

CANADA

PROVINCE OF QUEBEC

DISTRICT OF MONTREAL

SUPERIOR COURT

(House of collective action)

No .:

FN in his child's guardian quality **LN**

, domiciled and residing at 5774 [REDACTED]
[REDACTED]

and

JZ, in his child's guardian quality

JO.Z., residing [REDACTED]
[REDACTED]

Parties Applicants

- vs -

EPIC GAMES CANADA ULC a duly constituted legal entity domiciled in 2400-745 Thurlow Street in the City of Vancouver, Province of British Columbia, V6E 0C5;

and

EPIC GAMES INC .. a duly constituted legal entity having its registered office at 620 Crossroads Blvd., in the town of Cary, , NC, 27518, USA;

Parties Defendants

APPLICATION FOR AUTHORIZATION TO EXERCISE AND COLLECTIVE ACTION TO SEE THE AWARD
STATUS OF REPRESENTATIVE

(ARTICLES 574 ET SEQ CPC)



**APPLICATION FOR AUTHORIZATION TO EXERCISE AND COLLECTIVE
ACTION TO SEE AWARD THE STATUS
REPRESENTATIVE (ARTICLES 574
ET SEQ CPC)**

IN SUPPORT OF ITS REQUEST, THE PLAINTIFFS EXHIBIT THAT:

- 1) They request permission from this Honorable Court to exercise collective action on behalf of all persons in the hereinafter described group (the "**GROUP** ") And they are themselves a member, namely:

*All individuals and / or their legal representative and / or guardian,
domiciled or having been domiciled in Quebec, from 1 September 2017,
became addicted after playing the video game "Fortnite BATTLE ROYALE"
developed, manufactured, published, marketed and sold by the defendants;*

or other GROUPS determined by this Honorable Court.

- 2) The Applicant FN (hereinafter "**FN**") also intends to obtain permission from this Honorable Court to exercise collective action on behalf of some members of the GROUP, which due to their specific characteristics can be divided into sub-group (hereinafter "**Sub-Group**") to know:

*All members of the GROUP who started playing video game "Fortnite BATTLE ROYALE"
when they were younger than 13 years and who have made app purchases using
VBUCKS, and / or their legal representatives, / or their guardians'*

I. THE PARTS

- 3) The defendant Epic Games Inc. (hereinafter "**EPIC** ") is an American company specializing in the development of video games in the world and has notably developed, manufactured, published, marketed and

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marketed video game *Fortnite Battle Royale* (hereafter "**Fortnite**");

- 4) The defendant Epic Games Canada ULC (hereinafter "**EPIC CANADA**") is the Canadian subsidiary of EPIC, the whole as appears an extract from the register of companies in Quebec, copy being produced in support hereto as Exhibit " **P-1 piece** ";
- 5) The Applicant FN (hereinafter "**FN**") is the guardian and legal representative of a minor child now aged 10 years, LN (hereinafter "**LN**") who started playing Fortnite December 2, 2018, when he was 9 years old and has developed an addiction to Fortnite in addition to shop integrated with VBUCKS;
- 6) The Applicant JZ (hereinafter "**JZ**") is the guardian and legal representative of a minor child now aged 15 years, JO.Z. (Hereinafter " **JO.Z.** ") Who started playing Fortnite in September 2017 when he was 13 years old and has developed an addiction to Fortnite;

II. THE FACTS GIVING OPENING AN INDIVIDUAL ACTION BY THE PLAINTIFFS

AT. Introduction

- 7) Fortnite is a cooperative shooter video game and survival that has been developed, manufactured, published, marketed and sold by the defendants and which is available for free download on multiple digital platforms, including including Microsoft Windows, MacOS, PlayStation 4 , Xbox One, Nintendo Switch, IOS and Android, and has been since September 2017,
- 8) Fortnite allows up to 100 players to fight in a game mode "player against player" alone or in teams of two or four players in the increasingly tight spaces gradually as the advance party and as players are eliminated, and that, until only one person or team survives;
- 9) The length of a portion of Fortnite varies its implementation and can be a maximum of approximately twenty minutes;
- 10) In March 2019, the CEO of EPIC, Tim Sweeney, announces that the game Fortnite had over 250 million players worldwide, all as appears from an interview with Dean Takahashi copy being produced in support hereto as Exhibit "**Each P-2**";

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- 11) Although Fortnite be offered for download for free, players are invited to make app purchases including in particular cosmetic items such as character models, "skins" or others, and the fight goes the game, which allows a wider range of purchasable items ;
- 12) Besides, Fortnite recorded record profits in 2018 estimated at almost 2.4 billion worldwide, the whole as appears from an article *The Telegraph* copy being produced in support hereto as Exhibit "**Each P-3**";

B. Dependence Fortnite

- 13) In 2018, the World Health Organization (hereinafter ' "**WHO** ") recognised and classified dependence on video games, calling it "a video game Disorder" as a disease. The condition is defined as "conduct related to the practice of digital video games or games, which is characterized by a loss of control over gambling, increased priority given to the game, to the point that it takes precedence over other interests and daily activities, and by the prosecution or the growing practice of the game despite harmful consequences, "the whole as appears from the WHO website with a screenshot occurred in support hereto as Exhibit "**P-4 part** ";
- 14) According to a specialist in addiction psychologist, Dr. Anita Gadhia-Smith Fortnite addiction is similar to addiction to cocaine the whole as appears from an article entitled *More Evidence Fortnite Is Bad for Your Child's Health*, copy being produced in support hereto as Exhibit "**P5** ";
- 15) In fact, when a person feels pleasure playing Fortnite, the brain releases the pleasure hormone, dopamine, and when someone plays over a long period, his brain constantly receives dopamine. Soon, the normal dopamine levels did meet most, pushing the person to require more and more dopamine to feel good, which has the consequences that the person plays more Fortnite to maintain its level of dopamine, the whole as appears from the "**Part P-5** ";
- 16) The effects of addiction to video games, including Fortnite on children brain is particularly damaging in that when they-are constantly attached to their machines, they develop severe deficiencies in their ability to integrate the full spectrum emotions

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human. Experts are reporting gaps in vocabulary as well as social integration gaps. Indeed it is recognized that the continued use of electronic devices because of major changes in the prefrontal cortex of the human brain changes affecting especially young developing brains, the whole as appears from the **Part P-5**;

