

CAS PARTICULIER DU FARDEAU DE LA PREUVE

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

Allègement du fardeau

Présomptions (art. 2846 CcQ) : On peut tenir pour acquis quelque chose sans en faire la preuve.	Deux types : <ul style="list-style-type: none"> - 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 <i>vintage</i> (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 : <ul style="list-style-type: none"> - 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 : Divulcation 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

J Rink



La Preuve Ndeg:

The Enigmatic Realm of **La Preuve Ndeg**: Unleashing the Language is Inner Magic

In a fast-paced digital era where connections and knowledge intertwine, the enigmatic realm of language reveals its inherent magic. Its capacity to stir emotions, ignite contemplation, and catalyze profound transformations is nothing short of extraordinary. Within the captivating pages of **La Preuve Ndeg** a literary masterpiece penned by a renowned author, readers attempt a transformative journey, unlocking the secrets and untapped potential embedded within each word. In this evaluation, we shall explore the book's core themes, assess its distinct writing style, and delve into its lasting affect on the hearts and minds of people who partake in its reading experience.

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