Dr. Jeremy Cooperstock 436 Strathcona Avenue Westmount, QC H3Y 2X1

jcooperstock@gmail.com

May 26, 2022

VIA EMAIL and REGISTERED LETTER - WITHOUT PREJUDICE

Hilton Canada Co. c/o Dentons Canada LLP 3900-1 Place Ville-Marie Montréal, QC H3B 4M7

Dear Hilton Canada Co.

Re: Failure to honour terms of Hilton Price Match Guarantee

On January 21, 2022, I made a reservation with Hilton.com for a single room with king bed and free WiFi at the Hilton Garden Inn Guanacaste Airport, for the night of January 23, 2022, at a rate of USD 158 or USD 155 with Hilton Honors discount (**Exhibit A**). The reservation was cancellable up until one day before arrival.

I then found the same room type with king bed and free WiFi on Hotels.com for USD 151.76 (**Exhibit B**), also cancellable up until January 22, 2022, i.e., one day before arrival. I proceeded to make a second reservation with Hotels.com, and at approximately 6:28 pm, submitted the form provided from the Hilton Price Match Guarantee web page to request the benefit of the Price Match terms that Hilton advertised, i.e., "we will match the qualifying lower price PLUS give you 25% off the room price for the entire booking." (**Exhibit C**). I received confirmation of the form submission (**Exhibit D**).

On the afternoon of January 22, 2022, having received no response from Hilton to my form submission, and with the deadline for free cancellation of my reservations looming, I called Hilton Hotels to inquire as to the status of my Price Match Guarantee claim. This telephone call, which lasted approximately 30 minutes, required speaking with three separate representatives beyond the initial agent who answered the call, the last of whom informed me that if I had not received a response in more than 24 hours "most likely that claim was denied or it was not eligible for a price match". I informed the representative that this call was being recorded and that I would be taking legal action should Hilton not honour the terms of its guarantee.

The evening of January 22, 2022, I received an email from Jessica H. of Hilton.com, informing me that "Regrettably, I am unable to honor your claim as it did not meet the criteria to qualify for the

Hilton Price Match Guarantee." (**Exhibit E**). At no point, from the time of my initial submission of the claim for the Hilton Price Match Guarantee, during my telephone conversation with Hilton representatives, or in the email from Jessica H., was any option provided for me to submit proof of the validity of my claim under the Hilton Price Match Guarantee criteria.

I then cancelled my Hilton.com reservation, keeping my Hotels.com reservation, and stayed at the Hilton Garden Inn Guanacaste Airport the night of January 23, 2022, for which I was charged 96,568.81 Costa Rican Colons (**Exhibit F**), approximately equivalent to USD 152.00 as of the spot rate posted on XE.com (.00157635 CRC to the USD) for January 24, 2022 (**Exhibit G**).

Following my stay, I provided Hilton with numerous opportunities to respect the advertised terms of their Price Match Guarantee, engaging in correspondence with various Hilton representatives: by email reply to Jessica H. on January 24, 2022 (**Exhibit H**), offering to provide documentation to substantiate my claim, but to which she did not respond; through the Hilton Hotels and Resorts Facebook page; and on February 10, 2022, providing screenshots of the Hilton.com and Hotels.com room rates, as per the request of a "John P., customer service representative" (**Exhibit I**). On May 17, 2022, I cautioned that should I be required to send a letter of demand, I would be seeking punitive damages to compensate for the loss of my time, necessitated by the hotel chain's refusal to honour its advertised terms, and on the morning of May 26, 2022, I gave Hilton a deadline to do so (**Exhibit J**), all to no avail.

I recognize that the dollar value saving to which I was entitled by virtue of your Price Match Guarantee is quite modest. Nevertheless, your advertised guarantee induced me to make the booking with Hilton in the first place. When I discovered that this was deceptive advertising, and that you had no intent of honouring the guarantee, despite the numerous attempts I made to draw your attention to the documentation that substantiated my claim, I was outraged. I do not believe that large corporations should be able to mislead consumers in this manner, contrary to s. 74.01(1)(a) of the *Competition Act*.

I also note that under the *Competition Act*, corporations are liable to penalties of up to \$10 million for the first occurrence of false and deceptive advertising. Moreover, under the civil procedure, the Competition Bureau does not need to prove that the false or misleading advertising was engaged in deliberately or recklessly.

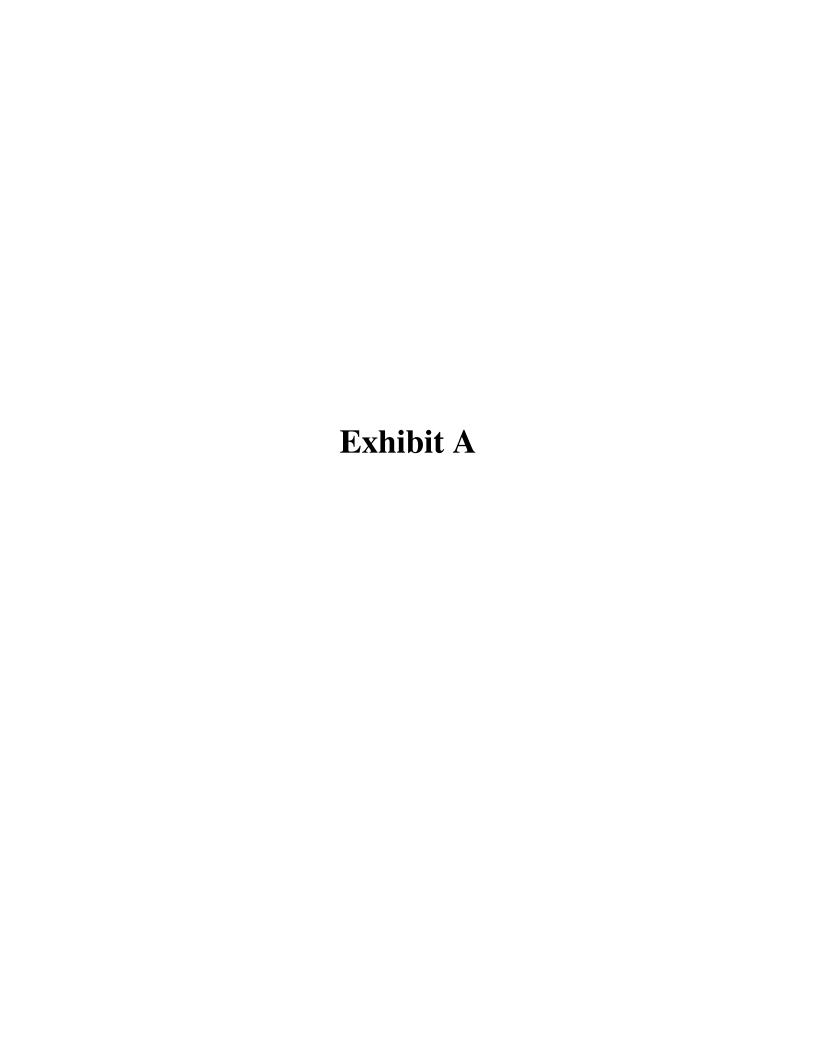
In consequence, I am demanding compensation in the amount of \$1000.00, payable within ten (10) days of your receipt of this letter, or I will take action without further notice. Do govern yourselves accordingly.