- 17) The addictive aspect of Fortnite is recognized worldwide, and has also been compared to heroin in an article entitled *Fortnite addiction is forcing kids into video-game rehab* copy of which is in support hereto as Exhibit " **Part P-6** "And in an article entitled *Behind the numbers, Fortnite May be as addictive as heroin*, copy being produced in support hereto as Exhibit " **P-7 part** ";
- 18) The symptoms of addiction to the Internet, including Fortnite are physical and psychological and include headaches, back and neck pain, breaches of basic hygiene, sleep disorders as well as major social unrest, as appears from Article *The Symptoms of Internet Addiction* copy of which is in support hereto as Exhibit " **Part P-8** ";
- 19) The gambling addiction Fortnite has real consequences on the lives of several players which have developed problems as they do not eat, do not showering, and socialize more;
- 20) Besides, rehabilitation centers specifically dedicated to addiction Fortnite have opened all over the world, particularly in Quebec and in Canada to treat people for addiction Fortnite;
- 21) Fortnite addiction, in addition to having adverse effects on the health of users, encourages excessive spending because in the heat of the action, players spend freely and buy V-BUCKS which he is very difficult to translate the current currency value;
- 22) The business model of the defendants cultivates the lure of exclusivity among users by offering limited edition items that are available for a short time, the whole as appears from an article entitled *How Fortnite Makes Money*, copy of which is in support hereto as Exhibit " **Part P-9** ";
- 23) By buying the cosmetic items such as character models, the "Skins" or other, the sense of accomplishment of the users is fed and their desire to continue playing increases. The more they buy cosmetic items

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and fighting game passes, the more they receive "rewards" that the push to keep spending in Fortnite, all as appears from the **Exhibit P-9**;

24) The business model of the defendants is strongly based on a culture of originality which can only be achieved by buying cosmetic items in the video store Fortnite. Besides, one of four categories of the competition *Fortnite World Cup* is original;

25) In a study conducted by the LendEDU company, it was found that 68.8% of users perform Fortnite app purchases for an average amount of \$ 84.67, and 36.78% of them, this is their first app purchase, all as appears in an article entitled *The Finances of Fortnite: How Much Are People Spending At This Game?* copy of which is in support hereto as **Exhibit " P-10 part "**;

vs. **The knowledge by the defendants of the risk of dependence**

26) Human psychology and the human brain manipulation was the epicenter of Fortnite development process that has been specially designed to be highly addictive;

27) Fortnite was designed by an eight-person development team including psychologists, statisticians, analysts and coordinators who have worked for almost four (4) years to develop the most addictive game possible, all as appears an article entitled *Celia Hodent, the French psychologist behind the success of the video game Fortnite*, copy of which is in support hereto as **Exhibit " P-11 part "**;

28) The development team worked with guinea pigs to ensure that their attention was captured throughout the test by tracking the slightest drop of attention, the whole as appears from the **Exhibit P-11**;

29) Fortnite has been developed with the intention to create a highly addictive game, and thus lucrative for the defendants, through its features and functions including:

- at) the game features different challenges every day giving rise to Awards and rewards are doubled on weekends;
- b) The game changes every ten weeks which pushes the player to start and thus keep playing to earn more

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rewards;

- vs) the game is constantly updated to ensure the continued dependence of the player;
- d) a well calculated element of luck made sure to cement the addictive aspect since it is hard to stop playing when our brain thinks that good luck is about to smile us;
- e) appearance "cartoon" and "retro" of the game and the lack of blood gives a false sense of security to parents;

the whole as appears from an article entitled *Parents' Guide to Fortnite Addiction* copy of which is in support hereto as **Exhibit " P-12 part "**;

- 30) The defendants used the same tactics that slot machine creators or variable reward programs, to ensure the dependence of its users, the brain being manipulated to always want more, all as that it appears an article entitled *Fortnite May be a virtual game goal HAVING it's real life dangerous effects*, copy being produced in support hereto as **Exhibit " P-13 part "**;
- 31) Children are particularly vulnerable to this manipulation since their self-control system in the brain is not developed enough, the whole as appears from the **Exhibit P-13**;
- 32) The parties defendants accumulate data on each player and use artificial intelligence to identify what the hook;
- 33) Under the pretext of improving the experience of users, the defendants continually altering the game to ensure that users remain attached and so dependent, all as appears in an article entitled *Fortnite: How Artificial Intelligence and Analytics Make It More Fun*, copy of which is in support hereto as **Exhibit " P14 "**;
- 34) The plaintiffs therefore created Fortnite with the clear intention to make it addictive and thus to ensure that players are spending the most money playing it, despite the fact that the game is completely free for download;
- 35) There is no doubt that the defendants have served their purpose, or

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Fortnite make the most addictive and can therefore knowingly endangered the health of users, without warning them of the danger associated with the use of Fortnite;

36) In addition, when the WHO has recognized and classified video game addiction as a disease, *Entertainment Software Association* (Hereinafter **"ESA"**) American association of the major players in the video game industry, issued a statement calling on the WHO to revise their inclusion dependence on video games in their disease recognized list, as appears to a copy of the press release produced in support hereto as Exhibit " **P-15 part** ";

37) EPIC is a member of the ESA, as appears from page 16 of a press copy of which is the support of these under the symbol " **P-16 part** ";

38) Instead of taking the necessary steps to address the devastating effects of addiction Fortnite, the defendants, through the ESA have rather trivialized the situation by refusing to recognize the possibility that the addiction to video games is a disease;

39) Instead, the ESA has conducted a propaganda campaign to emphasize the positive aspects of the video games industry omitting or neglecting to mention the possibility of addiction, the whole as appears from the **Exhibit P-16**;

40) A representative of the International Game Developers Association, EPIC is an active member, denied in an interview with *Bloomberg*, Fortnite that can be addictive citing a lack of evidence in this regard, as appears from a video titled *Fortnite addiction is forcing kids into video game rehab*

up be viewed by clicking sure URL
next: <https://www.bloomberg.com/news/videos/2018-11-30/fortniteaddiction-is-forcing-kids-into-video-game-rehab-vid> ;

41) In June 2019, Prince Harry, Duke of Sussex, as part of its charitable efforts related to mental health, said publicly that Fortnite should not exist addictive seen his appearance. In response, the defendants continued to deny the appearance addictive Fortnite, the whole as appears from an article entitled *Prince Harry wrong to say Fortnite is addictive, say creators Epic Games*, copy of which is in support hereto as Exhibit " **P-17 part** ";

42) It is clear that the defendants knew the risks of addiction

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posed by Fortnite since created Fortnite the undeniable goal to make it addictive.

