

CANADA

PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL

NO: 500-17-139512-266

SUPERIOR COURT (Civil Chamber)

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**PUBLIC INTEREST LITIGATION INSTITUTE**

and

**LAWRENCE DAVID**

and

**CONSUMER LAW GROUP INC.**

Applicants

v.

**ATTORNEY GENERAL OF QUEBEC**

Respondent

**ATTORNEY GENERAL OF CANADA**

Mis en cause

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**APPLICATION FOR ORDER STAYING APPLICATION  
(ORDONNANCE DE SURSIS D'EXÉCUTION)  
(ARTS. 530 & 49 C.C.P)**

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TO ONE OF THE JUSTICES OF THE SUPERIOR COURT OF QUEBEC, THE APPLICANTS SUBMIT AS FOLLOWS:

**I – INTRODUCTION**

1. The Applicants file the present application for an order staying the application of [\*An Act to recognize the oath provided in the Act respecting the National Assembly as the sole oath required in order to sit in the Assembly, S.Q. 2022, c. 30\*](#) and s. 128Q.1 of the *Constitution Act, 1867*, pending a final judgment on their underlying application for judicial review and for declaratory judgment under section 52(1) of the [\*Constitution Act, 1982\*](#) declaring that the Act and s. 128Q.1 are unconstitutional and thus of no force and effect;
2. The Applicants individually and collectively satisfy the criteria for an interim stay (sursis/ordonnance de suspension). The application should therefore be granted;

## **II – CRITERIA FOR ISSUANCE OF STAY ORDER**

3. As emphasized by the Court of Appeal, the criteria to stay the application of a law under art. 530 C.C.P. pending a challenge to its constitutionality are as follows:<sup>1</sup>

[103] Il est bien établi depuis longtemps qu'une partie qui cherche à surseoir à l'application d'une loi doit démontrer qu'elle satisfait aux critères suivants : premièrement, une étude préliminaire du fond du litige doit établir qu'il y a une question sérieuse à juger. Deuxièmement, il faut déterminer si les requérants ou les personnes pour lesquelles ils prétendent agir subiront un préjudice irréparable si la demande est rejetée. Enfin, il faut déterminer laquelle des deux parties subira le plus grand préjudice selon que l'on accorde ou refuse le redressement en attendant la décision au fond : *Manitoba (Procureur général) c. Metropolitan Stores Ltd.*, [1987 CanLII 79 \(CSC\)](#), [1987] 1 R.C.S. 110; *RJR – MacDonald Inc. c. Canada (P.G.)*, [1994 CanLII 117 \(CSC\)](#), [1994] 1 R.C.S. 311.<sup>2</sup>

4. Further: “Ces critères ne doivent pas être appliqués de façon théorique ou mécanique et doivent être examinés globalement, les uns par rapport aux autres”<sup>3</sup> In addition: “Dans l'examen des critères, le tribunal doit se prononcer sur la légalité de la loi contestée, et non sur son opportunité ou son efficacité.”<sup>4</sup>

5. The Applicants submit that each and all of these criteria are met:

- The underlying Application for Judicial Review and Declaratory Judgment filed by the Applicants raises serious constitutional questions;
- The interim stay is necessary to prevent serious and irreparable prejudice to all persons in Quebec and/or otherwise affected by Quebec bills to be adopted following the provincial general election held on October 5, 2026;
- The interim stay is necessary to avoid creating a factual and/or legal situation that would render entirely ineffective the underlying application for judicial review and declaratory judgment; and
- The serious and irreparable prejudice to be suffered by all Quebecers if the interim stay is denied outweighs the absence of prejudice to the public interest contended by the Attorney General if the stay is granted;

<sup>1</sup> *A.B. c. Procureur général du Québec*, [2023 QCCA 999](#), at para. 24.

<sup>2</sup> *Hak c. Procureure générale du Québec*, [2019 QCCA 2145](#), at para. 103, cited in, *inter alia*, *Ortona c. Procureur général du Québec*, [2024 QCCS 1259](#), at para. 41, appeal dismissed in *Procureur général du Québec c. Ortona*, [2024 QCCA 710](#).

<sup>3</sup> *Ortona c. Procureur général du Québec*, [2024 QCCS 1259](#), at para. 41, citing *FLS Transportation Services Limited c. Fuze Logistics Services Inc.*, [2020 QCCA 1637](#), para. 28.

<sup>4</sup> *Procureur général du Québec c. Gaspé Énergies inc.*, [2025 QCCA 629](#), at para. 98.

6. The requested order for a stay of the application of the *Act to recognize the oath* and section 128Q.1 should therefore be issued;

### **III – SERIOUS QUESTIONS RAISED IN THE APPLICATION**

7. The underlying Application raises manifestly serious questions pertaining to the constitutionality of the *Act to recognize the oath* and s. 128Q.1;
8. In particular, the Applicants contend that the Act and s. 128Q.1 are unconstitutional for the following reasons:
9. **First**, the Applicants contend that section 128Q.1, as enacted by way of the Act, is an unconstitutional constitutional amendment for the following reasons:
  - Section 45 of the [\*Constitution Act, 1982\*](#) does not authorize Quebec or any other province to unilaterally amend the text of the *Constitution Act, 1867* [...];
  - Excluding Quebec from the application of s. 128 of the *Constitution Act, 1867* directly affects the status and role of the monarchy and therefore relates to the “office of the Queen” such that it can only be constitutionally authorized with the unanimous consent of the Parliament of Canada and of the ten provincial legislatures pursuant to s. 41(a) of the *Constitution Act, 1982*. As Section 128Q.1 is purported to have been adopted pursuant to the provincial unilateral constitutional amendment power in s. 45 of the *Constitution Act, 1982*, and as the requirements of s. 41(a) have not been satisfied, the Act and s. 128Q.1 are *ultra vires* and unconstitutional;
  - Excluding Quebec from s. 128 of the *Constitution Act, 1867* directly affects the status, role, and constitutional powers of the Lieutenant Governor of Quebec and therefore relates to the “office of the Lieutenant Governor” such that it can only be constitutionally authorized with the unanimous consent of the Parliament of Canada and of the ten provincial legislatures pursuant to s. 41(a) of the *Constitution Act, 1982*. As Section 128Q.1 is purported to have been adopted pursuant to the provincial unilateral constitutional amendment power in s. 45 of the *Constitution Act, 1982*, and as the requirements of s. 41(a) have not been satisfied, the Act and s. 128Q.1 are *ultra vires* and unconstitutional;
  - Section 128 of the *Constitution Act, 1867* is an indivisible part of Constitution of the Province of Quebec and of the Constitution of Canada, such that its amendment exceeds the scope of permissible unilateral constitutional amendments to provincial constitutions under s. 45;
10. Second – and in addition, or alternatively – the Act and s. 128Q.1:

