

## **CLASS ACTION: HURST VERSUS AIR CANADA**

### **MISPRICED AIR CANADA 10-SEGMENT FLIGHT PASS IN AUGUST 2015**

On January 27, 2017, the Superior Court of Québec authorized a class action against Air Canada who is alleged to have refused to honour advertised prices for one of its flight passes in contravention of the *Consumer Protection Act*. These allegations have not been proven in Court.

#### **WHO IS A CLASS MEMBER?**

Briefly, the class action includes all consumers residing anywhere in Canada who bought the “Western Canada and Western USA Plus” flight pass for Business Class travel on Air Canada’s website between August 25, 2015 and August 28, 2015 and who had their purchases cancelled by Air Canada thereafter.

#### **WHAT IS THE GOAL OF THE CLASS ACTION?**

The class action seeks to establish whether Air Canada required its customers to pay a price higher than the one advertised on its website in contravention of the Québec *Consumer Protection Act*.

#### **WHAT CAN YOU GET?**

The Class Action seeks to obtain for class members compensation and punitive damages.

A class member **cannot** be ordered to pay a defendant’s costs for the class action.

#### **HOW TO EXCLUDE YOURSELF?**

**If you wish to exclude yourself from the class you must** advise the Clerk of the Superior Court of Québec in the district of Montréal by registered mail to 1 Notre Dame Street East, Montréal, Québec, H2Y 1B6 **by no later than Friday, September 8, 2017 at 5:00PM Eastern Time.**

The request for exclusion must be made in writing with reference to the class action identified by the court file number 500-06-000756-151.

Among others, people who wish to bring an individual action at their own expense have the interest to exclude themselves from a class action.

#### **WHO REPRESENTS THE MEMBERS?**

Mr. David Hurst has been designated by the Court to represent the members of the class.

### **FOR FURTHER INFO**

This notice is only a summary of the notice to members, the complete text of which may be found on the websites identified below. The judgment authorizing the class action and the application to institute proceedings can also be found on the same websites. You may also contact the representative's attorneys:

**Evolink Law Group**  
www.evolinklaw.com  
flightpass@evolinklaw.com  
Telephone: (604) 620-2666

**Champlain Avocats**  
www.champlainavocats.com  
Fax: (514) 800-0677  
Telephone: (514) 866-3636

### **Registry of Class Actions**

<http://services.justice.gouv.qc.ca/dgsj/rrc/Accueil/Accueil.aspx>

**THIS TEXT HAS BEEN APPROVED BY THE COURT. IN THE EVENT OF A DISCREPANCY BETWEEN THIS SUMMARY NOTICE AND THE COMPLETE NOTICE, THE LATTER SHALL PREVAIL.**