43) However, the defendants knowingly and voluntarily decided not to disclose to users the risks and dangers associated with Fortnite, choosing instead to deny the addictive aspects of the product;

44) Despite reports of several experts on addiction risks Fortnite, the defendants still do not address them as this would jeopardize their record profitability;

D. Advertising and marketing to children under 13 years

45) The virtual store Fortnite is easily accessible for children, since it is directly available on the platform of the game, which can be downloaded for free in less than three minutes on most gaming platforms;

46) The designs and colors of the items are very attractive to children, it's like a comic strip came alive before them whose main character was none other than themselves;

47) They can choose within seconds the character that will embody them in the game and all their possible either to perform or accessories to stand out among their other friends on Fortnite;

48) The defendants, by the importance and the variety of items that are constantly renewed in the virtual store Fortnite, create a need for children to repeatedly buy new characters, objects or dance to perform in gambling, as appears from the article entitled *Advertising: How Fortnite attracts brands targeting youth*, copy being produced in support hereto as Exhibit " **Part P-18** ";

49) In addition, the social pressure is high and children are judged and ridiculed as cosmetic items they buy in the video store Fortnite, the whole as appears from an article entitled *Fortnite is free aim kids get bullied into spending money*, copy of which is in support hereto as Exhibit " **Part P-19** ";

50) The parties defendants give users a Fortnite feeling exclusivity renewing fee objects every 24 hours. Moreover,

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it offers products, objects and ephemera game modes, all being developed to stimulate the purchase;

51) Children are particularly vulnerable to the business model of the defendants is based on exclusivity, particularly because of their immaturity, the aspect least developed of the treasury of their brain system and the social pressure is constantly exerted on them;

52) In addition, the costumes and dances are often inspired series of videos and films that are particularly appreciated by children;

53) Moreover, the psychologist in charge of developing Fortnite, Celia Hodent, spoke thus in an interview with Le Figaro mentioned in an article entitled *Why kids love do they Fortnite?* :

"The team knew that the game had a great potential in younger. She opted for a very cartoon and full artistic direction of humor, reminiscent of Ghostbusters, Back to the Future or The Goonies. In Fornite, there is no blood. And when you lose, your character does not really dies "

copy of which is in support hereto as Exhibit " **Part P-20** ";

54) Fortnite created by its marketing, a vicious circle in which children have to buy to feel accomplished and accepted by their peers, taking advantage of their vulnerable position;

55) Moreover, this is accentuated by influencers on the platform *Youtube* who spend many videos to game strategies and innovations available in the virtual store Fortnite;

56) The defendants maintain a dream in children with promises of price and prestige of winning in competitions worldwide organized by EPIC, the *Fortnite World Cup* which offers more than 30 million in prize, as appears from an article entitled *Fortnite Worldcup HAS handed out \$ 30 million in prizes and cemented icts spot in the Culture* copy of which is in support hereto as Exhibit " **P-21 part** ";

57) The 2019 edition of the competition has also been won by a 16

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years that affected a price of three million dollars (\$ 3,000,000 USD), as part of his victory, which represents three million nine hundred and eighty-14-1000-two hundred dollars in Canadian currency (\$ 3,994,200 CAD), all as appears from the **part P-21**;

E. The mistakes made by the defendants

58) The defendants committed several mistakes in the development, manufacturing, publishing, marketing and commercialization of Fortnite, and that, under both the *Civil Code of Québec*, that of the *Law on Consumer Protection* and some *Charter of Rights and Freedoms*;

59) Therefore the responding parties are responsible for the damage resulting from said faults;

60) In particular, the defendants developed, manufactured, published, made-in-market and marketed a dangerous and harmful to the health of users, since the product has been designed to create dependence among users;

61) the defendants had knowledge and / or were presumed to have knowledge of the risks and hazards associated with the use of Fortnite, particularly about the risk of addiction, since it is they who set up the game development process during which they have employed experts to maximize their chances of creating a product that creates maximum dependence on the user;

62) The defendants have failed and / or neglected to disclose to users the risks and dangers associated with the use of Fortnite and therefore does not know and / or was not able to know the risks and dangers associated with using Fortnite, and because the defendants failed to provide all the information necessary to adequately protect users against the risks and dangers of that product;

63) Ignoring the risks and dangers associated with the use of Fortnite, the defendants committed a prohibited practice within the meaning of Article 215 of the *Law on consumer protection*;

64) The defendants knowingly and intentionally, developed, produced, published, made-in-market and marketed a dangerous product that has

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designed to create dependency among users;

65) The defendants, through their marketing and advertising strategy, have attempted to trivialize and / or deny risks and hazards associated with the use of Fortnite;

66) The defendant wore intentionally and unlawfully, with the rights to life, security and integrity of the users according to *Charter of Rights and Freedoms*;

67) The defendants advertised for commercial purposes intended for persons under 13 years, which is a practice prohibited under Article 215 of the *Law on consumer protection*;

68) The faults commissent by spaces joint and several;

III. GIVING THE FACTS OPEN TO ACTION FN

69) The minor LN, FN which is the guardian and legal representative, is a child who, throughout his childhood, did not usually play video games, except for a once in time on games downloaded to the phone from his parents;

70) In early 2018, SNB began tirelessly to ask his parents to buy him a PlayStation 4 game console to allow it, especially being able to play Fortnite with his friends;

71) On or about December 2, 2018, the minor child LN, then 9 years old, received his Playstation 4 and he immediately downloaded the free game Fortnite from its new game console *Playstation 4*;

72) Following the download Fortnite, the minor child, created his player profile under a pseudonym that keep confidential FN wants to prevent the identity of the minor child shall be disclosed;

73) As part of the creation of his profile, SNB had to accept of *Terms Services*, copy being produced in support hereto as Exhibit " P22 ";

74) There is no doubt that at the age of 9, LN has not read the *Terms of Services* and that even if he had, he did not have the maturity to understand the content

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its commitment;

75) At no time during the process of creating a player profile, which lasted more than 3 minutes LN was informed by the defendants of the risks and dangers associated with the use of Fortnite, including in particular the risk of addiction;

76) From the start of the game Fortnite in September 2017, the defendants had
or presumed to have knowledge étaient
knowledge of the risks and hazards associated with the use of Fortnite, including the risk of dependence, since it is they who set up the development process of the game in which they have employed experts to create a product that creates maximum dependence on the user;

77) At the time of the creation of his player profile, LN was not informed of the risks and risk associated with the use of Fortnite and therefore does not know and / or was not able to know the risks and hazards associated with using the product, since the defendants failed to provide all the information necessary to adequately protect the child, then aged 9, against the risks and dangers of that product;

78) In the days that followed the creation of the profile, LN quickly developed a dependence Fortnite, playing there almost every day since then;

79) In particular, the child LN 872 parts played solo game mode, 335 parts in play mode pairs, 362 parts in play mode and team of 4 322 in LTM game mode, all as that it appears from the bundle in screenshots, copy of which is the support of these under the symbol " **Exhibit P-23**;

80) This means that in total, since December 3, 2018, LN participated, all modes of play, over 1891 parts Fortnite;

81) In addition, LN has been away from home between 21 June 2019 and 29 July 2019 and to the best of the knowledge of his parents, he did not have access to a platform for him to play Fortnite;

82) LN plays in Fortnite on an almost daily basis for several months and it becomes very frustrated and angry when her parents try to limit the

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time spent playing;

83) If his parents did not limit his playing time, SNB could spend entire days playing in Fortnite. Besides the fact that the console is in the family room allows for some control over its use;

84) LN argues with his parents it is the only activity that has to do because it's cold in winter and summer, it rains;