- violate the right to vote protected under s. 3 of the [Canadian Charter of Rights and Freedoms](#) by leading to the election of politicians who are not constitutionally qualified to sit in the National Assembly by refusing to take the Oath of Allegiance;
  - violate the right to effective representation protected under s. 3 by leading to Quebecers being represented in the National Assembly by politicians who are not constitutionally qualified to hold office and whose votes on legislation and other activities in the National Assembly are constitutionally void;
  - violate the right protected under s. 3 of the *Canadian Charter of Rights and Freedoms* to sit in the National Assembly – after being elected thereto – by purporting to nullify the constitutional condition precedent enshrined in s. 128 for a politician elected to the Assembly to validly “take [their] Seat” therein;
  - operate to amend s. 3 of the *Canadian Charter of Rights and Freedoms* and are therefore *ultra vires* the unilateral provincial constitutional amendment power entrenched in s. 45 of the *Constitution Act, 1982*;
11. These serious questions satisfy the low threshold for demonstrating the existence of serious questions. As summarized by this Honourable Court,<sup>5</sup> citing precedents from the Court of Appeal and from the Supreme Court of Canada:
- [43] Il suffit pour la partie qui demande le sursis de convaincre le tribunal d’une question sérieuse à juger par opposition à une réclamation futile ou vexatoire[35].
- [44] Cette détermination s’effectue au terme d’une évaluation préliminaire et provisoire du fond du litige[36].
- [...]
- [46] À cette étape du sursis, le tribunal n’a pas à décider de la validité des dispositions législatives contestées mais doit déterminer si une étude préliminaire du fond du litige établit une question sérieuse à juger.
12. This step of the test for a stay of execution of the *Act to recognize the oath* and s. 128Q.1 (ordonnance de sursis) is satisfied.

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<sup>5</sup> *Ortona c. Procureur général du Québec*, [2024 QCCS 1259](#), at paras. 43-46, citing *Manitoba (Procureur général) c. Metropolitan Stores Ltd.*, [\[1987\] 1 R.C.S. 110](#), p. 128; *Groupe CRH Canada inc. c. Beauregard*, [2018 QCCA 1063](#), para. 28. See also *Chambers c. Procureur général du Québec*, [2026 QCCS 3402](#), at paras. 39, 41-42, judgment rendered on September 16, 2026.

#### **IV – SERIOUS AND IRREPARABLE PREJUDICE**

13. The second step of the test is also satisfied: the *Act to recognize the oath* and s. 128Q.1 each and both cause serious and irreparable prejudice to the public interest that cannot be remedied – or that can only be remedied with great difficulty – if the present application for an interim stay is dismissed;
14. As explained by the Court of Appeal:<sup>6</sup>

[30] Par ailleurs, le critère du « **préjudice irréparable** » aux fins d’une injonction interlocutoire ou d’un sursis d’exécution vise un autre objectif, soit de déterminer, au stade interlocutoire, si l’effet d’une disposition législative ou réglementaire cause **un préjudice auquel il est impossible ou difficile de remédier**<sup>[32]</sup>. Comme l’expliquent les juges Sopinka et Cory dans l’arrêt *RJR — MacDonald* : « [l]e terme "irréparable" a trait à la nature du préjudice subi plutôt qu’à son étendue. C’est un préjudice qui ne peut être quantifié du point de vue monétaire ou un préjudice auquel il ne peut être remédié, en général parce qu’une partie ne peut être dédommagée par l’autre »<sup>[33]</sup>.
15. As noted, this criteria aims to “déterminer si les requérants **ou les personnes pour lesquelles ils prétendent agir** subiront un préjudice irréparable si la demande est rejetée.”<sup>7</sup> As well, the Applicants are not required to show with absolute certainty that irreparable prejudice will be suffered if the execution of the Act and s. 128Q.1 are not stayed pending the adjudication of the underlying challenge to their constitutionality. The Applicants are only required to show “**une probabilité réelle qu’un préjudice sérieux** ou irréparable **ne survienne si le sursis sollicité n’est pas accordé.**”<sup>8</sup> (emphasis added)
16. In the underlying application, the Applicants are each and both acting on behalf of Quebecers and all persons who will be impacted by any bills proposed to be adopted by the National Assembly following the opening of the 44<sup>th</sup> Legislature sometime in November or December 2026;<sup>9</sup>
17. The “préjudice sérieux” consists of the consequences arising if the execution of the Act to recognize the oath and s. 128Q.1 of the *Constitution Act, 1867* are not suspended pending the adjudication of the underlying constitutional challenge;

<sup>6</sup> *A.B. c. Procureur général du Québec*, [2023 QCCA 999](#), at para. 30, citing *Metropolitan Stores Ltd.*, at p. 128; *Beauregard*, [2018 QCCA 1063](#), at para. 30; *RJR – MacDonald Inc. c. Canada (Procureur général)*, [\[1994\] 1 R.C.S. 311](#), p. 341.

<sup>7</sup> *Hak c. Procureur général du Québec*, [2019 QCCA 2145](#), at para. 103, cited in, *inter alia*, *Ortona c. Procureur général du Québec*, [2024 QCCS 1259](#), at para. 41, appeal dismissed in *Procureur général du Québec c. Ortona*, [2024 QCCA 710](#)

<sup>8</sup> *Ortona c. Procureur général du Québec*, [2024 QCCS 1259](#), at para. 66, appeal dismissed in *Procureur général du Québec c. Ortona*, [2024 QCCA 710](#).

<sup>9</sup> In 2022, the provincial general election was held on October 3, 2022 and the 43<sup>rd</sup> Legislature opened on November 29, 2022 (see **Exhibit R-17**).