Singerely yours,

Dr. Jeremy Cooperstock

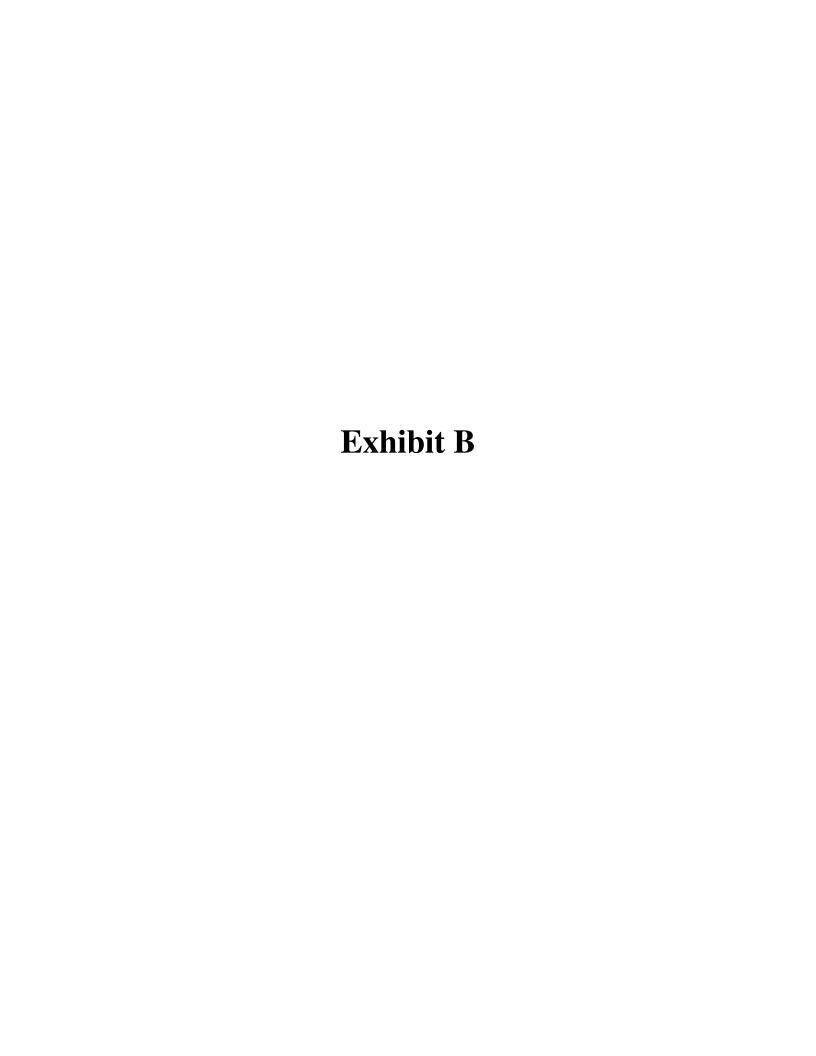
1. loopers

encl.



Your Stay Sun, Jan 23 – Mon, Jan 24, 2022 (1 night) Edit Stay Step 2 of 3 Select a Rate Use Points & Money Avg/night in \$USD ▼ **Special Rates** You have 8,970 available Honors Discount \$158 Flexible Rate Hilton Garden Inn Guanacaste Airport Ruta 21 Frente al Aeropuerto Inter Daniel Oduber Change or cancel up to 1 day before arrival. Room \$158 \$155 1 (1) Liberia, Costa Rica Hotel details > only. Book Book O 1 King Bed

