

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**

THE HONOURABLE ) Thurs DAY, THE 30th DAY OF  
JUSTICE GLUSTEIN ) November , 2023

BETWEEN:



ROBERT QUENNEVILLE, FRANCESCO VELLA,  
KWAI-YUEN TSO, ALAN ORMAN

Plaintiffs

and

AUDI AG, AUDI OF AMERICA LLC, AUDI CANADA INC., BAYERISCHE MOTOREN  
WERKE AG, BMW NORTH AMERICA, LLC, BMW CANADA INC., DAIMLER AG,  
MERCEDES-BENZ USA, LLC, MERCEDES-BENZ CANADA INC., MERCEDES-BENZ  
FINANCIAL SERVICES CANADA CORPORATION,  
DR. ING. H.C. F. PORSCHE AG, PORSCHE CARS NORTH AMERICA,  
PORSCHE CARS CANADA, LTD., PORSCHE FINANCIAL SERVICES CANADA,  
VOLKSWAGEN AG, VOLKSWAGEN GROUP OF AMERICA, INC.,  
VOLKSWAGEN GROUP CANADA INC., VW CREDIT CANADA, INC.

Defendants

Proceeding under the *Class Proceedings Act, 1992*

**ORDER**

**THIS MOTION**, made by the plaintiffs, in writing, for a discontinuance of this action,  
was read this day.

**ON READING** the motion record of the plaintiffs, including the affidavit of Justin  
Smith, sworn 16 November 2023,

**AND ON BEING ADVISED** of the consent of the parties in this action and the consent of the parties in *Sibbe v. Audi Canada Inc. et al*, CV-17-580007-00CP and *Kafai et al. v. Audi AG et al*, CV-17-1880,

1. **THIS COURT ORDERS** that the discontinuance of this action is approved and this action is hereby discontinued with prejudice and without costs.

2. **THIS COURT ORDERS** that plaintiffs' counsel in this action shall send the notice attached hereto as Schedule "A" to all persons who have registered with or contacted plaintiffs' counsel in connection with this proposed class action.

4. **THIS COURT ORDERS** that plaintiffs' counsel in this action will post the notice attached hereto as Schedule "A" on their case websites (<https://www.strosbergco.com/class-actions/autopartscartel/> and <https://www.foremancompany.com/german-autos-parts>) for an one (1) month period beginning as of the date of this Order, following which the notice and website will be taken down by plaintiffs' counsel.



Justice

Justice Glustein

ENTERED Nov. 30/2023

Schedule "A"

NOTICE OF DISCONTINUANCE OF ONTARIO SUPERIOR COURT OF JUSTICE COURT  
FILE NO. CV-17-579622-00CP AGAINST AUDI AG, AUDI OF AMERICA LLC, AUDI  
CANADA INC., BAYERISCHE MOTOREN WERKE AG, BMW NORTH AMERICA, LLC,  
BMW CANADA INC., DAIMLER AG, MERCEDES-BENZ USA, LLC, MERCEDES-BENZ  
CANADA INC., MERCEDES-BENZ FINANCIAL SERVICES CANADA CORPORATION,  
DR. ING. H.C. F. PORSCHE AG, PORSCHE CARS NORTH AMERICA, PORSCHE CARS  
CANADA, LTD., PORSCHE FINANCIAL SERVICES CANADA, VOLKSWAGEN AG,  
VOLKSWAGEN GROUP OF AMERICA, INC., VOLKSWAGEN GROUP CANADA INC.,  
VW CREDIT CANADA, INC.

A lawsuit was commenced in July of 2017 against the above-named defendants in the Ontario Superior Court of Justice. The lawsuit was commenced as a proposed class action under the *Class Proceedings Act, 1992*, S.O. 1992, c. 6, alleging claims pursuant to Canada's *Competition Act*.

The lawsuit advanced a proposed class defined as all persons resident in Canada who purchased or leased a new automobile in Canada manufactured by one or more of the Defendants since 1990.

The plaintiffs claimed damages arising from alleged breaches of Canada's competition laws due to alleged anti competitive conduct related to the development of vehicles by the defendants.

The lawsuit on behalf of the proposed class is being discontinued in Ontario. A discontinuance of the lawsuit means that it is not going forward or being pursued in Ontario.

Discontinuance of the claims means that any applicable limitation periods in respect of these claims, which may have been suspended, will begin running again, and will ultimately expire (if they have not already done so).

If you require further information regarding your legal rights, it is recommended that you obtain legal advice from a lawyer of your choice. You are responsible for your own legal fees.

Should you have any questions, please contact Strosberg Sasso Sutts LLP at 1-800-229-5323, ext. 296.

ROBERT QUENNEVILLE, et al  
Plaintiffs

-and- AUDI AG et al  
Defendants

Court File No. CV-17-579622-00CP

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
**PROCEEDING COMMENCED AT**  
**TORONTO**

**ORDER**

**STROSBERG SASSO SUTTS LLP**  
1561 Ouellette Avenue  
Windsor, ON N8X 1K5  
Tel: 519.258.9333  
Fax: 866.316.5310

David R. Wingfield (LSO #28710D)  
Email: [dwingfield@strosbergco.com](mailto:dwingfield@strosbergco.com)

Jay Strosberg (LSO #47288F)  
Email: [jay@strosbergco.com](mailto:jay@strosbergco.com)

**FOREMAN & COMPANY**  
**PROFESSIONAL CORPORATION**  
4 Covent Market Place  
London, ON N6A 1E2  
Tel: 519.914.1175  
Fax: 226.884.5340

Jonathan Foreman (LSO #45087H)  
Email: [jforeman@foremancompany.com](mailto:jforeman@foremancompany.com)

Sarah A. Bowden (LSO #56385D)  
Email: [sbowden@foremancompany.com](mailto:sbowden@foremancompany.com)

**Lawyers for the Plaintiffs**