18. In particular, if the *Act to recognize the oath* and s. 128Q.1 are not suspended, at least a majority of the politicians elected to the National Assembly in the October 5, 2026 will not take the oath of allegiance required under the *Constitution Act, 1867*. As a result, these politicians will not constitutionally be entitled to sit in the National Assembly and none of the votes they take in the National Assembly nor the laws that are purported to be adopted in pursuance of these votes will have any legal effect;
19. The reason for this is simple: under the required structural interpretation and application of the *Constitution Act, 1867*,<sup>10</sup> the legislative powers in s. 92 must be read harmoniously with section 128, such that bills will only be validly adopted pursuant to s. 92 if they have been adopted by a majority of the members of the relevant legislative assembly who have taken the Oath required under s. 128. This is also consistent with the Constitution's provisions and architecture that establish Canada as a constitutional monarchy, and that identify the King as part of every legislature via the Governor General (for Parliament) and via the Lieutenant Governors (in the provincial legislatures);<sup>11</sup>
20. On November 1, 2022, the then-Speaker of the National Assembly, François Paradis, issued a private ruling declaring that the Oath of Allegiance prescribed by s. 128 of the *Constitution Act, 1867* is a constitutional requirement that must be fulfilled by any politician elected to the National Assembly in order to lawfully take their seat therein and to take part in parliamentary activities. As a result, the Speaker concluded that the elected members of Québec solidaire and of the Parti Québécois were prohibited from taking their seat in the National Assembly and from participating in parliamentary activities and committees due to their failure to take the Oath;<sup>12</sup>
21. The Speaker emphasized the constitutionally mandatory nature of the Oath in the following terms (**Exhibit R-15** at pages 4-7):

En l'espèce, selon l'article 128 de la Loi constitutionnelle de 1867, tout membre de l'assemblée législative d'une province doit (« shall »), avant d'y prendre son siège (« before taking his Seat therein »), prêter et souscrire le serment d'allégeance énoncé dans la cinquième annexe<sup>13</sup>.

**Cette expression est claire et a toujours été comprise de la même façon, ici comme ailleurs. Dans l'état actuel du droit, ce serment n'est pas facultatif. Tout membre d'une assemblée législative canadienne doit, avant d'occuper son siège, prêter le serment d'allégeance. Un député qui ne prête pas serment ne peut prendre**

<sup>10</sup> *Trial Lawyers Association of British Columbia v. British Columbia (Attorney General)*, [2014 SCC 59](#), at para. 22; *Reference re Senate Reform*, at para. 26; *Société de l'Acadie du Nouveau-Brunswick v. Canada (Prime Minister)*, [2026 SCC 22](#), at paras. 104-105;

<sup>11</sup> *Constitution Act, 1867*, at ss. 9, 10, 16, 65, 71, 82, 90.

<sup>12</sup> [Assemblée nationale du Québec, « DÉCISION DE LA PRÉSIDENTE concernant le refuse de prêter le serment d'allégeance », November 1, 2022 \(Exhibit R-15\)](#).

**place à l'Assemblée et participer aux travaux parlementaires. Il s'agit de l'opinion unanime des auteurs de doctrine parlementaire<sup>14</sup>.**

La même pratique est observée dans les autres provinces canadiennes. Certaines lois provinciales témoignent de **la même interprétation de l'article 128 en réitérant qu'un député ne peut voter ni prendre place à l'assemblée avant d'avoir prêté le serment d'allégeance au souverain<sup>15, 13</sup>.**

[...]

Toutefois, malgré l'interdiction de participer aux travaux parlementaires, le refus de prêter serment n'entraîne pas la vacance du siège d'un député<sup>19</sup>. Le serment, en effet, n'est pas requis pour acquérir la qualité de député : un candidat élu devient membre de l'Assemblée nationale dès que le secrétaire général reçoit la liste des candidats proclamés élus<sup>20</sup>. **Le serment est toutefois une condition pour siéger à l'Assemblée et participer aux travaux parlementaires. Le défaut de prêter serment a donc une conséquence claire : cela empêche la personne en défaut de siéger.**

[...]

**Qu'il suffise de constater que l'article 128 de la Loi constitutionnelle de 1867 est toujours en vigueur au Québec. Dans ce contexte, la présidence n'a pas le pouvoir de dispenser un député d'une obligation constitutionnelle et elle ne peut juger recevable une motion qui permettrait de passer outre à cette obligation.**

**Pour ces motifs, je déclare que le serment d'allégeance visé à l'article 128 de la Loi constitutionnelle de 1867 est obligatoire pour prendre part aux travaux parlementaires. En conséquence, j'avise les députés qui n'ont pas prêté serment que cela les empêche de prendre place à la Salle de l'Assemblée nationale ou dans l'une de ses commissions pour y siéger. Par contre, je tiens à préciser que les députés concernés sont libres de se raviser en tout temps. Ils n'auront, le cas échéant, qu'à informer le secrétaire général qu'ils entendent prêter serment pour que des dispositions soient prises à cette fin. Lorsque ce dernier aura constaté que toutes les conditions requises ont été remplies pour siéger, l'interdiction de participer aux délibérations parlementaires sera alors levée pour les personnes concernées.**

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<sup>13</sup> Citing historical and contemporary Parliamentary procedure texts pertaining to the Canadian House of Commons, and to parliamentary procedure in the UK, Australia, and New Zealand, as well as section 24 of British Columbia's *Constitution Act*, R.S.B.C. 1996, c. 66; and s. 23 of Alberta's *Legislative Assembly Act*, R.S.A. 2000, c. L-9.

Par ailleurs, et afin que tous les parlementaires saisissent bien la portée de la présente décision, **je donne l'ordre formel à la sergente d'armes de veiller à ce que la présente décision soit appliquée de manière que les députés qui n'ont pas prêté serment ne puissent prendre place dans la Salle de l'Assemblée nationale ou dans l'une de ses commissions. Dans le cas où une personne refuserait de se plier à cette interdiction, la sergente d'armes sera légitimée de l'expulser.** (emphasis added throughout)

22. The *Act to recognize the oath* was enacted directly in response to the Speaker's ruling by purporting to exclude Quebec from the application of s. 128 of the *Constitution Act, 1867*. However, as Quebec purportedly adopted the Act as a unilateral provincial constitutional amendment under s. 45 of the *Constitution Act, 1982*, but as s. 45 does not authorize unilateral provincial constitutional amendments to s. 128, politicians elected to the National Assembly on October 5, 2026 remain constitutionally required to take the oath prescribed by s. 128;
23. However, most – if not all – politicians elected to the National Assembly on October 5, 2026 will not take the oath of allegiance prior to taking their seat in the National Assembly. This concern is not speculative;
24. Indeed, the present application for judicial review and for a declaratory judgment pursuant to s. 52(1) of the *Constitution Act, 1982* was filed and served on August 11, 2026. On August 12, 2026, Mr. St-Pierre Plamondon stated as follows in response to the application (see **Exhibit R-19 and R-20**):

En 2022, l'Assemblée nationale a uniquement dit non au serment d'allégeance au roi, sous la pression du Parti Québécois. Pour nous, c'est clair : la loyauté des élus va au peuple québécois, pas à la monarchie. Cette décision est pourtant aujourd'hui contestée devant les tribunaux. C'est la limite du fédéralisme : même quand le Québec est unanime, tant que le Québec ne sera pas indépendant, les décisions et les volontés des Québécois pourront être contestées par les institutions canadiennes, dans le mépris complet de nos choix démocratiques.

