

NOTICE OF A CLASS ACTION

Court Number: 500-06-001024-195

Published on September 13, 2025

Have you or your minor child developed an addiction to the video game Fortnite: Battle Royale in Québec?

AND/OR

Did you while you were under the age of 18 years or did your minor child make an in-game purchase in Fortnite using V-Bucks in Québec?

If so, you may be a part of a class action.

THE CLASS ACTION

On December 7, 2022, the Superior Court of Québec (the “**Court**”) authorized the filing of a class action against Epic Games Canada ULC, Epic Games Inc. and Epic Games International S.À.R.L. (the “**Defendants**”) and appointed F.N. (legal tutor of the minor L.N.), J.OZ. and R.G. as representatives of the classes hereinafter described (the “**Plaintiffs**”). The class action will be heard in the judicial district of Montréal.

The Plaintiffs seek compensatory and punitive damages in an amount to be determined for themselves and all members of the classes described below.

The judgment authorizing the class action may have an impact on your rights, whether or not you act. Those rights – and the deadline to exercise them – are explained in this notice. Please read it carefully. The authorization judgment does not in any way determine the liability of the Defendants. The Plaintiffs’ allegations have not been proven. The Defendants deny liability and will assert their defences at trial.

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WHY WAS THIS NOTICE ISSUED?

On December 7, 2022, the Court authorized the filing of a class action against the Defendants and appointed the Plaintiffs as class representatives. The class action will be heard in the judicial district of Montréal.

This notice explains how a class action works, who qualifies as a member of the classes, and what your rights are.

WHAT IS THIS LAWSUIT ABOUT?

The Plaintiffs allege that the Defendants committed faults with respect to the development, manufacture, publication, marketing and commercialization of Fortnite: Battle Royale ("**Fortnite**"), and, as a result, the Plaintiffs assert claims under the *Civil Code of Québec*, the *Consumer Protection Act* and the *Charter of Human Rights and Freedoms*.

Firstly, the Plaintiffs allege that Fortnite causes adverse health effects, that is, the risk of addiction. The Plaintiffs claim that the Defendants knew or should have known of an alleged increased risk of addiction created by Fortnite. Additionally, the Plaintiffs claim that the Defendants failed and/or neglected to disclose alleged risks and dangers associated with the use of Fortnite.

Secondly, the Plaintiffs allege that in-game purchases in Fortnite made using "V-Bucks" constitutes lesion, as V-Bucks are used to purchase "skins" (i.e., accessories for Fortnite characters), which the Plaintiffs allege have no tangible value. The Plaintiffs allege that in-game purchases made using V-Bucks by minors should be cancelled and reimbursed.

Specifically, this class action seeks a judgment ordering the Defendants to pay each of the class members an amount to be determined as damages, as well as punitive damages.

WHY IS THIS LAWSUIT A CLASS ACTION?

The class action was brought by the Plaintiffs on behalf of all members of the classes described below.

In a class action, one or more persons called the "Class Representative(s)" bring a lawsuit on behalf of all those who have suffered a similar injury and are referred to as a "Class". The Plaintiffs in this case therefore represent all class members in Québec.

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A class action allows the courts to decide the case for all class members, except for those who wish to exclude themselves from the proceedings.

HOW CAN I KNOW IF I AM A MEMBER OF ONE OF THE CLASSES?

This class action has been authorized on behalf of people belonging to the following classes:

Class 1. *All natural persons and/or their legal representatives and/or their legal tutors, domiciled or having been domiciled in Québec, who since September 1, 2017, have developed, after having played the video game "FORTNITE BATTLE ROYALE" developed, manufactured, published, marketed and commercialized by the Defendants, an addiction, that is, impaired control over gaming and/or a prioritization thereof, having had harmful repercussions on any of the following spheres of activity:*

- a. personal activities;*
- b. family activities;*
- c. social activities;*
- d. educational activities;*
- e. professional activities; or*
- f. other important areas of functioning.*

Class 2. *All natural persons domiciled or having been domiciled in Québec, who while they were under the age of 18 years, made in-game purchases using V-BUCKS, and/or their legal tutors or legal representatives.*

You are a class member if all of the following conditions of either Class 1 or Class 2 apply to you:

CLASS 1	CLASS 2
(1) You are a natural person; AND/OR You are the legal representative and/or the legal tutor of the natural person;	(1) You are a natural person; AND/OR You are the legal representative and/or the legal tutor of the natural person;
(2) You are domiciled or were domiciled in Québec;	(2) You are domiciled or were domiciled in Québec;
(3) You play or have played Fortnite: Battle Royale;	(3) You, or the minor of whom you are the legal representative and/or legal