Change Room

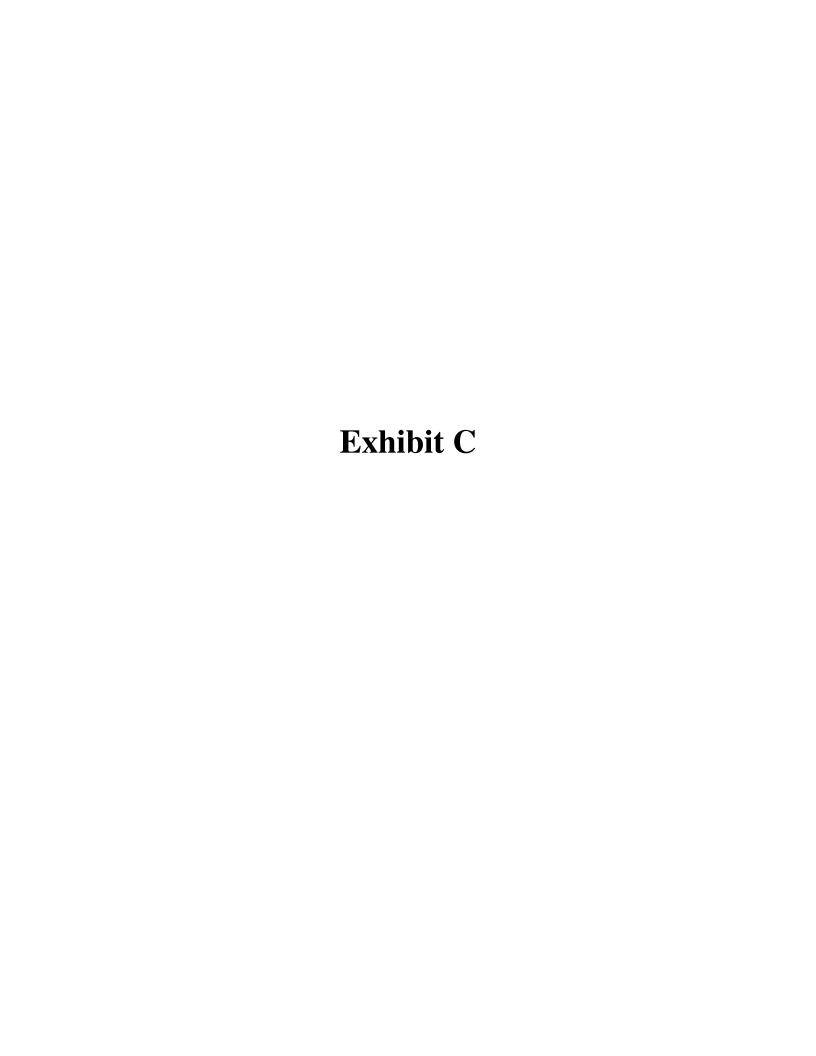


por 1 habitación, 1 huésped, 1 noche



Para fumadores

Hilton Garden Inn Guanacaste Airport Nuestra promesa de Precio garantizado Moteles.com™ Rewards > Iniciar sesión Paga en el establecimiento, cancela sin costo si después cambias de parecer y confía en nuestro Precio garantizado. Paso 1: Tus datos Indica el nombre de la persona que se hospedará en el hotel, como aparece en la identificación oficial que presentará en el check-in. Si el huésped tiene más de un apellido, ingrésalos todos. * Campos obligatorios Indica el nombre de una de las personas que se hospedarán en esta habitación. Jeremy Apellido* Cooperstock Hilton Garden Inn Guanacaste Airport Dirección de correo electrónico* Ruta 21 Frente Al, Aeropuerto Internacional, Liberia, Costa Rica Ingresa aquí tu correo electrónico de confirmación jcooperstock@gmail.com 8.6 Genial Número de teléfono celular* 765 comentarios de huéspedes de 📙 Hoteles.com Solo te contactaremos en caso de una emergencia Limpieza: 9.2/10 ☐ Marca esta casilla si deseas recibir por correo electrónico nuestro boletín de **ofertas especiales** de Hoteles.com, Check-in domingo, 23 de enero de 2022 que contiene excelentes promociones de hoteles. Check-out lunes, 24 de enero de 2022 1 noche, 1 habitación Paso 2: Detalles de la habitación Servicios en la propiedad Habitación **¶**¶ Restaurante domingo, 23 de enero de 2022 USD 134,30 Habitación Impuestos USD 17,46 ✓ Tu habitación cuenta con: Wifi gratis Desayuno disponible (se paga en el establecimiento) 🗀 1 cama King size 🚄 Para fumadores Incluye oferta especial: 15% de descuento Preferencias Precio total **USD 151,76** Las preferencias de fumador o no fumador no están garantizadas





Locations Offers Meetings & Events Credit Cards

Complete <u>this form</u> before you book or no more than 24 hours after booking. If you are making a claim the day before or day of arrival, you will need to connect us by phone to submit your claim. You'll receive an email confirmation or phone call within 24 hours after we receive your claim.

If your claim involves another site's mobile app, you must use this online method to submit your claim. Be sure to take screenshots of the app and reservation details.

By phone

Call our contact center before you book or no more than 24 hours after booking.

Call 1-800-445- 8667 in the US, Canada, Puerto Rico or the US Virgin Islands, or find your local reservations office.

This method is required for claims made the day before or the day of arrival.

Reviewing your claim

If you submit your claim online, we'll try to independently validate it within 24 hours. If you make a claim over the phone, we'll try to independently validate it immediately.

The same accommodations must be available for booking at a qualifying lower price in the currency of the hotel when we validate your claim.

Claims are not valid and cannot be processed or approved once checked in (in-person or digitally).

Price comparisons will be made net of taxes, gratuities, service charges, early departure fees, or other fees and incidental charges, and will exclude changes in currency exchange rates.

For stays longer than one night, the Price Match Guarantee will be evaluated based on the total room price for the entire stay.

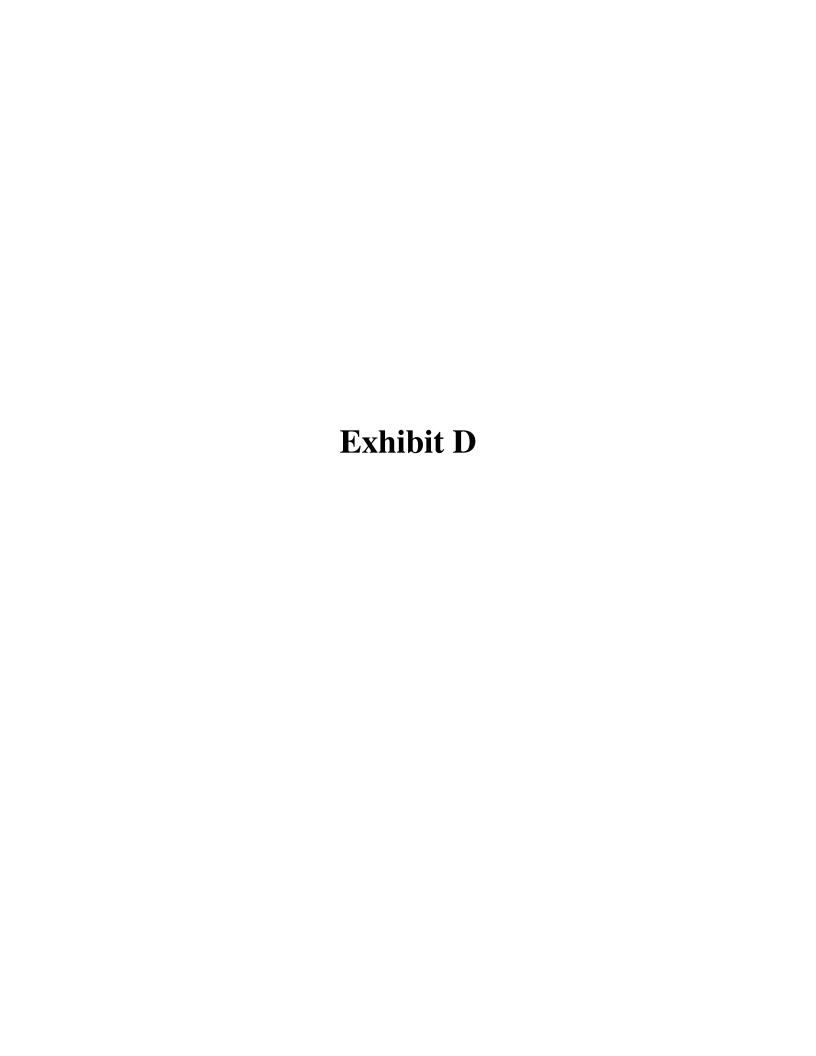
We may deny a claim if the percentage difference between the price booked through the official Hilton booking channel and the qualifying lower price is 1% or less.