25. It is manifestly clear that Parti Québécois does not intend to take the Oath of Allegiance required by s. 128 prior to taking their Seat in the National Assembly, let alone repeal the *Act to recognize the oath*;
26. The article published in La Presse on August 12, 2026 and attached herein as **Exhibit R-20** summarizes the publicly-expressed position of the Parti libéral du Québec:

De passage à Montréal, le chef du Parti libéral du Québec, Charles Milliard, a soutenu pour sa part que le serment au roi n'était pas un dossier « prioritaire ».

« On a voté pour l'abolition au Parti libéral. [...] Ça été discuté par les parlementaires en 2022. Je pense qu'on peut passer à un autre appel », a-t-il répondu aux journalistes.

27. It is far from clear that the Parti libéral will instruct politicians elected to the National Assembly in October 5, 2026 to take the Oath of Allegiance in s. 128 before taking their seat therein or will adopt legislation repealing the *Act to recognize the oath*. Even if the Parti libéral formed government and introduced such legislation, it would need the support of at least one opposition party for the legislation to be adopted unless it forms a majority;
28. The article updated by CBC on August 12, 2026 and attached herein as **Exhibit R-21** summarizes the publicly-expressed position of the Government of Québec, by way of the Minister of Justice and Attorney General, Simon Jolin-Barrette:
29. The office of Quebec Justice Minister Simon Jolin-Barrette told CBC News it has taken note of the legal action and intends to defend the province's right to alter its own rules.

"A very large majority of Quebecers reject the monarchy. The change made respects the position of the Quebec nation," spokesperson Élisabeth Gosselin said in an email on Wednesday.

"We will continue to occupy the constitutional space that belongs to us."

30. Québec solidaire does not appear to have issued public statements concerning the present application. However, it is unlikely that any of its elected members will take the Oath of Allegiance following the October election prior to taking their seat in the National Assembly. As well, Québec solidaire has never formed government and is unlikely to table legislation that would repeal an *Act to recognize the oath* since it was the first party to introduce legislation to abolish the Oath of Allegiance following the October 2022 election and prior to the government introducing Bill 4 on December 6, 2022.<sup>14</sup> Québec solidaire evidently voted in favour of Bill 4's passage on December 9, 2022.<sup>15</sup>

<sup>14</sup> [Aile parlementaire de Québec solidaire, « Québec solidaire siègera au Salon bleu et déposera un projet de loi pour rendre facultatif le serment au roi », dated November 3, 2022 \(Exhibit R-23\).](#)

<sup>15</sup> [Assemblée nationale de Québec, Journal des débats, 43<sup>rd</sup> Legislature, 1<sup>st</sup> Session, Friday, December 9, 2022, Vol. 47, No. 8 \(Exhibit R-2\).](#)

31. As the *Act to recognize the oath* remains in force, and as Quebec politicians are content to rely on it, it is highly likely that the provincial general election in Quebec scheduled for October 5, 2026 will lead to the election of politicians who will not take the Oath of Allegiance required under s. 128 of the *Constitution Act, 1867* prior to taking their seat in the National Assembly and performing parliamentary activities reserved for politicians who have indeed taken the Oath;
32. This is problematic. As noted, taking the Oath of Allegiance is a constitutional requirement for any person elected to a Canadian legislature, including the National Assembly. An elected politician who refuses or otherwise fails to take the Oath of Allegiance is not lawfully entitled to take their seat in the legislature or to participate in parliamentary activities;<sup>16</sup>
33. In light of the above, even if Quebec politicians elected in October 2026 rely on the *Act to recognize the oath* to not take the Oath, any vote taken in the National Assembly by a member who has not taken the Oath will not have legal effect. The same is true for any law that the Assembly purports to adopt following votes by a majority of members who did not take the Oath of Allegiance. This is because the National Assembly acted *ultra vires* s. 45 of the *Constitution Act, 1982* by purporting to unilaterally abolish the Oath by way of the *Act to recognize the oath* and s. 128Q.1. Abolishing the Oath requires the unanimous consent of Parliament and the ten provincial legislatures pursuant to s. 41(a) of the *Constitution Act, 1982*;
34. As acknowledged by the then-Premier of Quebec prior to the introduction of Bill 4, allowing Members to sit in the National Assembly “**without following proper procedure could have [...] consequences. The laws they’re voting on could potentially be challenged.**” (emphasis added) (Exhibit R-4)
35. As well, the failure of politicians to take the oath of allegiance before taking their seat in the Assembly will cause significant prejudice in the form of violating the right to vote and the right to effective representation that are protected under s. 3 of the Canadian Charter of Rights and Freedoms;
36. By refusing to take the oath, politicians will not be qualified to sit in the National Assembly and will therefore have functionally nullified the votes of electors who voted for people who are actually authorized to sit in the Assembly;
37. In addition the right to effective representation will be violated because any representation provided by politicians who refuse to take the oath will not be legally effective – and this, even if they insist on taking their seat in the Assembly without taking the oath. This is because members are not allowed to vote or adopt bills without having taken the oath;

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<sup>16</sup> [Assemblée nationale du Québec, « DÉCISION DE LA PRÉSIDENTE concernant le refus de prêter le serment d’allégeance », November 1, 2022 \(Exhibit R-15\)](#). See also [House of Commons Procedure and Practice, Fourth Edition 2025 \(Exhibit R-9\)](#)

