

SUPERIOR COURT
(Civil Division)

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

No: 500-17-113878-204

DATE: October 1, 2020

10A 10-2020
COPIE CERTIFIÉE CONFORME
AU DOCUMENT DÉTENU PAR LA COUR
Personne désignée par le greffier

BY: HONOURABLE SUZANNE COURCHESNE, J.S.C.

LOYAL ENTREPOT EXPRESS INC.

Applicant

v.

SYNDICAT DES TRAVAILLEUSES ET TRAVAILLEURS DE PJC ENTREPOT - CNS

Respondent

JUDGMENT UPON
AN APPLICATION FOR A PROVISIONAL INJUNCTION

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- [1] **CONSIDERING** the allegations contained in Applicant LOYAL ENTREPOT EXPRESS INC.'s *Originating Application for a Provisional Injunction*, the affidavits filed in support of the application, and the exhibits presented to the Court;
- [2] **CONSIDERING** the judgment previously rendered by the Honorable Justice Silvana Conte, j.s.c., on September 24, 2020, in the SCM file No. 500-17-113765-203;
- [3] **CONSIDERING** Respondent SYNDICAT DES TRAVAILLEUSES ET TRAVAILLEURS DE PJC ENTREPOT – CNS's partial consent to the conclusions sought herein;

FOR THESE REASONS, THE COURT:

[4] **GRANTS** the present Application for a Provisional Injunction to be valid until October 13, 2020;

[5] **ORDERS** Respondent, its representatives, officers, agents, employees and any other person acting under their control or with their consent or knowledge:

i. not to block the entry, exit or any other access to any of the warehouses of Applicant, namely:

a. 8455 Henri Bourassa E, Montréal, Quebec, H1E 1P4;

b. 8465 Henri Bourassa, Montréal, Quebec, H1E 1P4;

c. 8475 Henri Bourassa, Montréal, Quebec, H1E 1P4;

d. 8275 Marco Polo, Montreal, Quebec, H1E 7K1;

especially for its trucks, transport vehicles, employees, officers, agents, representatives or any other person on the Premises, seeking access to the Premises or leaving the Premises;

ii. not to enter Applicant's private property or the Premises and to keep at least 10 m away from the exterior limits of same;

iii. limit the number of protesters to ten (10) persons at any given time and within range of any given entry or exit point of the Premises;

iv. not to harm, obstruct, assault, insult, intimidate, or attempt to harm, obstruct, assault, insult, or intimidate the truck drivers, employees, officers, agents or representatives of Applicant on the Premises, seeking to access the Premises or leaving from the Premises;

v. not to engage in any form of violent conduct targeting Applicant or its employees, officers, agents, directors, representatives or any other person on the Premises, seeking to access the Premises or leaving from the Premises;

vi. not to harm or block the normal business activities of the Applicant;

vii. not to damage, vandalize or attempt to damage or vandalize the property and Premises of the Applicant;

[6] **ORDERS** Respondent to inform all its members, employees, agents, representatives, officers or any other person acting under their control or with their consent or knowledge of the present injunction;

- [7] **ALLOWS** Applicant to serve the present proceedings and judgment to be rendered beyond the regular hours of service, as well as on non-judicial days, by communicating copy via email to representatives of Respondents, specifically: yanick.vezina@csn.qc.ca (legal counsel for Respondent CSN) and francois.morin@csn.qc.ca (primary and permanent negotiator for Respondent CSN-PJC), and reduce the delays for service, as may be required;
- [8] **ORDERS** the execution of this provisional injunction notwithstanding appeal;
- [9] **DISPENSES** Applicant from providing surety;
- [10] **RESERVES** Applicants rights and recourses against Respondents for any other applicable recourse, notably damages;
- [11] **PERMIT** any peace officer of the SPVM, or any peace officer having jurisdiction to act in the district of Montreal, to assist with the enforcement of the present order;
- [12] **THE WHOLE**, without costs.



SUZANNE COURCHESNE, J.S.C.

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