We may deny a claim if we believe the Price Match Guarantee is being intentionally abused or manipulated to circumvent its intent.

Approving your claim

If we verify the availability and eligibility of the qualifying lower price, we will match the qualifying lower price PLUS give you 25% off the room price for the entire booking.

- If the claim submitted contains a current reservation we will modify the reservation and send a new email confirmation as well as an email from us letting you know about the approval of your claim.
- If the claim submitted does not contain a current reservation, a tentative reservation will be secured and you will be notified by email on the next steps you need to take to complete the reservation process. You must complete the reservation within 24 hours of receiving the email. If you do not, the claim and the tentative reservation will be



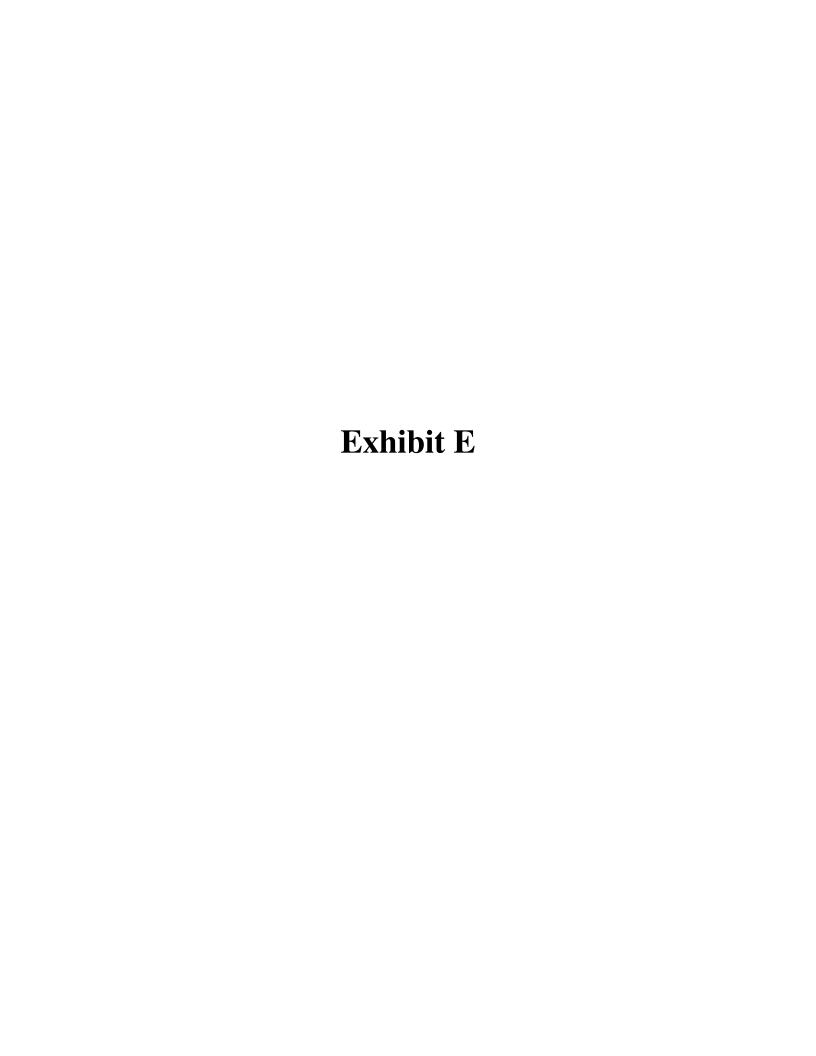
Price Match Guarantee

Thanks! We've received your Price Match Guarantee claim. We'll review it and let you know if you've found a qualifying lower price.

What happens next:

- We'll try to independently validate your claim within 24 hours.
- If we verify the availability and eligibility of the qualifying lower price, we'll match it and give you 25% off the room price for the entire booking.
- We'll contact you to confirm your booking at the new price.

For more details, qualifications and rules, please visit our Price Match Guarantee page 🗗



Re: Hilton Price Match Guarantee Origcase 114086578

Subject: Re: Hilton Price Match Guarantee Origcase 114086578

From: "bestrate_responses@hilton.com" <bestrate_responses@hilton.com>

Date: 2022-01-22, 7:18 p.m.

To: "jcooperstock@gmail.com" < jcooperstock@gmail.com>

Dear Jeremy Cooperstock,

Thank you for contacting Hilton Guest Assistance. My name is Jessica it will be my pleasure to assist with your Price Match Guarantee claim for Hilton Garden Inn Guanacaste Airport 1/23.

Regrettably, I am unable to honor your claim as it did not meet the criteria to qualify for the Hilton Price Match Guarantee. In reviewing your claim, I am unable to find a lower rate available through the mentioned 3rd party website.

Please be aware that there will be occasions when a particular rate may be available when a claim is submitted but is not available when we review the site (even within the 24 hour window). Such events can occur at any time without notice and are beyond our control.

Thanks for your ongoing loyalty and understanding.

Best regards,

Jessica H.