38. A stay of execution of the *Act to recognize the oath* and s. 128Q.1 is therefore required to ensure that the rights of Quebecers are not violated;
39. In addition, on September 29, 2026, the leader of the Parti Québécois, Paul St-Pierre Plamondon pledged to “abolir la monarchie au Québec” within 100 days of being elected to form government – including by passing a law to abolish the office of Lieutenant Governor (**Exhibit R-27**). The Parti Québécois was elected to form government on October 5, 2026;
40. However, as ss. 41(a) and 45 of the *Constitution Act, 1982* make crystal clear: amendments to the “office of Lieutenant Governor” are not authorized under the provincial power of unilateral constitutional amendment entrenched in s. 45 and any amendment to the office of Lieutenant Governor requires the unanimous consent of Parliament and the ten provincial legislatures. It is manifestly obvious that abolishing the office of Lieutenant Governor affects that office and that the National Assembly does not have the constitutional authority to unilaterally abolish that office;
41. The manifest unconstitutionality of Mr. St-Pierre Plamondon’s proposal is further amplified by the illegality of any law passed by the National Assembly that has not been voted on by a majority of members that did not take the oath of allegiance required under s. 128 of the *Constitution Act, 1867* – as a direct result of the *Act to recognize the oath* and s. 128Q.1;
42. This is because taking the oath of allegiance is a constitutional condition precedent to lawfully sitting in the National Assembly; to voting and passing bills;<sup>17</sup> and because a provincial assembly not composed of members who have taken the oath is an unlawfully constituted legislature that is not constitutionally competent to exercise the legislative powers ss. 92 to 95 of the *Constitution Act, 1867*. Sections 91 to 95 of the *Constitution Act, 1867* must be read coherently with s. 128;<sup>18</sup>
43. Unless the present stay of execution of the *Act to recognize the oath* and s. 128Q.1 is granted, Quebecers generally, as well as the rule of law and the administration of justice in Quebec will suffer significant and unprecedented prejudice. Not only does this prejudice arise from an unconstitutionally assembled legislative assembly due to its members having failed to take the constitutionally required oath, but also due to the purported adoption of legislation to abolish the office of Lieutenant Governor and therefore eliminating the constitutional requirement that a law must receive royal assent in order for it to be legally valid and enforceable.<sup>19</sup> Nothing short of Quebec’s legal order is at stake;

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<sup>17</sup> [Assemblée nationale du Québec, « DÉCISION DE LA PRÉSIDENTE concernant le refus de prêter le serment d’allégeance », November 1, 2022 \(Exhibit R-15\); Decision of Speaker John Fraser, “Oath/affirmation of allegiance : Member’s right to sit in the House in the face of an alleged repudiation of oath; meaning and significance of the oath”, November 1, 1990, House of Commons Debates, 34th Parliament, 2nd Session, Vol. 1, at pp. 14969-70 \(Exhibit R-24\); and Exhibit R-11: Assemblée nationale du Québec, Encyclopédie du parlementarisme québécoise, « Serment »](#). See also Exhibit R-9.

<sup>18</sup> e.g., *Alford v. Canada (Attorney General)*, [2026 SCC 14](#), at paras. 48, 64-66.

<sup>19</sup> [Constitution Act, 1867](#), at s. 90 and s. 50.

44. As stated by the Supreme Court of Canada in *Reference re Secession of Quebec*, [1998] 2 S.C.R. 217, at para. 71:

...the rule of law provides that the law is supreme over the acts of both government and private persons. There is, in short, one law for all. Second, we explained, at p. 749, that **"the rule of law requires the creation and maintenance of an actual order of positive laws which preserves and embodies the more general principle of normative order"**. It was this second aspect of the rule of law that was primarily at issue in the *Manitoba Language Rights Reference* itself. A third aspect of the rule of law is, as recently confirmed in the *Provincial Judges Reference*, *supra*, at para. 10, that "the exercise of all public power must find its ultimate source in a legal rule". (emphasis added)

45. By way of the *Act to recognize the oath* and s. 128Q.1 – and through the bills that will be adopted by the legislature by politicians who have not taken the required oath – the National Assembly directly imperils and significantly undermines the rule of law in Quebec and Canada more generally. Quebecers – and, indeed, all Canadians – will suffer significant prejudice if the Act and s. 128Q.1 are not stayed;
46. On its face, the prejudice to be suffered by Quebecers and all other persons to be impacted by laws adopted by the National Assembly in the 44<sup>th</sup> Legislature is “un préjudice sérieux” and/or “ne peut être quantifié du point de vue monétaire” and/or is otherwise;
47. Overall, the Applicants have shown “une probabilité réelle qu’un préjudice sérieux ou irréparable ne survienne si le sursis sollicité n’est pas accordé.”<sup>20</sup> This step of the test is therefore satisfied;

## **V – BALANCE OF INCONVENIENCE**

48. The balance of inconvenience analysis clearly favours the Applicants. The focus of this stage of the analysis has been articulated as follows:

[8] Je rappelle qu’à ce stade de l’analyse, la question est de savoir si la partie requérante s’est déchargée du fardeau lui incombant de démontrer que les inconvénients qu’elle subirait si la mesure contestée continuait à trouver application durant l’instance sont plus importants que ceux qu’engendrerait l’octroi du sursis.<sup>21</sup>

<sup>20</sup> *Ortona c. Procureur général du Québec*, [2024 QCCS 1259](#), at para. 66, appeal dismissed in *Procureur général du Québec c. Ortona*, [2024 QCCA 710](#).

<sup>21</sup> *Nation huronne-wendat c. Procureur général du Québec*, [2025 QCCA 258](#), at para. 8.

49. As also stated by the Court of Appeal:<sup>22</sup>

[98] [...] Plus le droit est clair, moins le juge doit se questionner sur les inconvénients découlant de la suspension. Inversement, « [m]oins l'apparence de droit s'avère forte, plus la nécessité de l'examen attentif du caractère irréparable du préjudice s'impose, comme celle, éventuellement, du poids des inconvénients ».

50. In the present case, there is a strong “apparence de droit” and evidence of irreparable prejudice such that the balancing of inconvenience assumes a less prominent role in determining whether the present stay order should be granted;
51. In any event, the serious and significant harm to be suffered by the public and the public interest if this application is dismissed outweighs any inconvenience to the presumed public interest in the implementation of the *Act to recognize the oath* and s. 128Q.1 of the *Constitution Act, 1867* following the provincial general election;
52. **First**, the population and province of Quebec and the public interest will suffer serious and irreparable harm that outweighs the absence of prejudice to be encountered by the Attorney General if the stay is dismissed;
53. If the *Act to recognize the oath* and s. 128Q.1 are not stayed, at least a majority of the politicians elected to the National Assembly on October 5, 2026 will not take the Oath of Allegiance required under s. 128 of the *Constitution Act, 1867* such that all of their parliamentary activities, including votes and bills adopted after taking their seat in the National Assembly will be legally invalid. In turn – and as stated by the former Premier of Quebec himself – the lawful basis of the benefits, programs or other social measures enacted or authorized under those laws and on which all persons in Quebec rely may be imperilled;
54. In addition, if the Act and s. 128Q.1 are not stayed, the Government will introduce a bill to abolish the office of Lieutenant Governor – a law that would without any possible doubt be manifestly unconstitutional not only in being prohibited by s. 41(a) of the *Constitution Act, 1982*, but also by removing from the National Assembly the critical function of royal assent required for bills to actually become law;
55. **Second**, the right to vote protected under s. 3 of the *Canadian Charter of Rights and Freedoms* of every person who voted in the provincial general election will essentially be nullified if the politician elected in their electoral district does not take the oath required under s. 128. By not taking the oath, the politician will not legally be taking their seat in the National Assembly and electors would have elected someone who is not constitutionally eligible to represent them;