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	tutor, made in-game purchases in Fortnite using V-Bucks;
(4) You have developed an addiction to Fortnite, that is, impaired control over gaming and/or a prioritization thereof, having had harmful repercussions on any of the following spheres of activity: personal activities, family activities, social activities, educational activities, professional activities or other important areas of functioning.	(4) The in-game purchases in Fortnite using V-Bucks were made when you were a minor (i.e., under 18 years of age) or were made by the minor of whom you are the legal representative and/or legal tutor while they were under 18 years of age.

I'M STILL NOT SURE IF I'M INCLUDED

If you are still unsure whether or not you are included in one of the classes or for any other question, you can call **(514) 548-3023** or consult the website www.calexboutique.com.

YOUR RIGHTS REGARDING THE CLASS ACTION

You are automatically included in the class action if you are a member of one of the classes described above. You therefore have nothing to do for the moment if you wish to be represented by the Plaintiffs and their lawyers in this class action.

Thus, if you are a part of this class action, you have two choices:

First choice: do nothing

If you choose to do nothing:

1. You renounce your right to sue the Defendants personally for these causes of action;
2. You are bound by the judgments (including dismissal of the class action) or settlements to be rendered in the context of this class action;

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3. You may receive compensation if the Court grants the class action or if a settlement is reached with the Defendants.

Second choice: exclude yourself

If you choose to exclude yourself:

1. You keep your right to sue the Defendants personally;
2. You will not be bound by the judgments or settlements to be rendered in the context of this class action;
3. You will not receive compensation if the Court awards damages in the class action or if a settlement is reached with the Defendants.

If you do not want to be represented by the Plaintiffs, you can exclude yourself from this class action by sending a **notice to the Clerk of the Superior Court of Québec, District of Montréal** by registered or certified mail within 60 days of the publication of this notice, which was published on **September 13, 2025**.

The signed notice must contain the following information:

- The file number of the class action: 500-06-001024-195;
- Your name and last name as well as your address and phone number;
- A declaration to the effect that you wish to exclude yourself from the class action.

The notice must be sent to the following address, with a copy to CaLex Légal Inc., lawyers of the Plaintiffs:

Clerk of the Superior Court of Québec

File: 500-06-001024-195

Montréal Courthouse

1 Notre Dame Street E., Office 1.120

Montréal (Québec) H2Y 1B6

CaLex Légal Inc.

1625 Sainte-Catherine Street W., Office 300

Montréal (Québec) H3H 1L8

E-mail: jpc@calex.legal

WARNING: Please note that any class member who has already filed an individual suit against the Defendants on the same basis is deemed excluded from the classes unless he or she withdraws his/her individual originating application within 60 days of the publication of this notice, which was published on **September 13, 2025**.

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CAN I INTERVENE IN THE PROCEDURE OF THIS CLASS ACTION?

Yes. If you are a member of one of the classes and you request it, the Court may let you intervene in the class action if it determines that your intervention would be useful to one of the classes. If you intervene, however, you could be examined at the request of the Defendants and be liable for legal costs. If you do not intervene, you cannot be held liable for any legal costs regarding this class action.

INFORMATION

You can obtain more information on the class action and consult the proceedings summarized in this notice by consulting the *Registre des actions collectives de la Cour supérieure du Québec*, which you will find online at the following link:

<https://www.registredesactionscollectives.Quebec/fr/Consulter/ApercuDemande?NoDossier=500-06-001024-195>

The reference of the file is the following:

F.N., J.OZ. et R.G. c. Epic Games Canada ULC, Epic Games Inc. et Epic Games International S.A.R.L., No 500-06-001024-195, Superior Court of Québec, District of Montréal.

Although registration in the class action is not necessary at this stage, you can still register right now by filling out the form at the following address: <https://www.calexboutique.com/class-actions>. **WARNING:** the content of this website is written by the Plaintiffs' attorneys and has not been approved by the Superior Court of Québec.

Moreover, your registration does not constitute a claim and any claim will subject to the procedure, if any, the Court approves or orders.

You may communicate with the lawyers of the Plaintiffs at the following coordinates:

CaLex Légal Inc.

