March 12, 2012, with lung cancer, cancer of the throat (larynx, oropharynx, or hypopharynx) or emphysema (the "**Tobacco Victims**"), and condemned the Defendants to pay substantial damages to the Tobacco Victims or, if they died after November 20, 1998, to their heirs (collectively, the "**Class Members**");
- [2] **CONSIDERING** the judgment of the Court of Appeal of Quebec dated March 1, 2019, which substantially confirmed the conclusions of the First Instance Judgment (the "**Court of Appeal Judgment**");

- [3] **CONSIDERING** that the Defendants placed themselves under the protection of the *Companies' Creditors Arrangement Act* (the "**CCAA**") before the Ontario Superior Court of Justice (Commercial List) (the "**CCAA Court**") shortly after the Court of Appeal Judgment was rendered;
- [4] **CONSIDERING** that, in the context of the Defendants' CCAA proceedings (in CCAA Court files CV-19-615862-00CL, CV-19-616077-00CL and CV-19-616779-00CL) three essentially identical plans of arrangement were filed by the Mis en cause Monitors and the Court-Appointed Mediator in respect of each of the Defendants on October 17, 2024, and thereafter amended and restated, including by way of the Third Amended and Restated Court-Appointed Mediator's and Monitor's CCAA Plan of Compromise and Arrangement dated February 27, 2025, in respect of each of the Defendants (the "**CCAA Plans**");
- [5] **CONSIDERING** that the CCAA Plans were unanimously approved by the creditors voting thereon at meetings held on December 12, 2024, and sanctioned by the CCAA Court on March 6, 2025 (the "**Sanction Orders**");
- [6] **CONSIDERING** that all appeal periods in respect of the Sanction Orders have now lapsed;
- [7] **CONSIDERING** that each of the CCAA Plans includes, as a schedule thereto, the Quebec Class Action Administration Plan (the "**Quebec Administration Plan**");
- [8] **CONSIDERING** that the Quebec Administration Plan is the process that will govern the making of claims by and the distribution to Class Members of the amounts allocated to settle their claims under the CCAA Plans;
- [9] **CONSIDERING** that the CCAA Plans provide that matters relating to the ongoing supervision of the Quebec Administration Plan shall be heard and determined jointly by the CCAA Court and the Superior Court of Quebec, Class Action Division;
- [10] **CONSIDERING** that in the Sanction Orders the CCAA Court has requested the aid and recognition of, *inter alia*, the court with jurisdiction over the present court file to give effect to the Sanction Orders and to assist the parties in carrying out the terms of the Sanction Orders and the CCAA Plans, as well as to issue any such orders and provide any such assistance required in that regard;
- [11] **CONSIDERING** the correspondence from counsel to the Class Members dated April 4, 2025, requesting that this Court issues the present judgment coming in aid of the CCAA Court and appoint a Quebec Superior Court judge to jointly oversee the administration of the Quebec Administration Plan with the CCAA Court in accordance therewith.

[12] **CONSIDERING** that counsel to the Monitors consent to the issuance of the present Designation Order.

**FOR THESE REASONS, THE COURT:**

<p>[13] <b>APPOINTS</b> the Honourable Catherine Piché as the designated Superior Court of Quebec judge in connection with the Quebec Administration Plan, to jointly supervise the ongoing administration thereof with the CCAA Court and to carry out all responsibilities designated to the Superior Court of Quebec thereunder;</p>	<p><b>NOMME</b> l'honorable Catherine Piché, en tant que juge désigné de la Cour supérieure du Québec dans le cadre du Plan d'administration du Québec, pour superviser l'administration continue de celui-ci conjointement avec le Tribunal de la LACC et pour assumer toutes les responsabilités attribuées à la Cour supérieure du Québec en vertu de ce plan;</p>
<p>[14] <b>REFERS</b> the question of recognition of the Sanction Orders issued on March 6, 2025, by the Honourable Chief Justice Geoffrey B. Morawetz in court files CV-19-615862-00CL, CV-19-616077-00CL, CV-19-616779-00CL, and to the CCAA Plans to Justice Piché;</p>	<p><b>RÉFÈRE</b> la question de la reconnaissance des Ordonnances de sanction rendues le 6 mars 2025 par l'honorable juge en chef Geoffrey B. Morawetz dans les dossiers judiciaires CV-19-615862-00CL, CV-19-616077-00CL, CV-19-616779-00CL, et des plans de la LACC à la juge Piché;</p>
<p>[15] <b>THE WHOLE</b> without costs.</p>	<p><b>LE TOUT</b> sans frais de justice.</p>

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**MARIE-ANNE PAQUETTE, Chief Justice**