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<sup>22</sup> *FLS Transportation Services Limited c. Fuze Logistics Services Inc.*, [2020 QCCA 1637](#), at para. 29, citing *Rassemblement pour la sauvegarde du pavillon 1420 Boulevard Mont-Royal c. Montréal (Ville de)*, [2015 QCCA 1343](#), paragr. 15, itself citing several Court of Appeal judgments.

56. As the right to vote is both individual and collective in nature,<sup>23</sup> the right to vote of Quebec electors will not only have been violated as a result of the failure to take the oath by the politician elected to represent their electoral district, but also by all politicians elected to the National Assembly who do not take the oath by depriving electors of a National Assembly constituted of persons who are constitutionally eligible to sit therein. These individual and collective deprivations of the right to vote are serious, significant, and irreparable and entirely attributable to *Act to recognize the oath* and s. 128Q.1;
57. **Third**, the distinct right to effective representation protected under s. 3 of the *Charter* of all Quebecers – including every person who voted in the provincial general election – will be violated if most or all of the politicians elected to the National Assembly in the provincial general election do not take the oath required under s. 128 of the *Constitution Act, 1867*. By not taking the oath, all of the parliamentary activities, votes, and bills adopted by the National Assembly by a majority of politicians who have not taken the oath will have no legal effect – such that the right to effective representation will literally have been violated. Put another way, any representation provided to Quebecers by politicians who have not taken the oath will not be “effective” because it will have no *legal* effect;
58. As the right to effective representation is both individual and collective in nature,<sup>24</sup> all Quebecers’ representation will have been violated as a result of the failure to take the oath by the politician elected to represent their electoral district, but also by all politicians elected to the National Assembly who do not take the oath by depriving electors of a National Assembly constituted of persons who are constitutionally eligible to provide legally effective representation. These individual and collective deprivations of the right to effective representation are serious, significant, and irreparable and entirely attributable to *Act to recognize the oath* and s. 128Q.1;
59. In issuing an interim stay in *Attorney General of Quebec v. Quebec English School Board Association*, [2020 QCCA 1171](#), at para. 59, the Court of Appeal stated that the “significant collective aspect” of the rights enshrined s. 23 of the *Canadian Charter of Rights and Freedoms* is an important factor that impacts the balance of convenience stage. The same is true, *mutatis mutandis*, for the right to vote and the right to effective representation protected under s. 3 of the *Charter* – which, like s. 23 are individual, collective, and positive in nature.<sup>25</sup> This is particularly – but not exclusively – the case since both s. 3 and s. 23 are not subject to the notwithstanding clause entrenched in s. 33 of the *Charter*.<sup>26</sup> It should, as well, be emphasized that the rights enshrined in s. 3 lie “at the heart of our democracy;”<sup>27</sup>

<sup>23</sup> *Sinclair-Desgagné v. Canada (Chief Electoral Officer)*, [2026 SCC 31](#), at para. 101-103, 107, citing *Figueroa v. Canada (Attorney General)*, [2003 SCC 37](#), at paras. 26, 29-31, 133.

<sup>24</sup> *Sinclair-Desgagné*, at para. 101-103, 107, citing *Figueroa*, at paras. 26, 29-31, 133.

<sup>25</sup> *Sinclair-Desgagné*, at paras. 101-103, 107 citing *Figueroa*, at para. 133; *Haig v. Canada*, [\[1993\] 2 S.C.R. 995](#), at p. 1032. See also *Frank v. Canada (Attorney General)*, [2019 SCC 1](#), at para. 113.

<sup>26</sup> *Frank v. Canada (Attorney General)*, [2019 SCC 1](#), at paras. 25, 32.

<sup>27</sup> *Ontario (Attorney General) v. Working Families Coalition (Canada)*, [2025 SCC 5](#), at para. 1.

60. As the implementation of *the Act to recognize the oath* and s. 128Q.1 of the *Constitution Act, 1867* following the provincial general election would lead to such devastating consequences on such critical fundamental rights – in addition to leading an unconstitutionally assembled National Assembly – it is clearly in the public interest to grant the present stay application;
61. Even if the Attorney General of Quebec contends that allowing the implementation of the Act and s. 128Q.1 is in the public interest, this is a generic argument made by the Attorney General each and every single time that an interim stay of the implementation of a law is requested from this Honourable Court. And, as the Court of Appeal has eloquently emphasized in dismissing an appeal of an interim stay of other legislation challenged on constitutional grounds, the government “does not have a monopoly on the public interest”;<sup>28</sup>
62. It should, moreover, be noted that any inconvenience to the public interest alleged by the Attorney General can instantly be remedied in a very simple way, namely: if the politicians elected to the National Assembly take the oath of allegiance required under s. 128 of the *Constitution Act, 1867* either before or after the requested stay of execution is entered;
63. Taking the oath of allegiance is not an inconvenience because no politician or other public actor is above the law,<sup>29</sup> and because the oath is a constitutional condition precedent to lawfully sitting in the Assembly, and to voting and adopting bills authorized under ss. 92 to 95 of the *Constitution Act, 1867*;<sup>30</sup>
64. Overall, the balance of inconvenience analysis clearly favours the Applicants. The requested interim stay of execution should therefore be granted;

## **VI – URGENCY**

65. The criterion of urgency is satisfied even if that criterion is not required for this Court to order a stay of execution of the *Act to recognize the oath* and s. 128Q.1;
66. Some case law suggests that the interim suspension of a law or order pending an underlying challenge to its constitutionality can only be granted if there is proof of “une urgence telle que le dossier exige une intervention immédiate de la Cour supérieure et doit être analysé sur une preuve incomplète et documentaire seulement”;<sup>31</sup>

<sup>28</sup> *Attorney General of Quebec v. Quebec English School Board Association*, [2020 QCCA 1171](#), at para. 59.

