

# BLG Win: Fortin v. Mazda Canada inc.

April 24, 2019

The Court of Appeal of Québec rendered an important class action decision in consumer law. In *Fortin vs. Mazda Canada Inc.*, the Court of Appeal of Québec dismissed at the merits a class action which had been authorized against Mazda in relation to certain models of Mazda 3.

## Key takeaway

In this matter, the Court confirmed that the presumption of prejudice does not exempt the consumer from proving damages, that is, the existence of a real financial impact, when making a claim under the *Consumer Protection Act*. The decision clarifies the conditions for applying such article 272 of the CPA, the presumption of prejudice in consumer law, and the burden to be met for price reduction claims under this regime.

The defendants were represented by Anne Merminod, [Stéphane Pitre](#) and [Alexis Leray](#) from [BLG's Class Action](#) team.

- [Consult the decision](#) (2022 QCCA 635)
- [Consult BLG's case comment](#) (May 2022)

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