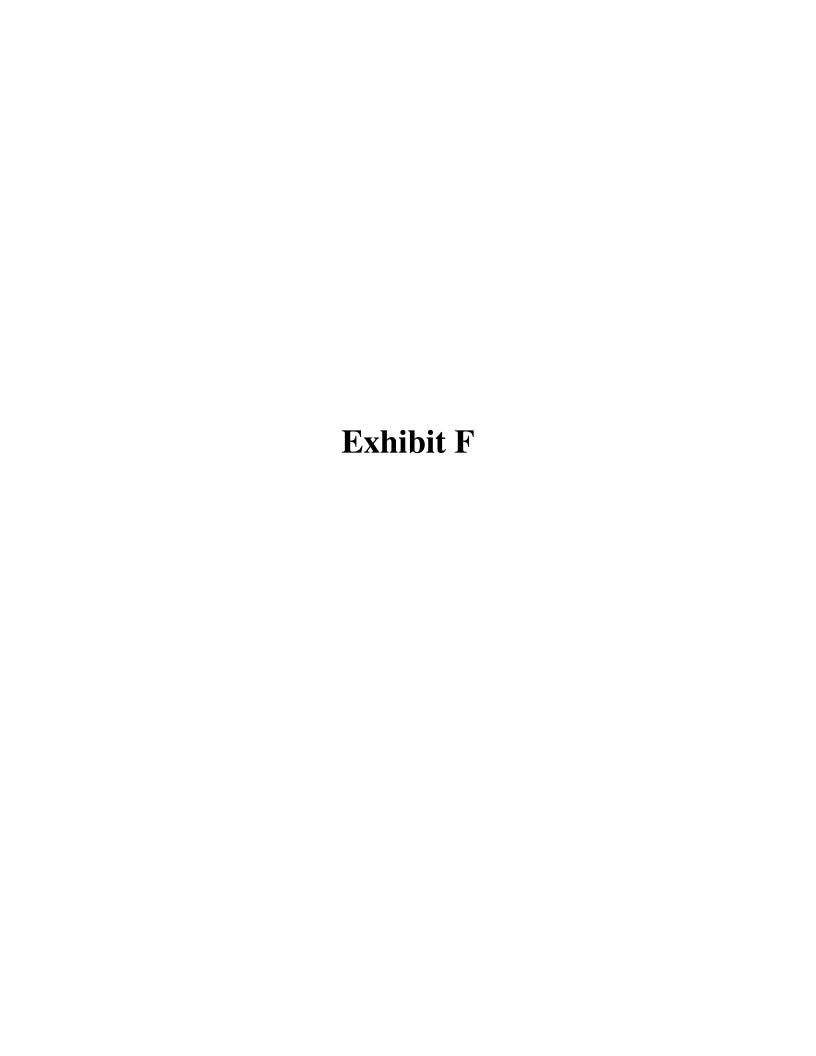
Corporate Guest Relations Specialist Hilton Reservations and Customer Care





ref:_00D41XOXt._5002M1Ntpie:ref

1 of 1 2022-05-26, 6:43 p.m.



JEREMY COOPERSTOCK

436 STRATHCONA AVENUE

WESTMOUNT QC A9A 9 CANADA

INFORMATION BILL

Confirmation Number: 3224563462

DE HAB 105 /K1RZ

FECHA DE LLEGAD 1/23/2022 12:08:00 PM

FECHA DE SALIDA 1/24/2022 12:14:00 PM

ADULTO/NINO 1/0

CAJERO ASOLANOA/ANDRES

TARIFA 134.30 USD

Rate Plan ODCALI

AL

Hilton HHonors 1124416908 BLUE

#VAT 3-102-452569

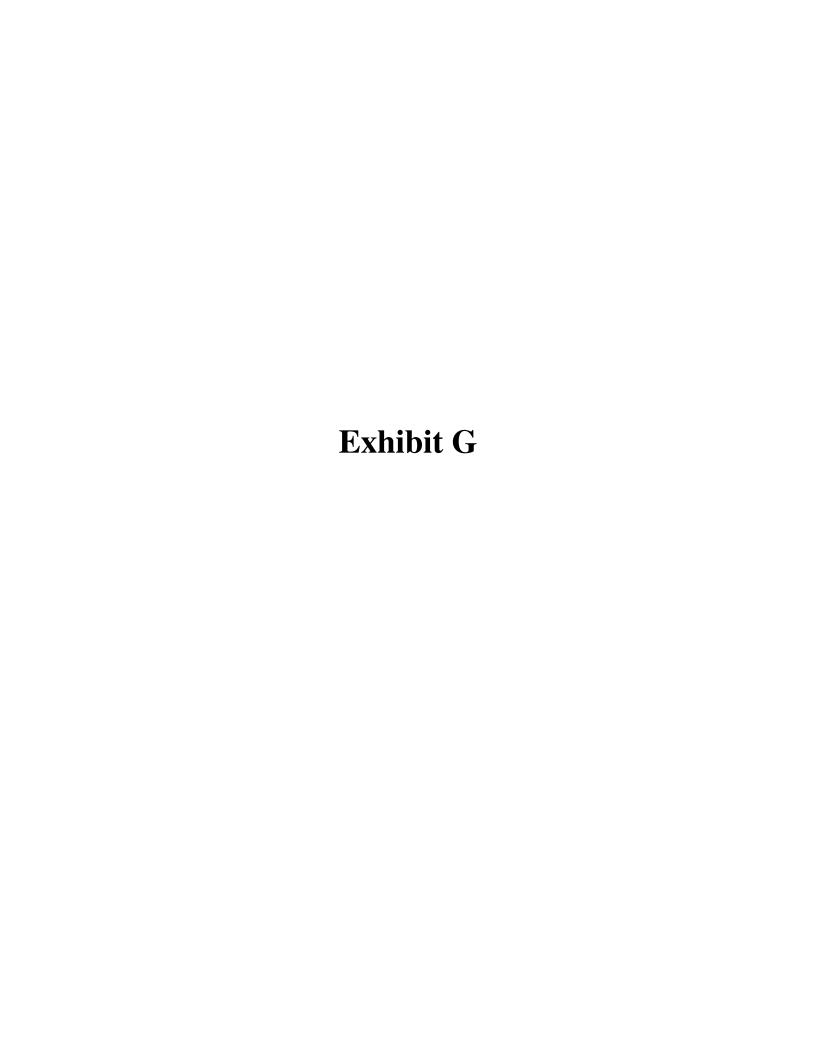
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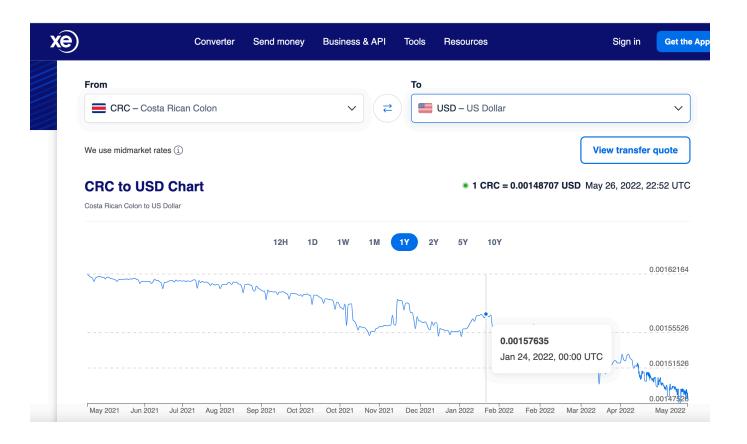
HILTON GARDEN INN GUANACASTE AIRPORT 1/24/2022 1:17 PM