85) When network Fortnite to play with his friends his language is very aggressive and vulgar, while in real life it is a good child and placed with a good vocabulary. When he loses he gets mad and starts playing tirelessly until his parents asked him to stop, which is a great source of conflict;

86) When he invites friends at home, the main activity is to play Fortnite whereas in the past it was going to the park to play basketball, to make games or hiding games society, in winter;

87) The fact that he can play networked with friends and be in touch with them via Fortnite changed social interactions, he no longer needs his friends are present;

88) In addition, all of his savings and all the gifts of his family money is spent to buy playstation cards allowing it to pay VBUCKS that allow it to acquire cosmetic items such as character models, or the fight goes the game and dances, which broadens the range of purchasable items ;

89) The virtual store available on Fortnite platform, with its attractive colors and regular news, is an incentive for LN always want to buy new characters, dancing or fighting objects;

90) The items to buy are several categories and it is undeniable that for some items the target is young children, such as characters or banana-shaped monster, backpacks with childish forms etc .. the colored objects or fighting with a fun form for children specifically designed for this age group;

91) Influencers Fortnite on Youtube as of great importance and also LN passes time watching videos of these influencers for

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learn techniques to improve his game and to see the new purchase;

92) To date, LN, now aged 10, has spent nearly \$ 600 to purchase VBUCKS in Fortnite;

93) The existence of Fortnite of an online store where it can easily, with the purchase of prepaid cards playstation pay VBUCKS, to acquire attractive virtual objects to perform in the game is a problem that is difficult controllable although FN receiving emails about him when his son makes a purchase since the purchase is done, all as appears excerpts from emails received by FN in purchasing a copy of which is produced in support of these under the symbol " **Part P-24** ";

94) The defendants, in order to maximize the number of users of Fortnite and thus maximize their profits, knowingly and deliberately developed, manufactured, published, made-in-market and marketed a dangerous product that has been designed to be addictive to the user and young users;

95) In doing so, the defendant party have unlawfully and intentionally violated the rights to life, security and integrity of LN;

96) Fortnite has created a strong dependence for LN that developed, like thousands of players need to play several hours a day thus greatly affecting several life areas and leading to a change in social behavior since he prefers virtual interactions actual interactions;

97) FN, had no idea of the damaging consequences of Fortnite for his son and he was informed by the defendants of the risks and dangers associated with the use of Fortnite by LN, he refused the game to be downloaded by LN or at least it would have been very vigilant on the playing time of his child, and that, especially in the first months of use to prevent LN develops a dependency;

IV. OPENING THE FACTS LEADING TO ACTION JZ

98) JZ is the father of JO.Z minor child who is now 15 years old and before knowing the Fortnite game, only played occasionally in video games;

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- 99) OJ. Z could play these games through its *Playstation 4* one to two times per week for a maximum of one hour and a half each time;
- 100) On or about October 2017, JO.Z discovered the existence of the game Fortnite, a few weeks after it-in-market, and that, through his friends;
- 101) JO.Z then downloaded the free game Fortnite from its game console *Playstation 4*;
- 102) After downloading Fortnite, JO.Z minor child, then aged 13 years, created a player profile under a pseudonym JZ wants to keep confidential to prevent the identity of the minor child shall be disclosed;
- 103) As part of the creation of his profile JO.Z had to accept of *Terms Services*, already produced in support hereto as Exhibit " **P-22 part** ";
- 104) There is no doubt that at the age of 13, did not read the JO.Z *Terms of Services* and that even if he had, he did not have the maturity to understand the level of commitment;
- 105) At no time during the process of creating a player profile, which lasted more than 3 minutes JO.Z was informed by the defendants of the risks and dangers associated with the use of Fortnite, including including the risk of addiction;
- 106) From the start of the game Fortnite in September 2017, the defendants had or presumed to have knowledge étaient knowledge of the risks and hazards associated with the use of Fortnite, including the risk of dependence, since it is they who set up the development process of the game in which they have employed experts to create a product that creates maximum dependence on the user;
- 107) When creating his player profile JO.Z was not informed of the risks and risk associated with the use of Fortnite and therefore does not know and / or was not able to know risks and hazards associated with the use of the product because the defendants failed to provide all the information necessary to adequately protect the child, then aged 13, against the risks and dangers of that product;

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108) At first JO.Z played game Fortnite few hours here and there but after a few weeks he began taming the game and ay devote more and more time;

109) More JO.Z played Fortnite and evolved in this parallel world, the more he felt the need to devote time to play;

110) JO.Z quickly developed a dependence Fortnite, by playing quasiquotidiennement since that time;

111) Indeed, in the space of a few weeks, the time devoted to JO.Z game Fortnite happened a few hours a week to several times a day;

112) of the date hereof, JO.Z participated in 7781 parts, all modes of play, and in less than two years;

113) JO.Z plays daily Fortnite at least three hours a day, and almost daily;

114) Often JO.Z sets, night weekend at 3 am, and only in order to play in Fortine;

115) weeknights, so it should be at school the next morning, JO.Z frequently layer to 1 am, once again only in order to play in Fortine;

116) The dependence of JO.Z to Fortnite therefore has a major impact on the quantity and quality of sleep;

117) Play Fortnite became a real need for JO.Z;

118) JO.Z feel a lot of frustration when he can not play Fortnite or must interrupt a game at the request of his parents, which creates a strong family conflict;

119) In addition, social interactions JO.Z have greatly diminished since he started playing Fortnite, and since devoted almost all of his free time playing there;

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120) Indeed, Fortnite allows players that are connected to the network to communicate with each other, creating an appearance of social interaction and community, within this parallel world, might seem sufficient to meet the basic needs of a human being in this regard;

121) Fortnite created a new form of social interaction through its platform, which gives the user the impression of being truly in touch when playing the game;

122) also JO.Z app purchases through the platform, and in order to acquire the characters and dances. He spent between \$ 300 and \$ 400 since it plays Fortnite;

123) The defendants, in order to maximize the number of users of Fortnite and thus maximize their profits, knowingly and deliberately developed, manufactured, published, made-in-market and marketed a dangerous product that has been designed to be addictive to the user;

124) In doing so, the defendant party have unlawfully and intentionally violated the rights to life, security and integrity of JO.Z;

125) Fortnite has created a strong dependence in JO.Z that developed, like thousands of players need to play several hours a day thus greatly affecting several life areas and leading to a change in social behavior, preferring virtual interactions actual interactions;

126) JZ, had no idea of the damaging consequences of Fortnite for his son and he was informed by the defendants of the risks and dangers associated with the use of Fortnite he refused the game to be downloaded by OJ .Z or at least it would have been more vigilant about JO.Z of playing time, and especially in the first months of use to prevent it from developing an addiction;

V. THE GROUP

127) GROUPE on behalf of which the parties plaintiffs intend to act is described in the first (1st) paragraph of this procedure and includes all natural and / or their legal representative and / or guardians are domiciled or have been domiciled in Québec that since 1 September

