CAS PARTICULIER DU FARDEAU DE LA PREUVE

<u>Principe</u>: Prépondérance des preuves (50% + 1) (art. 2804 CcQ) pour la personne qui veut faire valoir un droit (art. 2803 CcQ).

Allégement du fardeau

Présomptions (art. 2846 CcQ) : On peut tenir pour acquis quelque chose sans en faire la preuve.	Deux types : - Légales (tirées de la Loi) - Factuelles (déduite par le tribunal)
Actes authentiques (art. 2813 CcQ et ss.): Pas besoin de prouver que la preuve est vintage (authentique).	Fait preuve de son contenu et de sa confection.
Connaissance d'office: Tout ce qu'on peut tenir pour acquis que le tribunal connaît et donc, pas besoin d'en faire la preuve.	Trois catégories : - Le droit en vigueur au Québec (art. 2807 CcQ) - Le droit international si allégué (art. 2809 CcQ) - Les faits notoires (art. 2808 CcQ)

Augmentation du fardeau

Injonction Anton Piller: Divulgation complète des faits favorables ou non, vérification de la sincérité des représentations des clients.	Fardeau très lourd comme c'est attentatoire à la vie privée de la personne : fouille, persécution, etc.
Clause de non-concurrence (art. 2089 CcQ) : doit être raisonnable dans sa durée, sa territorialité et son genre de travail concerné.	Fardeau à l'employeur pour démontrer la validité de la clause.
Outrage au tribunal (art. 57 à 62 Cpc)	Preuve hors de toute doute raisonnable (comme en droit pénal).
Actes requérant corroboration (art. 2844 CcQ) : Malgré un témoignage, la preuve des faits n'est pas fait (mauvaise crédibilité	Ex. témoin non-crédible, témoin enfant, preuve distincte d'authenticité.

La Preuve Ndeg

Père Porphyre

La Preuve Ndeg:

Algebras, Groups, and Geometries ,2001 Acta arithmetica ,2002 **Number Theory, Analysis and Geometry** Dorian Goldfeld, Jay Jorgenson, Peter Jones, Dinakar Ramakrishnan, Kenneth Ribet, John Tate, 2011-12-20 In honor of Serge Lang's vast contribution to mathematics this memorial volume presents articles by prominent mathematicians Reflecting the breadth of Lang's own interests and accomplishments these essays span the field of Number Theory Analysis and Geometry La gazette du palais ,1907 Notitieboek van de hoogbaljuw, Anthologie de conseils Père Porphyre, 2007 Les inrockuptibles ,2006 Revue de mathématiques spéciales ,1997 Paris-Hachette Hachette (Firm).1897 Memoires et documents Académie chablaisienne, Thonon-les-Bains, 1965 A-Z. 1866-70 Pierre Larousse, 1874 Vlaemsch recht dat is costumen ende wetten ghedecreteert by de graven ende gravinnen van Vlaenderen ,1676 La preuve Commission de réforme du droit du Canada. Section de recherche sur le droit Rapport Sur la Preuve ,1975 de la preuve,1974 La Preuve Penale Bergeaud-Wetterwald Jean-Christophe Saint-Pau Aurelie Bergeaud-Wetterwald (Saint-Pau).2016 La Preuve en droit Chaïm Perelman, Paul Foriers, 1981 Le poids de la preuve Scott Turow, 1991 Sandy Stern cinquante six ans brillant avocat une maison superbe une femme encore jolie La r ussite en somme Jusqu ce soir de printemps o son univers s croule Clara s est suicid lui laissant pour tout adieu ces quatre mots Peux tu me pardonner Culpabilit il n a rien ressenti il tait pris par son travail il ne s est pas assez occup d elle Mais malheureuse au point de renoncer la vie Pardonner Pour pardonner il faut comprendre Au fil des jours Sandy va tenter de cerner la personnalit de cette inconnue dont il a partag la vie pendant trente et un an Un trou de 850 000 dollars dans le compte en banque de Clara Des factures d'h pital Quel tait le secret de cette pouse qui semblait parfaite La Preuve. 5. La contrainte de l'accusé et l'admissibilité de ses déclarations Law Reform Commission of Canada,1973 La preuve Commission de réforme du droit du Canada. Section de recherche sur le droit de la preuve,1974 La preuve Commission de réforme du droit du Canada. Section de recherche sur le droit de la preuve,1973

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