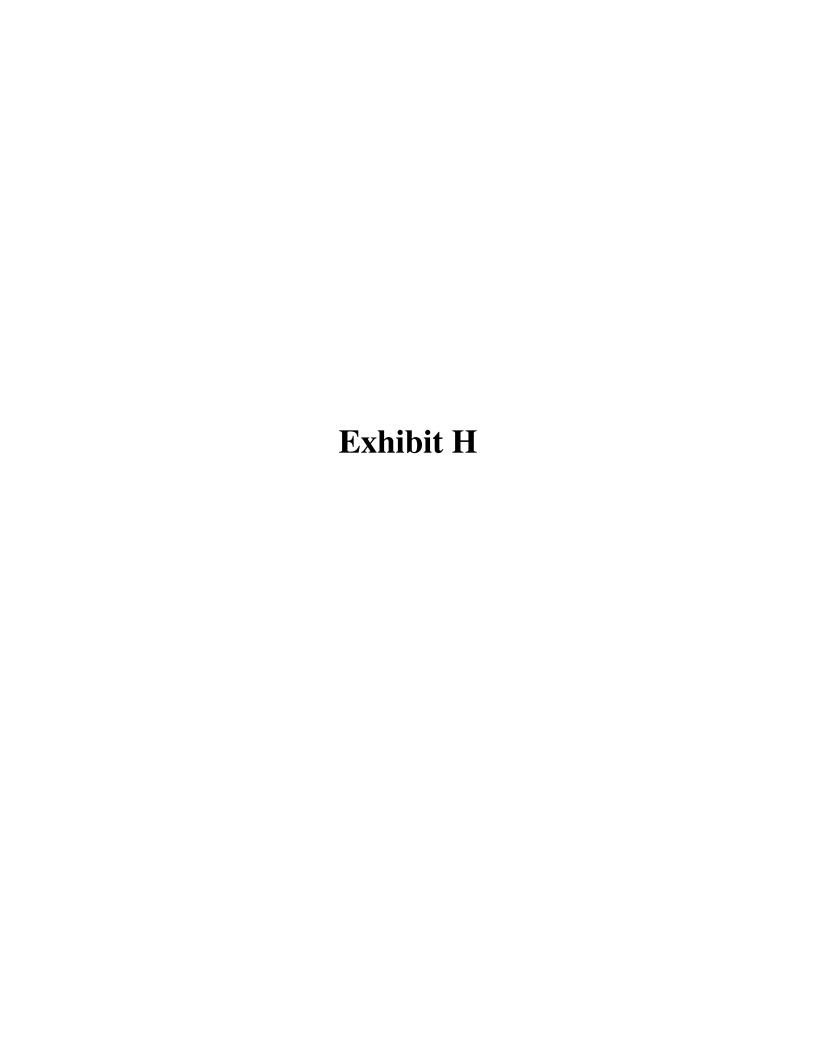
DATE	DESCRIPTION	TARIFA	Exchange Rate	CAJERO	REF NO	GUEST CHARGE	CREDIT	BALANCE
1/23/2022	HAB. OTROS DESCUENTOS	134.30	0.00	MESPINALE S	3543955	85,459.12		
1/23/2022	IVA	17.46	0.00	MESPINALE S	3543955	11,109.69		
1/24/2022	VS *5010	-96,568.81	1.00	VBALTODA NO	3544455		(96,568.81)	
					DALANCE			0.00

Hilton Honors(R) stays are posted within 72 hours of checkout. To check your earnings or book your next stay at more than 6,500+ hotels and resorts in 119 countries, please visit Honors.com

Guest Signature	
duest Signature	







Re: Hilton Price Match Guarantee Origcase 114086578

Subject: Re: Hilton Price Match Guarantee Origcase 114086578

From: Jeremy Cooperstock < jer@cim.mcgill.ca>

Date: 2022-01-24, 3:07 p.m.

To: "bestrate_responses@hilton.com" <bestrate_responses@hilton.com>

Dear Jessica H.,

I expected as much.

I will give you 48 hours to reconsider. Please let me know if you'd like me to send you specific documentation related to my reservation with hotel.com and the associated invoice from my recent stay at your property. Such documentation will corroborate, notwithstanding your inability to to carry out your task, that my booking **did** meet the criteria to qualify for the Hilton Price Match Guarantee.

Best regards,

- Jeremy Cooperstock

On 2022-01-22 6:18 p.m., bestrate_responses@hilton.com wrote:

Dear Jeremy Cooperstock,

Thank you for contacting Hilton Guest Assistance. My name is Jessica it will be my pleasure to assist with your Price Match Guarantee claim for Hilton Garden Inn Guanacaste Airport 1/23.

Regrettably, I am unable to honor your claim as it did not meet the criteria to qualify for the Hilton Price Match Guarantee.

In reviewing your claim, I am unable to find a lower rate available through the mentioned 3rd party website.

Please be aware that there will be occasions when a particular rate may be available when a claim is submitted but is not available when we review the site (even within the 24 hour window). Such events can occur at any time without notice and are beyond our control.

Thanks for your ongoing loyalty and understanding.

Best regards,

Jessica H.

Corporate Guest Relations Specialist Hilton Reservations and Customer Care





ref:_00D41XOXt._5002M1Ntpie:ref

1 of 1 2022-05-26, 7:34 p.m.

Subject: Relayed: Re: Hilton Price Match Guarantee Origcase 114086578

From: Microsoft Outlook

<MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@hilton.onmicrosoft.com>

Date: 2022-01-24, 2:07 p.m.

To: <bestrate responses+SRS=Nzos7=SI=cim.mcgill.ca=jer@hilton.com>

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

bestrate_responses@hilton.com (bestrate_responses@hilton.com)

Subject: Re: Hilton Price Match Guarantee Origcase 114086578

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Arrival-Date: Mon, 24 Jan 2022 20:07:47 +0000
Original-Recipient: rfc822; bestrate responses@hilton.com
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\verb|cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384| id 15.20.4909.7; Mon, 24 Jan| \\
2022 20:07:47 +0000
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Authentication-Results: spf=pass (sender IP is 132.206.73.2)
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1 of 7 2022-01-24, 2:08 p.m.

smtp.mailfrom=cim.mcgill.ca; dkim=none (message not signed)
header.d=none;dmarc=pass action=none header.from=cim.mcgill.ca;

