

SUPERIOR COURT

(Class Action)

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

N^o: 500-06-001373-253

DATE: July 17, 2026

BY: THE HONOURABLE ELENY YIANNAKIS, J.S.C.

TOM VERGADOS
and
PHILIPPE COMTOIS
Plaintiffs

v.

CHOCMOD CANADA INC.
Defendant

JUDGMENT **(Amendment to the National Settlement Agreement)**

[1] **WHEREAS** on July 8, 2026, this Court rendered a Judgment authorizing the bringing of a class action against the Defendant for settlement purposes only, approving the Notice, the Notice Plan, the Claim Form, and the Opt-Out Form filed as Exhibits R-2 to R-5, and appointing Angeion Group as Settlement Administrator on a provisional basis (the “**Authorization and Notice Approval Judgment**”);

[2] **CONSIDERING** that, following the rendering of the Authorization and Notice Approval Judgment and prior to the dissemination of the Notice, the Parties identified certain inconsistencies necessitating an amendment;

[3] **CONSIDERING** that, in order to correct these inconsistencies before the Notice is disseminated to the Class, the Parties, through Class Counsel and Defence Counsel, executed an Amendment to the National Settlement Agreement dated July 15, 2026 (the “**Amendment**”), in accordance with Section 11.14 of the Settlement Agreement;

[4] **CONSIDERING** that Class Counsel and Defence Counsel consent to the present Judgment and submit that the Amendment is fair, reasonable, and in the best interest of the Class;

[5] **CONSIDERING** the record and the submissions of counsel for the Plaintiffs and counsel for the Defendant, who consent to the present Application;

POUR CES MOTIFS, LE TRIBUNAL :

WHEREFORE, THE COURT:

[6] **ACCORDE** la présente Demande ;

GRANTS the present Application;

[7] **PREND ACTE** de l'Amendement à l'Entente de règlement nationale daté du 15 juillet 2026 ;

TAKES ACT of the Amendment to the National Settlement Agreement dated July 15, 2026;

[8] **DÉCLARE** que, pour les fins du Jugement d'autorisation et d'approbation des avis rendu le 8 juillet 2026 ainsi que du présent jugement, les définitions prévues à l'Entente de règlement, telle que modifiée par l'Amendement, s'appliquent et sont incorporées par renvoi, y compris, sans limitation, la définition modifiée de « Période du groupe » figurant à l'article 1.15 de celle-ci ;

DECLARES that, for all purposes of the Authorization and Notice Approval Judgment rendered on July 8, 2026, and of the present Judgment, the definitions set out in the Settlement Agreement, as amended by the Amendment, shall apply and are incorporated by reference, including without limitation the amended definition of “Class Period” set out in Section 1.15 thereof;

[9] **ORDONNE** que les Avis soient diffusés conformément au Plan d'avis, tel que modifié, dès qu'il sera raisonnablement possible de le faire et, dans tous les cas, au plus tard trente (30) jours suivant le Jugement d'autorisation et d'approbation des avis rendu le 8 juillet 2026 ;

ORDERS that the Notice be disseminated in accordance with the Notice Plan, as amended, as soon as reasonably practicable and in any event no later than thirty (30) days following the Authorization and Notice Approval Judgment rendered on July 8, 2026;

[10] **DÉCLARE** que le paragraphe 11 du Jugement d'autorisation et d'approbation des avis, désignant les Demandeurs à titre de représentants du groupe qui y est décrit, demeure inchangé et n'est pas affecté par le présent jugement, étant entendu que

DECLARES that paragraph 11 of the Authorization and Notice Approval Judgment, appointing the Plaintiffs as representatives of the class described therein, remains unaffected by the present Judgment, it being understood that the term

l'expression « Période visée par le recours » qui y est utilisée doit être interprétée conformément à l'article 1.15 de l'Entente de règlement, telle que modifiée par l'Amendement ;

“Class Period” referred to therein shall be construed in accordance with Section 1.15 of the Settlement Agreement, as amended by the Amendment;

[11] **LE TOUT** sans frais de justice.

THE WHOLE without legal costs.

ELENI YIANNAKIS, J.S.C.

Me Andrea Grass
ACTIS LAW GROUP INC.

Attorneys for the Plaintiffs

Me Mirna Kaddis
Me Noah Boudreau
FASKEN MARTINEAU DUMOULIN S.E.N.C.R.L., S.R.L.

Attorneys for the Defendant