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2017, became addicted after playing the video game Fortnite developed, manufactured, published, marketed and sold by the defendants (hereinafter " **MEMBERS** ");

VI. THE FACTS GIVING OPENING AN INDIVIDUAL ACTION
GO EACH OF THE GROUP MEMBERS

- 128) The cause of action and the legal basis of the use of each MEMBERS against the defendants are the same as those of the plaintiffs;
- 129) Indeed, the errors committed by the defendants against MEMBERS are the same as those committed against the plaintiffs, as detailed above;
- 130) Specifically, each MEMBER at creating his player profile was not informed by the defendants of the risks and dangers associated with the use of Fortnite, the defendants knew or étaient presumed to have knowledge, including in particular the risk of dependency;
- 131) Each MEMBERS do not know and / or was not able to know the risks and dangers associated with the use of the product, and because the defendants failed to provide all the information necessary to protect MEMBERS adequately against the risks and dangers of that product;
- 132) Each MEMBERS suffered the same damage that the plaintiffs and are entitled to damages to compensate for the damage arising from faults committed by the defendants;
- 133) Each MEMBER is entitled to demand that the defendants be jointly and severally ordered to pay the **punitive and exemplary damages under both the *Charter of Rights and Freedoms* that of the *Law on consumer protection***;
- 134) Each of the MEMBERS of the Sub-Group are also entitled to cancel all of VBUCKS app purchases made by the SUBGROUP MEMBERS and restitution of all benefits paid in connection with such purchases;

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135) The defendants, in order to maximize the number of users of Fortnite and thus maximize their profits, knowingly and deliberately developed, manufactured, published, made-in-market and marketed a dangerous product that has been designed to create a dependency for each MEMBER

136) acting in this way, the defendants unlawfully and intentionally violated the rights to life, security and integrity of MEMBER

137) Thus, the defendants are jointly and severally liable for damage suffered by all Members and are required to repair such damage;

VII. LEGAL PROVISIONS APPLICABLE

138) Here is the text of the provisions of *Law on Consumer Protection* apply to this folder:

53. The consumer who has contracted with a merchant has the right to exercise directly against the merchant or manufacturer against an action based on a hidden defect of the property that was the subject of the contract, unless the consumer could detect this defect by an ordinary examination.

This is for the absence of necessary information for the user's protection against a risk or danger which he could himself realize.

Neither the retailer nor the manufacturer can allege that they were unaware of the defect or the fault.

The appeal against the manufacturer may be exercised by a subsequent purchaser consumer of the property.

215. be a prohibited practice for the purposes of this title a practice contemplated in sections 219 to 251 or, when it comes to the sale, rental or

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construction of a building, a practice referred to sections 219 to 222, 224 to 230, 232, 235, 236 and 238-243.

216. For the purposes of this title, a representation includes an affirmation, a behavior or omission.

219. No merchant, manufacturer or advertiser may, by any means whatsoever, make false or misleading representations to a consumer.

228. No merchant, manufacturer or advertiser may, in a representation made it to a consumer, to mention an important fact.

248. Subject to what is provided by law, no one can make use of commercial advertising directed at persons under the age of thirteen.

249. In determining whether an advertisement is or is not intended for persons under thirteen years, we must consider the context of its presentation, including:

a) the nature and destination of the goods advertised;

b) the manner of presenting such advertisement;

c) the time or the place where it appears.

The fact that such advertising message is contained in a printed for persons thirteen years and more or intended both to individuals under thirteen years and persons thirteen years and older or be released during a listening period for persons thirteen years and more or intended both to individuals under thirteen years and persons thirteen years and does not assume that it is not for persons under the age of thirteen.

252. For the purposes of sections 231, 246, 247, 247.1, 248 and 250, the term "advertising" is the preparation, use, distribute, circulate, publish or cause to be published, to distribute or to broadcast an advertisement.

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272. If the merchant or the manufacturer fails to fulfill an obligation it imposes this law, a regulation or a voluntary undertaking made under section 314 or whose application was extended by an order made under section 315.1, the consumer, subject to other remedies provided by this Act, may, as appropriate:

a) the performance of the obligation;

b) the authorization to execute it at the expense of the merchant or manufacturer;

c) reduction of his obligation;

d) termination of the contract;

e) termination of the contract; or

f) the nullity of the contract,

without prejudice to his claim for damages in all cases. It may also seek punitive damages.

139) Here is the text of the provisions of *Civil Code of Québec* applicable to this folder:

1457. Every person has the duty to respect the rules of conduct which, according to the circumstances, usage or law applicable to it, so as not to cause injury to another.

Where he is endowed with reason and fails in this duty, responsible for the losses caused by this fault to another and must repair the injury, whether it be bodily, moral or material.

She is also liable, in certain cases, to repair the injury caused to another by the act or fault of another person or by the act of things in his custody.

1458. Everyone has the duty to honor its commitments.

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Where he fails in this duty, liable for damage, bodily, moral or material, it causes to the other party and must repair this damage; neither she nor the other party can then evade the rules of contractual liability regime to opt for rules that would be most beneficial to them.

1468. The manufacturer of movable property, even if this property is incorporated in a building or is placed in service or operation thereof, is required to repair the damage caused to a third party by the security flaw good.

It is the same for the person who distributes the property under his name or as his good and for any supplier of the property, whether wholesaler or retailer, or whether or not the importer of the good.

1469. There are default security well when given all the circumstances, the property does not provide the safety which is normally entitled to expect, partly due to a defect in design or manufacture well, poor conservation or presentation of the goods or, again, the lack of sufficient information about the risks and dangers it entails or on how to protect themselves.

140) Here is the text of the provisions of *Charter of Rights and Freedoms of Quebec* apply to this folder:

1. Every human being has the right to life and to personal security, inviolability and freedom of person.

It also has legal personality.

49. Any unlawful interference with any right or freedom recognized by this Charter entitles the victim the right to obtain the cessation of such interference and compensation for the moral or material prejudice resulting therefrom.

In case of unlawful and intentional interference, the tribunal may also order the person responsible to pay punitive damages.