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Received: from orford.cim.mcgill.ca (132.206.73.2) by
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        (No client certificate requested)
        (Authenticated sender: jer)
       by orford.cim.mcgill.ca (Postfix) with ESMTPSA id 32775FF3B5
       for <br/>
<u>sestrate_responses@hilton.com</u>; Mon, 24 Jan 2022 15:07:48 -0500 (EST)
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Date: Mon, 24 Jan 2022 14:07:44 -0600
MIME-Version: 1.0
User-Agent: Mozilla/5.0 (Macintosh; Intel Mac OS X 10.15; rv:91.0)
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Subject: Re: Hilton Price Match Guarantee Origcase 114086578
Content-Language: en-CA
To: <u>"bestrate_responses@hilton.com"</u> <bestrate_responses@hilton.com>
From: Jeremy Cooperstock <jer@cim.mcgill.ca>
Reply-To: "Jeremy Cooperstock (jcooperstock@gmail.com)"
<jcooperstock@gmail.com>
Content-Type: text/html; charset=UTF-8
Content-Transfer-Encoding: 8bit
Return-Path: jer@cim.mcgill.ca
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 (UTC)
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bestrate_responses@hilton.com
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X-MS-Office365-Filtering-Correlation-Id: 0ceba3f4-d5c8-4e2f-3ee4-08d9df7530fa
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X-MS-Exchange-Organization-Auth-DmarcStatus: Pass
X-MS-Exchange-Organization-PFAHub-Total-Message-Size: 12296
X-MS-Exchange-Organization-OriginalSize: 12296
X-MS-TrafficTypeDiagnostic: MN2PR10MB4240:EE
X-MS-Exchange-Organization-HygienePolicy: Premium
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X-MS-Exchange-Organization-FeatureTable:
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X-MS-Exchange-Organization-Antispam-PreContentFilter-ScanContext:
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X-MS-Exchange-Organization-AVScannedByV2: true
X-MS-Exchange-Organization-AVScanComplete: true
X-MS-Exchange-Organization-UrlSelected: 1
X-MS-Exchange-Organization-UrlLogged: 1
X-MS-Exchange-Organization-ExternalRoutingTopologyAnalysis:
X-MS-Exchange-Organization-Recipient-Limit-Verified: True
X-LD-Processed: 660292d2-cfd5-4a3d-b7a7-e8f7ee458a0a,ExtAddr
X-MS-Exchange-Organization-TotalRecipientCount: 1
X-MS-Exchange-Organization-HVERecipientsForked: 1.0
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X-MS-Exchange-Organization-ASDirectionalityType: 2
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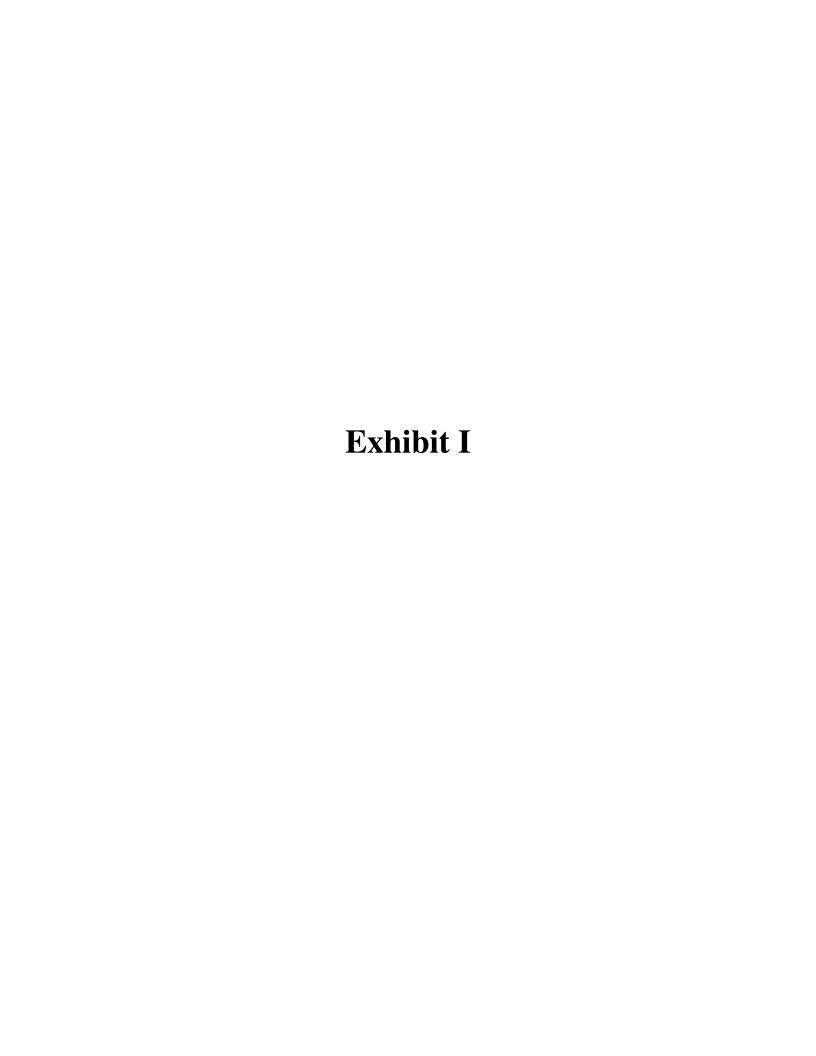
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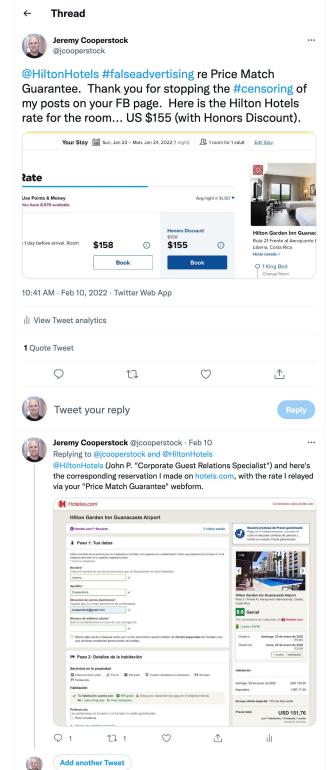
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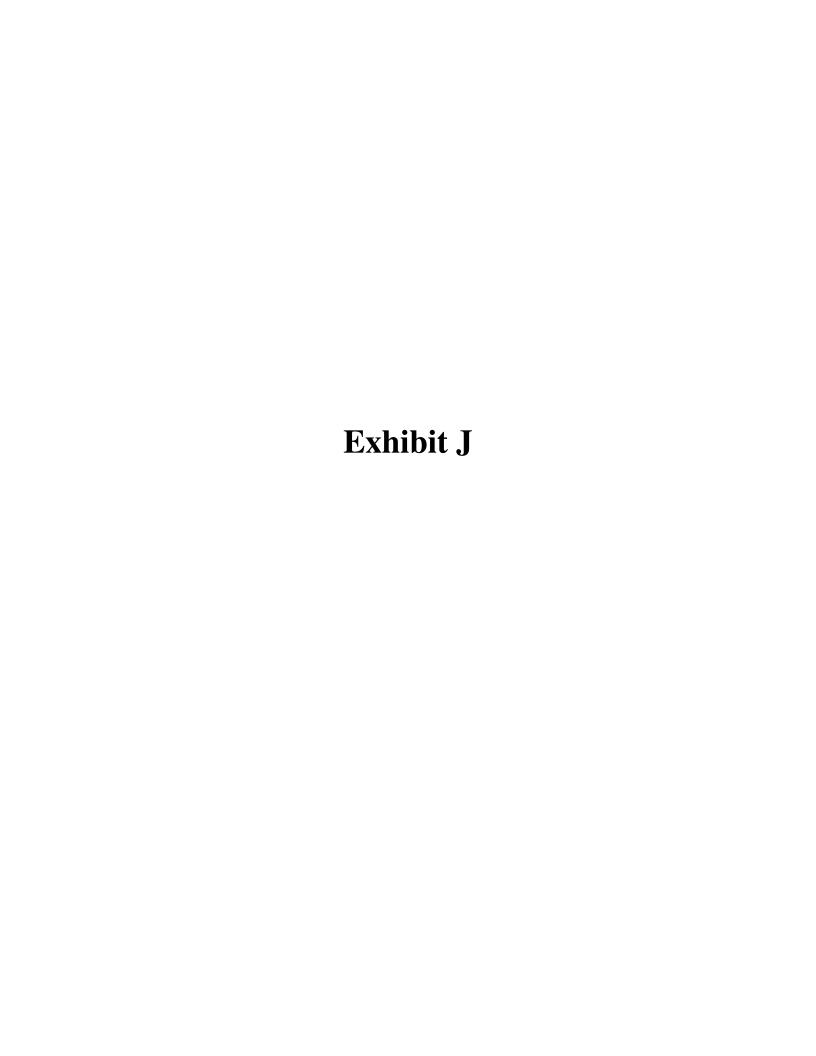
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May 23 at 5:01 PM ⋅ 🔇