<sup>29</sup> *Reference re Secession of Quebec*, [\[1998\] 2 S.C.R. 217](#), at para. 71.

<sup>30</sup> *Assemblée nationale du Québec*, « DÉCISION DE LA PRÉSIDENTE concernant le refus de prêter le serment d’allégeance », November 1, 2022 (**Exhibit R-15**); *Decision of Speaker John Fraser, “Oath/affirmation of allegiance : Member’s right to sit in the House in the face of an alleged repudiation of oath; meaning and significance of the oath”, November 1, 1990, House of Commons Debates, 34th Parliament, 2nd Session, Vol. 1, at pp. 14969-70 (Exhibit R-24)*; and **Exhibit R-11**: *Assemblée nationale du Québec, Encyclopédie du parlementarisme québécoise, « Serment »*. See also Exhibit R-9.

<sup>31</sup> *A.B. c. Procureur général du Québec*, [2023 QCCS 2607](#), at para. 8.

67. However, this requirement has expressly been rejected by the Court of Appeal. Despite dismissing the appeal of this Honourable Court's judgment in *A.B. c. Procureur général du Québec*, [2023 QCCS 2607](#), Mainville J.A. stated as follows in *A.B. c. Procureur général du Québec*, [2023 QCCA 999](#):<sup>32</sup>

[24] ...Cela étant, je ne suis pas convaincu que le critère de l'urgence propre à l'injonction provisoire soit applicable en l'espèce[25].

[25] Ainsi, je suis disposé à convenir que le moyen d'appel des requérants fondé sur une erreur en regard de la question de l'urgence présente des chances raisonnables de succès.

68. Nevertheless, it is urgent that the execution of the Act and s. 128Q.1 be stayed pending the adjudication on the merits<sup>33</sup> of the underlying application challenging their constitutionality. Otherwise most – if not all – of the politicians elected to the National Assembly in the October 5, 2026 will not take the oath of allegiance required under s. 128 of the *Constitution Act, 1867* prior to taking their seat therein. This will then result in the legal invalidity of any parliamentary activities, votes, and laws adopted by a majority of politicians in the Assembly who did not take the oath;
69. If this occurs, and the underlying constitutional challenge is successful, all members of the National Assembly who did not take the oath will still be required to take the oath. The difference, however, is that they would be required to take it after having unlawfully engaged in parliamentary activities, voted and adopted bills without constitutional authority. This will include any law to be adopted by the Assembly that aims to unilaterally abolish the office of the Lieutenant Governor of Quebec – which would be manifestly unconstitutional by virtue of the unanimous consent of Parliament and the ten provincial legislatures required under s. 41(a) of the *Constitution Act, 1982*;
70. As well, it is urgent for the requested interim stay to be entered to prevent depriving Quebecers of the right to vote and of their right to effective representation, which has both individual and collective dimensions and entails positive obligations on the state to ensure that these rights are respected;<sup>34</sup>
71. All of this can be avoided by entering an interim stay of execution of the Act to recognize the oath and of s. 128Q.1 of the *Constitution Act, 1867* to ensure that politicians who wish to lawfully take their seat in the Assembly after the October general election will be taking the oath of allegiance required under s. 128 of the *Constitution Act, 1867*;

<sup>32</sup> Citing *Animal Expert Maisonneuve inc. c. Ville de Montréal*, [2019 QCCA 2257](#), at paras. 9-10. See also *Air Liaison inc. c. Procureur général du Québec (Ministre des Transports et de la Mobilité durable)*, [2026 QCCS 2886](#), at para. 38.

<sup>33</sup> *Air Liaison inc.*, at paras. 120-121.

<sup>34</sup> *Sinclair-Desgagné*, at paras. 101-103, 107 citing *Figuerola*, at para. 133; *Haig v. Canada*, [\[1993\] 2 S.C.R. 995](#), at p. 1032. See also *Frank v. Canada (Attorney General)*, [2019 SCC 1](#), at para. 113.

72. As recently emphasized by the Honourable Justice Sylvain Lussier J.C.S. in a judgment rendered on September 16, 2026 granting an interim stay of execution:<sup>35</sup>

[99] Les acteurs gouvernementaux ne peuvent prétendre agir à l'intérieur de leur compétence en contrevenant à la Constitution, qui comprend la *Charte canadienne*.

[100] Demander à un représentant de l'État de respecter cette constitution n'est pas faire obstacle à l'exercice de sa fonction.

### **PROVISIONAL EXECUTION OF JUDGMENT**

73. Pursuant to art. 661 C.C.P., if the present application is granted, this Honourable Court should order provisional execution of its judgment notwithstanding any appeal that may be filed by the Attorney General of Quebec;
74. This measure is necessary because the absence of provisional execution may result in politicians unlawfully taking their seat in the National Assembly by failing to take the oath of allegiance required under s. 128 by purporting to rely on the *Act to recognize the oath* and on s. 128Q.1 of the *Constitution Act, 1867* which are *prima facie ultra vires* s. 45 of the *Constitution Act, 1982* and, therefore, unconstitutional. Paragraphs 51 to 64 of the present application are also incorporated by reference, especially the parts concerning violations of the right to vote and the right to effective representation protected under s. 3 of the Canadian Charter of Rights and Freedoms and the incalculable harm to be occasioned if an unlawfully constituted Assembly purports to adopt a law to abolish the office of Lieutenant Governor;
75. This situation demonstrates a situation of clear urgency warranting provisional execution. Alternatively, if it is not such a situation - which is not conceded - the law is clear that provisional execution pursuant to art. 661 C.C.P. is not limited to "un cas d'urgence exceptionnelle";<sup>36</sup>
76. In any event, the criteria for provisional execution are satisfied, and the present application should be granted with provisional execution pending any appeals;
77. Service of the present application to the Attorney General of Quebec in his capacity as respondent constitutes valid notice within the meaning of arts. 76-77 C.C.P.

### **CONCLUSIONS SOUGHT**

78. The present application raises only pure questions of law and is well founded.

<sup>35</sup> *Chambers c. Procureur général du Québec*, [2026 QCCS 3402](#), granting an interim stay of execution pending a constitutional challenge to art. 1 of the *Règlement concernant les dérogations au devoir d'exemplarité de l'Administration et les documents rédigés ou utilisés en recherche*.

<sup>36</sup> Commentaires de la Ministre de la Justice, *Code de procédure civile, Chapitre C-25.01* (Montreal, Wilson & Lafleur, 2015), at 479.