VIII. NATURE OF THE ACTION

141) The nature of collective action that the plaintiffs intend

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exercise on behalf of the MEMBER is an action for nullity and damages against the defendants in order to repair the damage resulting from mistakes committed by them in the development, manufacturing, publishing, development -in-market and marketing Fortnite;

IX. THE ISSUES OF FACT AND LAW IDENTICAL OR SIMILAR
RELATED (Art. 575 (1) CPC)

142) The issues that bind each MEMBERS the defendants and the plaintiffs agreed
be decided by collective action
considered are:

- at) The defendants have they developed, manufactured, published, set-enmarché and marketed a dangerous and harmful product for the health of members?
- b) The defendants had they knowledge or were they presumed to know the risks and dangers associated with the use of Fortnite by MEMBERS?
- vs) The defendants have they failed and / or neglected to disclose to MEMBERS risks and hazards associated with the use of Fortnite?
- d) MEMBERS they knew or were they able to know risks and hazards associated with the use of Fortnite?
- e) The defendants have they provided to MEMBERS all the information necessary to protect against the risks and dangers associated with the use of Fortnite?
- f) Ignoring the risks and dangers associated with the use of Fortnite by MEMBER, the defendants have they committed a prohibited practice within the meaning of Article 215 of the *Law on consumer protection*?
- g) were they the defendants knowingly and intentionally, developed, manufactured, published, made-in-market and marketed a dangerous product that has been designed to create dependency among users?

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- h) The defendants, through their marketing and advertising strategy, have they attempted to trivialize and / or deny risks and hazards associated with the use of Fortnite?
- i) The defendants they have violated the rights to life, security and integrity of MEMBER according to *Charter of Rights and Freedoms*;
- j) If so, this infringement is it unlawful and intentional?
- k) The liability of the defendants against plaintiffs and MEMBERS Is joint and several ?;

143) The issues that bind each MEMBERS of SUBGROUP the defendants and the plaintiff FN intends to decide by the proposed collective action are:

- at) The defendants have they done for commercial purposes in advertising directed at persons under the age of 13?
- b) In the affirmative, the defendants and they have committed a prohibited practice within the meaning of Article 215 of the *Law on consumer protection*?

**X. THE FACTS ALLEGED APPEAR JUSTIFY
CONCLUSIONS WANTED (Art. 575 (2) CPC)**

144) In this respect, the parties plaintiffs refer to paragraphs 3 to 137 of this application;

XI. THE GROUP (Art. 575 (3) CPC)

145) The composition of the GROUP makes it difficult or impractical the application of rules on the mandate to sue on behalf of others or on the joinder, for the reasons given below;

146) GROUPE is estimated at several thousand MEMBER Fortnite with over 250 million players worldwide, many of which reside in the Province of Quebec;

147) It would be impossible and impractical for the plaintiffs to trace

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and contact all MEMBERS so that they can join in a same suit;

148) According to the definition of MEMBERS of the group, it is all natural and / or their legal representative and / or guardian, domiciled or having been domiciled in Quebec, from 1 September 2017, have addicted after playing the video game "Fortnite BATTLE ROYALE" developed, produced, published, marketed and sold by the defendants, it would be impossible and impracticable for the parties plaintiffs to obtain a mandate or power of attorney of each MEMBER

149) It would also be impractical and contrary to the interests of sound administration of justice and the spirit of *Code of Civil Procedure* MEMBERS each of bringing an individual action against the defendants;

XII. THE APPLICANT PARTIES S ARE ABLE TO ENSURE REPRESENTATION ADEQUATE FOR MEMBERS (Art. 575 (4) CPC)

150) The parties plaintiffs ask that the status of their representative to be assigned for the following reasons given;

- at) The applicants are able to ensure adequate representation of the members;
- b) The plaintiffs are able to identify several hundred MEMBERS GROUP;
- vs) The plaintiffs are both guardians and legal representatives of minor children who are addicted to Fortnite and who play several hours a day for several months;
- d) The plaintiff FN, is the guardian and legal representative of the LN minor child who started playing Fortnite when he was under 13 years and has made purchases integrated into the game;
- e) The plaintiffs have personal knowledge of the cause of action alleged in this application and they understand the facts giving rise to their claims as well as that of MEMBERS;
- f) The plaintiffs are willing to devote the time required

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Members to represent them in the context of this class action, and that, as at the authorization stage of the use at the stage of merit;

- g) The parties plaintiffs seek to represent honestly and fairly the interests of MEMBER
- h) The parties applicants declare their readiness to do everything possible to expose all the facts giving rise to the proposed collective action;
- i) The plaintiffs have clearly demonstrated the existence of a legal relationship and so that the necessary interest against defendants;

151) The applicants are therefore in an excellent position to adequately represent the MEMBER part of collective action envisaged;

XIII. THE SUITABILITY OF A COLLECTIVE ACTION

152) It is appropriate to allow the exercise of this collective action on behalf of the MEMBERS for the following reasons;

153) Collective action is the most appropriate procedural vehicle so that the MEMBERS can assert their claim arising out of the facts alleged in this application;

154) Although the amount of damage may differ for each MEMBERS, or the errors committed by the defendants and the resulting liability parts are identical with respect to each MEMBER

155) In addition, potential multiplicity of individual actions MEMBERS could result in contradictory judgments on facts and law identical questions, which would be contrary to the interests of justice;

XIV. THE CONCLUSIONS SOUGHT

156) The relief sought by the plaintiffs are:

- at) **TO WELCOME** the statement of claim of the plaintiffs;
- b) **CONDEMN** the defendants jointly and severally
to pay damages to plaintiffs be assessed by the Tribunal with interest from the date of service of this request and the additional indemnity provided by article 1619 CCQ;

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- vs) **CONDEMN** the defendants jointly and severally
pay the plaintiffs' punitive and exemplary damages parts to be assessed by the Tribunal;
- d) **TO DECLARE** nullity of all integrated purchases made by VBUCKS
children and **LN TO ORDER** refund the claimant FN of all the benefits in the context of these
purchases,
- e) **CONDEMN** the defendants jointly and severally
pay to the plaintiff FN an amount equivalent to all benefits paid to defendants under the integrated
procurement VBUCKS made by the LN child, with interest from the date of service of this request
and the compensation additional under Article 1619 CCQ;
- f) **CONDEMN** the defendants jointly and severally
pay to the plaintiff the LN punitive and exemplary damages to be assessed by the Tribunal;
- g) **CONDEMN** the defendants jointly and severally
MEMBERS pay each of damages to be assessed by the Court, with interest from the date of
service of this request and the additional indemnity provided by article 1619 CCQ;
- h) **CONDEMN** the defendants jointly and severally
pay each of MEMBERS of punitive and exemplary damages to be assessed by the Tribunal;
- i) **TO DECLARE** nullity of all integrated purchases made by VBUCKS
MEMBERS of the Sub-Group and **TO ORDER** restitution of all benefits paid in connection with such
purchases;
- j) **CONDEMN** the defendants jointly and severally
MEMBERS of the subgroup to pay an amount equivalent to all benefits paid to defendants under
the integrated procurement VBUCKS MEMBER made by the subgroup, with interest from the date
of service of this application as well as additional compensation provided by article 1619 CCQ;
- k) **CONDEMN** the defendants jointly and severally
MEMBERS pay to the Sub-Group of punitive and exemplary damages to be assessed by the
Tribunal;
- l) **TO ORDER** that the aforementioned damages are subject to compensation

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group, depending on the requirements of Articles 595-598 of *Code of Civil Procedure* except for the amounts arising from the return of the benefits MEMBERS IN GROUP,

will be compensated

individual;

- m) **CONDEMN** the defendants to any other remedy deemed appropriate fair and reasonable;

WITH COSTS, INCLUDING FEES FOR PARTS, THE EXPERTS, THE EXPERTISE AND PUBLICATION OF NOTICE.