There's nothing like a breathtaking view or perfect location, but moments like these are the ones we remember most. #HeardAtHilton







<u></u>%¹















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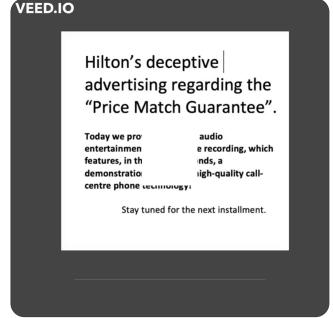


Write a comment...



Jeremy Cooperstock

As Hilton and your Facebook readers will remember most, I've given you many moments to make good on your Price Match Guarantee, but you've consistently refused to do so, despite my providing all the details you requested here: https://twitter.com/jcooperstock/status/1491799586691686410. I'm afraid you leave me with no choice: letter of demand coming shortly, with step-by-step guide for other readers who wish to follow suit. Part #2 of the phone call with your reps, to jog your memory:



Like Reply 3d



Jeremy Cooperstock

Hi Joanna. Once again, all the details your colleagues requested are here:

https://twitter.com/jcooperstock/status/149179958669 1686410 — if you need any additional info, please let me know. As I've cautioned already, if you don't resolve this now, my letter of demand will be coming soon (and posted here), as a precondition (in Quebec) to Small Claims Action, and I'll be seeking punitive damages for my loss of time.























Hilton Hotels & Resorts

Hi Jeremy, we would like to look into this one more time. Could you send us a Private Message with the details? Thanks. -Joanna

Like Reply 2d



Jeremy Cooperstock

Hilton Hotels & Resorts Yes Joanna. I've provided all the details you requested at https://twitter.com/jcooperstock/status/1491799 586691686410. Please let me know what additional information you need.

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- 1,801,094 people follow this
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- + 1800 445 8667 (+ 1800 HILTONS)
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- Hotel · Travel Company



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Reply

Like

Jeremy, we understand your frustration and we truly want to help. In order to so, we'll need to connect through private message. We'll be here, should you decide to reach out. Thank you. -Bri

Remove Preview

Like Reply 23h



Jeremy Cooperstock

Hilton Hotels & Resorts Bri, you've always been free to contact me through private message, but apart from the email below from "John P.", you've neglected to do so.

You have until 5 pm EDT today to honor your Price Match Guarantee, or I will be sending the letter of demand, as promised.

----- Forwarded Message ------

Subject: Re: A message from Hilton

Date: Thu, 10 Feb 2022 16:27:11 +0000 (GMT)

From: hilton.comments@hilton.com <hilton.comments@hilton.com> To: jcooperstock@gmail.com <jcooperstock@gmail.com>

Dear Jeremy,

As requested, I'm emailing you regarding your messages on Facebook and Twitter today. Please reply with the details of your Price Match Guarantee, including screenshots, so we can review the claim and assist accordingly.

Regards,

John P.

Corporate Guest Relations Specialist Hilton Reservations and Customer Care

ref:_00D41XOXt._5002M1OV3y1:ref

Like Reply 11h













See all

















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- Page manager locations include: United States, United Kingdom, Hong Kong

Author

Hilton Hotels & Resorts

Jeremy, we're unable to initiate a conversation via private message, hence why we've asked you to send one so we can look into this. We'll be here should you wish to help us by sending a PM. Thank you for your understanding and patience with the delaye... See more

Like Reply 8h



Jeremy Cooperstock

Hilton Hotels & Resorts Not quite true, John. You have my email so you're perfectly capable of initiating a conversation, if you really wished to do so. But otherwise, counting down to my letter of demand.

Like Reply 7h

Most Relevant is selected, so some replies may have been filtered out.



Reply to Jeremy Cooperstock...

Most Relevant is selected, so some comments may have been filtered out.

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Hilton Hotels & Resorts

May 17 at 2:43 PM ⋅ 🕙

Make your equestrian season as grand as the @seelbachhiltonhotel itself. Who else can picture themselves sipping a cocktail here before the race begins?



0:05 / 0:15