**FOR THESE REASONS, MAY IT PLEASE THE COURT TO:**

**GRANT** the present application;

**ISSUE** an order staying the application of [An Act to recognize the oath provided in the Act respecting the National Assembly as the sole oath required in order to sit in the Assembly, S.Q. 2022, c. 30](#) and s. 128Q.1 of the *Constitution Act, 1867* until a final judgment has been rendered in the underlying Application for Judicial Review and for Declaratory Judgment in the matter of *Public Interest Litigation Institute et al. v. Attorney General of Quebec, et al.*, No. 500-17-139512-266, notwithstanding any appeals;

**THE WHOLE WITHOUT COSTS** ordered against the Applicants regardless of the outcome of the application;

**THE WHOLE WITH COSTS** in favour of the Applicants, regardless of the outcome of the application;

Respectfully submitted.

Montreal, October 6, 2026




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CONSUMER LAW GROUP INC.

Per: Me Jeff Orenstein

Me Lawrence David

Attorneys for the Applicant Public Interest  
Litigation Institute

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Lawrence David

Acting in his own personal individual capacity

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### **NOTICE OF DISCLOSURE OF EXHIBITS**

In support of the application, the Applicant intend to use the following exhibit(s) that are already attached to the underlying Amended Application for Judicial Review and for Declaratory Judgment:

- EXHIBIT R-2:** Assemblée nationale de Québec, Journal des débats, 43rd Legislature, 1st Session, Friday, December 9, 2022, Vol. 47, No. 8
- EXHIBIT R-9:** *House of Commons Procedure and Practice*, Fourth Edition 2025
- EXHIBIT R-15:** Assemblée nationale du Québec, « DÉCISION DE LA PRÉSIDENTE concernant le refus de prêter le serment d'allégeance », November 1, 2022
- EXHIBIT R-17:** National Assembly of Quebec, Order Paper for November 29, 2022, 1<sup>st</sup> session of the 43<sup>rd</sup> Legislature
- EXHIBIT R-18:** CBC News, "PQ denied entry to Quebec's National Assembly after refusing to swear oath to King", December 1, 2022
- EXHIBIT R-19:** Screenshot of statement published on Paul St-Pierre Plamondon's official X account on August 13, 2026
- EXHIBIT R-20:** La Presse article titled « Fin du serment au roi à l'Assemblée nationale – Un avocat dépose une contestation », dated August 13, 2026 and Journal de Québec article titled « Fin du serment au roi : la majorité québécoise bafoue les règles, selon l'avocat qui conteste la loi », dated August 13, 2026 (*en liasse*)
- EXHIBIT R-21:** CBC News article titled "Quebec law ending mandatory oath to King faces constitutional challenge", updated August 12, 2026
- EXHIBIT R-23:** Press release: Aile parlementaire de Québec solidaire, « Québec solidaire siègera au Salon bleu et déposera un projet de loi pour rendre facultatif le serment au roi », dated November 3, 2022
- EXHIBIT R-26:** La Presse article titled "St-Pierre Plamondon promet « d'abolir la monarchie au Québec », published on September 29, 2026;

These Exhibits are available upon request.

#### **CONSUMER LAW GROUP**

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**NOTICE OF PRESENTATION**  
(Room 2.16)

**TO: ATTORNEY GENERAL OF QUEBEC**

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TAKE NOTICE that the present APPLICATION will be presentable for adjudication before an Honourable Justice of the Superior Court, at the Palais de Justice in Montreal, located at 1 Notre Dame St. East, in Montreal, Quebec, H2Y 1B6, on October 9, 2026 at 9 am or as soon as counsel may be heard by the Court.

**2. COMMENT JOINDRE L'APPEL DU RÔLE DE PRATIQUE VIRTUEL**

Les coordonnées pour vous joindre à l'appel du rôle virtuel de la salle 2.16 sont les suivantes

**a) Par l'outil Teams :** en cliquant sur le lien correspondant à la salle 2.16 disponible [ici](#).

Vous devrez alors inscrire votre nom et cliquez sur « Rejoindre maintenant ». Afin de faciliter le déroulement et l'identification des participants, nous vous invitons à inscrire votre nom de la façon suivante :

Les avocats : Me Prénom Nom (le nom de la partie représentée)

Les parties non représentées par avocat : Prénom Nom (précisez : demandeur(esse), défendeur(esse) ou autre)

Pour les personnes qui assistent à une audience publique : se limiter à inscrire la mention « Public »

**b) Par téléphone :**

Canada (Numéro gratuit) : (833) 450-1741

Canada, Québec (Numéro payant) : +1 581 319-2194

ID de conférence : 470 980 973#

c) **Par vidéoconférence** : [teams@teams.justice.gouv.qc.ca](mailto:teams@teams.justice.gouv.qc.ca)

ID de la conférence VTC : 1197347661

d) **En personne** : Seulement si vous n'avez pas accès aux autres moyens précités.

### 3. DÉFAUT DE PARTICIPER À L'APPEL DU RÔLE DE PRATIQUE

**PRENEZ AVIS** qu'à défaut par vous de participer à l'appel du rôle, un jugement par défaut pourrait être rendu contre vous, sans autre avis ni délai.

### 4. OBLIGATIONS

#### 4.1 La collaboration

**PRENEZ AVIS** que vous avez l'obligation de coopérer avec l'autre partie, notamment en vous informant mutuellement, en tout temps, des faits et des éléments susceptibles de favoriser un débat loyal et en vous assurant de préserver les éléments de preuve pertinents (Code de procédure civile, art. 20).

#### 4.2 Mode de prévention et de règlement des différends

**PRENEZ AVIS** que vous devez, avant de vous adresser au Tribunal, considérer le recours aux modes privés de prévention et de règlement de votre différend qui sont la négociation entre les parties de même que la médiation ou l'arbitrage, pour lesquels les parties font appel à l'assistance d'un tiers (Code de procédure civile, art. 1 et 2).

**VEUILLEZ AGIR EN CONSÉQUENCE.**

Montreal, October 6, 2026



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Per: Me Jeff Orenstein  
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No. 500-17-139512-266

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**SUPERIOR COURT  
DISTRICT OF MONTREAL**

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**PUBLIC INTEREST LITIGATION INSTITUTE**

and

**LAWRENCE DAVID**

*Applicants*

v.

**ATTORNEY GENERAL OF QUEBEC**

*Respondent*

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**APPLICATION FOR ORDER STAYING APPLICATION  
(ORDONNANCE DE SURSIS D'EXÉCUTION)  
(ART. 530 & 49 C.C.P.)**

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**ORIGINAL**

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