XV. JUDICIAL DISTRICT OF THE ACTION

157) The parties plaintiffs propose that collective action is brought before the Superior Court in the judicial district of Montreal for the following reasons given;

158) The plaintiffs are domiciled in the judicial district of Montreal and its surroundings;

159) Several MEMBERS reside in the judicial district of Montreal and its surroundings;

160) The undersigned lawyers, whose services were retained by the plaintiffs, practice and have a principal place of business in the judicial district of Montreal;

161) This request for authorization to institute a class action is well founded in fact and law.

THEREFORE PLEASE THIS HONORABLE COURT:

TO WELCOME this application for authorization to institute a class action and to be awarded the status of representative;

TO ALLOW the exercise of collective action described below:

An action for annulment and damages against the defendants parts to repair the damage resulting from mistakes commissent by them in the development,

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manufacturing, publishing, in-market-development and commercialization of Fortnite

ATTRIBUTE the parties and plaintiff FN JZ status representative for exercising the proposed class action on behalf of the GROUP described below:

All individuals and / or their legal representative and / or guardian, domiciled or having been domiciled in Quebec, from 1 September 2017, became addicted after playing the video game "Fortnite BATTLE ROYALE" developed, manufactured, published, marketed and sold by the defendants;

or other GROUPS determined by this Honorable Court.

ATTRIBUTE the plaintiff status FN representative in order to exercise the proposed class action on behalf of the Sub-Group described below:

All members of the GROUP who started playing video game "Fortnite BATTLE ROYALE" when they were younger than 13 years and who have made app purchases using VBUCKS, and / or their legal representatives, / or their guardians'

IDENTIFY the following key issues of fact and law to be dealt with collectively:

- a) The defendants have they developed, manufactured, published, made-in-market and marketed a dangerous and harmful product for the health of members?
- b) The defendants had they knowledge or were they presumed to know the risks and dangers associated with the use of Fortnite by MEMBERS?
- c) The defendants have they failed and / or neglected to disclose to MEMBERS risks and hazards associated with the use of Fortnite?
- d) MEMBERS they knew or were they able to know the risks and hazards associated with the use of Fortnite?
- e) The defendants have they provided to all indications MEMBERS necessary to protect against the risks and dangers associated with the use of Fortnite?

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- f) Ignoring the risks and dangers associated with the use of Fortnite by MEMBER, the defendants have they committed a prohibited practice within the meaning of Article 215 of the *Law on consumer protection*?
- g) were they the defendants knowingly and intentionally, developed, produced, published, made-in-market and marketed a dangerous product that has been designed to create dependency among users?
- h) The defendants, through their marketing and advertising strategy, ontelles tempted to trivialize and / or deny risks and hazards associated with the use of Fortnite?
- i) The defendants they have violated the rights to life, security and integrity of MEMBER according to *Charter of Rights and Freedoms*;
- j) If so, whether infringement is it unlawful and intentional?
- k) The liability of defendants against plaintiffs and MEMBERS Is joint and several ?;
- l) The defendants have they done for commercial purposes in advertising directed at persons under the age of 13?
- m) if so, the defendants have they committed a practice prohibited under Article 215 of the *Law on consumer protection*?

IDENTIFY following the related conclusions to:

- at) **TO WELCOME** the statement of claim of the plaintiffs;
- b) **CONDEMN** the defendants jointly and severally to pay damages to plaintiffs be assessed by the Tribunal with interest from the date of service of this request and the additional indemnity provided by article 1619 CCQ;
- vs) **CONDEMN** the defendants jointly and severally pay the plaintiffs' punitive and exemplary damages parts to be assessed by the Tribunal;
- d) **TO DECLARE** nullity of all integrated purchases made by VBUCKS children and LN **TO ORDER** refund the claimant FN

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all benefits under those purchases;

e) **CONDEMN** the defendants jointly and severally

pay to the plaintiff FN an amount equivalent to all benefits paid to defendants under the integrated procurement VBUCKS made by the LN child, with interest from the date of service of this request and the compensation additional under Article 1619 CCQ;

f) **CONDEMN** the defendants jointly and severally

pay to the plaintiff the LN punitive and exemplary damages to be assessed by the Tribunal;

g) **CONDEMN** the defendants jointly and severally

MEMBERS pay each of damages to be assessed by the Court, with interest from the date of service of this request and the additional indemnity provided by article 1619 CCQ;

h) **CONDEMN** the defendants jointly and severally

pay each of MEMBERS of punitive and exemplary damages to be assessed by the Tribunal;

i) **TO DECLARE** nullity of all integrated purchases made by VBUCKS

MEMBERS of the Sub-Group and **TO ORDER** restitution of all benefits paid in connection with such purchases;

j) **CONDEMN** the defendants jointly and severally

MEMBERS of the subgroup to pay an amount equivalent to all benefits paid to defendants under the integrated procurement VBUCKS MEMBER made by the subgroup, with interest from the date of service of this application as well as additional compensation provided by article 1619 CCQ;

k) **CONDEMN** the defendants jointly and severally

MEMBERS pay to the Sub-Group of punitive and exemplary damages to be assessed by the Tribunal;

l) **TO ORDER** that the aforementioned damages are subject to compensation

group, depending on the requirements of Articles 595-598 of *Code of Civil Procedure* except for the amounts arising from the return of the benefits MEMBERS IN GROUPS which will be individual compensation;

m) **CONDEMN** the defendants to any other remedy deemed appropriate

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fair and reasonable;

WITH COSTS, INCLUDING FEES FOR PARTS, THE EXPERTS, THE EXPERTISE AND PUBLICATION OF NOTICE;

TO DECLARE that unless exclusion, MEMBERS will be bound by any judgment to be on collective redress as provided by law;

TO STARE the exclusion period of thirty (30) days after the date of publication of the notice to Members, deadline by which Members who do will not avail of the means of exclusion will be bound by any judgment;

TO ORDER the publication of a notice to members under the terms and conditions that this Honorable Court will determine, after hearing the parties;

REFER the file to the Chief Justice for determination of the district in which the class action must be exercised and designation of the judge who will be seized;

TO ORDER the Registrar of this Honorable Court, in case the present action should be exercised in another district, to transmit the file, from decision of the chief judge, the clerk of that other district;

ALL with costs, including the costs of publishing notice to members, expertise and expert evidence to the Court, if applicable;

MONTREAL, this 3^e day of October 2019

(S) Calex Legal Inc.

COPY _____

Calex Legal Inc.

Calex Legal Inc.

