



CANADA
PROVINCE OF QUEBEC
DISTRICT OF IBERVILLE

SUPERIOR COURT
(Civil Division)

N°: 755-05-008245-012

INFO-SERVEUR INC.

Plaintiff

v.

VIAU ÉLECTRONIQUE INC.

Defendant

-and-

ASSUREX INC., legal person duly constituted, with its head office located 4422 Sherbrooke Street West, City and District of Montreal, Province of Quebec, H5W 1H7.

Intervener

DECLARATION OF INTERVENTION
(Art. 186 C.C.P.)

IN SUPPORT OF ITS DECLARATION, INTERVENER RESPECTFULLY SUBMITS THE FOLLOWING:

1. Between March 2, 2001 and March 1, 2002, Intervener insured Plaintiff's immovable located at 628 Du Séminaire Blvd., Saint-Jean-sur-Richelieu, and the equipment found therein, as appears from a copy of the insurance contract bearing number AX277248, **Exhibit IN-1**.
2. On September 12, 2001, Plaintiff suffered damages evaluated at \$77,500 due to a fire in its immovable.
3. (The insurance contract, Exhibit IN-1, only covers a portion of the damages suffered.)
4. On February 15, 2002, Intervener compensated Plaintiff, its insured, for the damages covered by its insurance contract, namely \$22,500 (, as appears from a copy of the cheque, **Exhibit IN-2**).
5. (Intervener is subrogated in Plaintiff's rights against Defendant up to this amount.)
6. This fire resulted from Defendant's fault in its execution of repair work on the electrical system of Plaintiff's immovable on September 12, 2001.
7. Plaintiff is suing Defendant for \$77,500, namely the entirety of the damages suffered, as appears from the court record.



8. Only Intervener has the interest to claim the sum of \$22,500 already paid to Plaintiff.
9. Defendant neglected to pay Intervener the sum of \$22,500, notwithstanding the fact that it was put in default by way of a demand letter dated March 25, 2002, as appears from a copy of the demand letter, **Exhibit IN-3**.

FOR THESE REASONS, MAY IT PLEASE THE COURT:

GRANT the present Declaration of Intervention;

CONDEMN Defendant to pay Intervener the sum of \$22,500 with interest at the legal rate and the additional indemnity provided for by law as of April 26, 2002;

THE WHOLE, with costs.