

**C A N A D A
PROVINCE OF QUEBEC
DISTRICT DE MONTREAL**

**SUPERIOR COURT
(Class actions)**

No: 500-06-000375-069

OPTION CONSOMMATEURS

Petitioner

-and-

DANY BROUSSEAU

JOHANNE GAGNÉ

Designated persons

v.

CITIBANK CANADA

MBNA CANADA

ROYAL BANK OF CANADA

Respondents

NOTICE OF THE INSTITUTION OF A CLASS ACTION
(Summary Notice)

1. **TAKE NOTICE** that the bringing of a class action has been authorized on October 25, 2007 by judgment of the Honorable Justice Clement Gascon of the Superior Court, who attributed representative status to OPTION CONSOMMATEURS and designated person status to Dany Brousseau and Johanne Gagné, for the benefit of the persons forming part of the group hereinafter described, namely:

« All natural persons who entered into a contract of variable credit in Quebec with the respondents, Citibank Canada, MBNA Canada and Royal Bank of Canada for a purpose other than the operation of a business and who paid, since August 2, 2000, to the respondents, credit charges without the benefit of a 21 day grace delay in which to pay their monthly statements, as set out in the Consumer Protection Act. »

This class action recourses for the reimbursement of charges and punitive damages will be exercised in the district of Montréal.

2. **Summary of the Class Action**

- 2.1 The respondents, Citibank Canada, MBNA Canada and Royal Bank of Canada uses a calculation method for sums claimed as interest following which consumers, holders of credit cards issued by the respondents, are not afforded

the benefit of a “grace period” for the current month when they are in default of paying before the deadline the total balance of their statement of account for the preceding month.

- 2.2 Option consommateurs claims that the application of this calculation method is contrary to the public order provisions of the Consumer Protection Act concerning the 21 day grace period during which a consumer can pay his statement without being charged interest.
- 2.3 Via this class action, Option consommateurs asks that the respondents be condemned to pay each of their customers who are members of the group:
 - a) all credit fees illegally charged to them by reason of the said calculation method for interest;
 - b) the payment of \$200 as punitive damages;
 - c) interest and the additional indemnity provided by the Civil Code of Quebec.

3. How to become a Group Member?

- 3.1 **If you wish to be included in this class action, you have nothing to do.** Every member, unless that member chooses to be excluded or with special permission, will be bound by any judgment to be rendered on the class action;
- 3.2 **If you wish to be excluded from the class action, you must advise the Clerk of the Superior Court** of the district of Montreal by registered or certified mail, located at 1 Notre Dame Street East, room 1.01, Montreal, Quebec H2Y 1B6 no later than **December 27, 2007** that you are a member in the class action bearing number 500-06-000375-069 and you wish to be excluded from the proceedings;
- 3.3 Nevertheless, any member of the group who has already brought an individual action which the final judgment on the class action would decide, is deemed to have excluded himself from the group unless he discontinues his individual action no later than **December 27, 2007**;

4. No Court Costs

A member of the group other than the representative or an intervenant cannot be condemned to pay the costs of the class action. In other words, the respondents cannot bring a claim against you merely because you are a member of the group.

5. Additional Information

The members of the group are invited, although not obliged, to provide their names, addresses and telephone numbers to OPTION CONSOMMATEURS or to the group's Attorneys, whose contact information is included below. Given the number of persons involved, it would be preferable to communicate by way of Internet, e-mail or by fax. Please do not forget to advise of a change of address. We obviously recommend that you hold onto your account statements with your respective financial institutions.

This notice is only a summary of the Notice of class action proceedings. Members of the Group who wish to consult the full Notice may do so by visiting the website of OPTION CONSOMMATEURS at www.option-consommateurs.org.

MONTREAL, NOVEMBER 23RD, 2007

<i>ATTORNEYS FOR THE GROUP</i>	<i>PETITIONER</i>
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PUBLICATION OF THIS NOTICE HAS BEEN ORDERED BY THE COURT