Lawyers for the plaintiffs
FN and JZ

**Jean-Philippe Caron me Alessandra
Esposito Chartrand**

jpc@calex.legal | aec@calex.legal

4214 Rue Saint-Jacques Montreal,
QC, H4C 1J4 Phone: (514) 548 3023
Fax: (514) 846 8844 N / A: 1105 to
1101 of code involved: BP3268

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**NOTICE OF ASSIGNMENT (Articles
145 and following CCP)**

Filing an application in court

Take notice that the plaintiff filed at the Registry of the Superior Court of the Judicial District of Montreal this application instituting proceedings.

Response to this request

You must respond to this request in writing, personally or by counsel at the Montreal Courthouse, located at 1 Notre-Dame Street East, Montreal, Quebec in the 15 days of service of this application or if you have domicile, residence or establishment in Québec, within 30 days of it. This response must be notified to the applicant's counsel or, if that is not represented, the applicant itself.

Failure to Respond

If you do not respond within the period of 15 or 30 days, depending on the case, a default judgment may be rendered against you without further notice upon the expiry of that period and you may, depending on circumstances, be held the payment of court costs.

Contents of response

In your response, you must indicate your intention either:

- to agree on the settlement of the case;
- to propose mediation to resolve the dispute;
- to challenge the request and in cases required by the Code, established for this purpose in cooperation with the applicant, the protocol that will govern the conduct of the proceeding. This protocol must be filed at the Registry of the Court of District mentioned above within 45 days of service of this notice or, in family matters, or if you have no domicile, residence or establishment in Québec, three months of this significance;

- to suggest _____ the _____ holding a conference _____ settlement _____ at _____ amicably.
This response must state your details and, if you are represented by counsel, the name of it and contact details.

Change of Judicial District

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You can ask the court to refer this request to institute proceedings in the district where your home or, failing that, your home or the home you have chosen or agreed with the applicant.

If the application concerns a contract, consumer or insurance or the exercise of a mortgage interest in the property for you to primary residence and you are consumers, employees, the insured, the beneficiary of the insurance contract or the mortgagor, you can ask this reference in the district where your home or residence or the building or the site of the disaster. You present this request to the Special Clerk of the territorially competent district after having notified the other parties and the court registry which was already seized.

Transfer the request to the Small Claims Division

If you have the ability to act as plaintiff following the rules for the recovery of small claims, you can also contact the clerk of the court for this request to be treated according to the rules. If you are applying, the applicant's legal costs may not then exceed the amount of the costs provided for the recovery of small claims.

Invitation to a management conference

In the 20 days following the filing of the above-mentioned protocol, the court will summon you to a management conference to ensure the proper conduct of the proceedings. Otherwise, the protocol will be deemed accepted.

Rooms in support of the application

In support of its statement of claim, the plaintiff relies on the following:

Exhibit P-1: Extract from the Register of Quebec companies for Epic Games Canada ULC;

Exhibit P-2: Interview Tim Sweeney;

Part P-3: Article of *The Telegraph*;

Exhibit P-4: Excerpt from the World Organization website of Health;

Part P-5: Article *More Evidence Fortnite is Bad for Your Child's Health*;

Part P-6: Article *Fortnite addiction is forcing kids into video-game rehab*;

Part P-7: Article *Behind the numbers, Fortnite May be as addictive as heroin*;

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Part P-8: Article *The Symptoms of Internet Addiction*;

Part P-9: Article *How Fortnite Makes Money*;

Part P-10: Article *The Finances of Fortnite: How Much Are People Spending At This Game ?*;

Part P-11: Article *Celia Hodent, the French psychologist behind the success of the video game Fortnite*

Part P-12: Article *Parents' Guide to Addiction Fortnite*;

Part P-13: Article *Fortnite May be a virtual game goal HAVING it's real life dangerous effects*;

Part P-14: Article *Fortnite: How Artificial Intelligence and Analytics Make It More Fun*;

P-15 part: Press Release *Entertainment Software Association*;

Part P-16: Press *Entertainment Software Association*;

Part P-17: Article *Prince Harry wrong to say Fortnite is addictive, say creators Epic Games*;

Part P-18: Article *Advertising: How Fortnite attracts brands targeting youth*;

Part P-19: Article *Fortnite is free aim kids get bullied into spending money*;

Part P-20: Article *Why kids love to Fortnite they ?*;

Part P-21: Article *Fortnight Worldcup HAS handed out \$ 30 million in prizes and cemented icts spot in the crop*;

Part P-22: *Terms of Services* of Fortnite;

In support of its statement of claim, the plaintiff communicated the detailed parts in the parts list attached hereto, copies of said parts having been served on the defendant.

Request with a notice of presentation

If there is a request made during the proceedings or a request under Books III V, except for those on family matters mentioned in Article 409, or VI of the Code, preparing a case protocol is not required; However, such a request must be accompanied by a notice indicating the date and time of presentation.

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NOTICE OF PRESENTATION

TO: EPIC GAMES CANADA ULC a corporation duly

made domiciled in 2400-745 Thurlow Street in the City of Vancouver, Province of British Columbia, V6E 0C5

and

EPIC GAMES INC. a duly constituted legal entity having its registered office at 620 Crossroads Blvd., in the town of Cary, NC, 27518, USA;

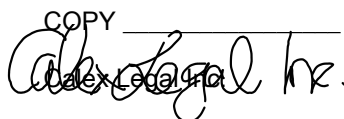
Parties Defendants

TAKE NOTICE that the present request for authorization to exercise collective action will be presented to the Superior Court in Montreal Courthouse, located at 1 Notre-Dame Street East, in the city and district of Montreal, at a date to be determined by the coordinating judge of room collective action.

PLEASE ACT ACCORDINGLY.

MONTREAL, this 3^e day of October 2019

(S) CALEX LEGAL INC.

COPY

Calex Legal Inc.

Calex Legal Inc.

Lawyers for the plaintiffs
FN and JZ

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1101 of code involved: BP3268

APPLICATION FOR AUTHORIZATION TO EXERCISE AND COLLECTIVE ACTION TO SEE THE AWARD
STATUS OF REPRESENTATIVE

(ARTICLES 574 ET SEQ CPC)



administrative information

Subject of the case:

COLLECTIVE ACTION

Value of the dispute: **N / A**

N / R: 1105-1101

No.

**SUPERIOR COURT HOUSE OF
COLLECTIVE ACTIONS
DISTRICT OF MONTREAL**

FN in his capacity as tutor of the child LN

and.

JZ in his capacity as tutor of the child JO.Z.

plaintiffs

vs.

EPIC GAMES CANADA ULC

and.

EPIC GAMES INC.

Parties defendants

**APPLICATION FOR AUTHORIZATION TO EXERCISE AND
COLLECTIVE ACTION TO SEE THE AWARD
STAFF REPRESENTATIVE
(ARTICLES 574 ET SEQ CPC)**

COPY

BP3268

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