1625 Sainte-Catherine Street W., Office 300

Montréal (Québec) H3H 1L8

Phone: (514) 548 3023, poste 2

Fax: (514) 846 8844

E-mail: jpc@calex.legal

Website: <https://www.calexboutique.com/class-actions>

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THE NEXT STEPS

The authorization judgment is a purely procedural and preliminary step which allows the class action to begin. This judgment does not in any way determine the liability of the Defendants. The Plaintiffs' allegations have not been proven, and the Defendants deny liability and will assert their defences at trial.

It is following this trial, which will take place in the District of Montréal, that the Court will decide whether the Defendants are liable, if they should be ordered to compensate the class members and, if so, what amount will be paid by the Defendants.

If damages are ordered, the Court will then determine what amount must be deducted to pay the fees of the Plaintiffs' lawyers (described below).

To do so, the Court will answer the following questions:**As to Class 1:**

- a) Did the Defendants develop, manufacture, publish, commercialize, and market a product that is dangerous and harmful to the health of the class members?
- b) Did the Defendants know or were they presumed to know of the risks and dangers, if there are any, associated with the use of Fortnite by class members?
- c) Did the Defendants fail or neglect to disclose to the class members the risks and dangers, if there are any, associated with the use of Fortnite?
- d) Did the class members know or were they in a position to know the risks and dangers, if there are any, associated with the use of Fortnite?
- e) Did the Defendants provide the class members with all the necessary information to protect them from the risks and dangers, if there are any, associated with the use of Fortnite?
- f) By failing to disclose the risks and dangers, if there are any, associated with the use of Fortnite by the class members, have the Defendants committed a prohibited practice within the meaning of section 215 of the *Consumer Protection Act*?
- g) Did the Defendants, through their marketing and advertising strategy, attempt to trivialize or deny the risks and dangers, if there are any, associated with the use of Fortnite?

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- h) Did the Defendants, with a cavalier and reckless attitude, violate the class members' right to life, security and inviolability under the *Charter of Human Rights and Freedoms*?
- i) Are the Plaintiffs and the class members entitled to punitive damages under the *Charter of Human Rights and Freedoms* or the CPA?
- j) Is the liability of the Defendants towards the Plaintiffs and the class members solidary?

As to Class 2:

- a) Is there a serious disproportion between the respective prestations of the parties when skins or other virtual items are purchased by minors?
- b) Was the consent of the class members of Class 2 vitiated by lesion, if any, caused by the use of V-Bucks?

THE CONCLUSIONS SOUGHT BY THE CLASS ACTION

GRANT the Plaintiffs' Originating Application to Institute a Class Action;

CONDEMN the Defendants solidarily to pay the Plaintiffs damages to be assessed by the Court with interest from the date of service of this application as well as the additional indemnity of article 1619 C.C.Q;

CONDEMN the Defendants solidarily to pay to the Plaintiffs punitive damages to be assessed by the Court;

DECLARE null and void all in-game purchases of V-BUCKS made by the Plaintiffs' children when they were under the age of 18 years and **CONDEMN** the Defendants to make restitution to the Plaintiffs for all prestations paid as part of these purchases, with interest and the additional indemnity from the date of service of this application;

CONDEMN the Defendants to pay to the Plaintiffs punitive damages to be assessed by the Court;

CONDEMN the Defendants solidarily to pay to each of the members of Class 1 damages to be assessed by the Court, with interest and the additional indemnity from the date of service of this present application;

DECLARE null and void all in-game purchases of V-BUCKS made by the children member of Class 2, and **CONDEMN** the Defendants to make restitution to the members

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of Class 2 for all prestations paid as part of these purchases, with interest and the additional indemnity from the date of service of this application

CONDEMN the Defendants to pay to the members of Classes 1 and 2 punitive damages to be assessed by the Court;

THE WHOLE WITH COSTS, INCLUDING COSTS TO PUBLISH NOTICES TO THE CLASS MEMBERS.

ARE THERE ANY FEES FOR THE MEMBERS OF THE CLASS ACTION?

No. The lawyers will be paid directly from the sums recovered in the class action, if any. The Court will decide on the reasonability of the lawyers' fees which cannot exceed 30% of the total sums, if any, recovered either by judgment or by an out-of-court settlement.

In the event the class action is successful, the Plaintiffs will ask the Court to condemn the Defendants to pay the legal costs of their lawyers, in addition to the sums awarded to the class members. The Court could, however, order that the lawyers be paid directly from the sums awarded to class members.

If you do not intervene in the present class action, you cannot be held liable to pay any legal costs associated with the class action.

The publication of this notice has been approved by the Court.

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