

# MARIHUANA MEDICAL ACCESS PROGRAM PRIVACY BREACH CLASS ACTION

## **PLEASE READ THIS CAREFULLY - IT MAY AFFECT YOUR RIGHTS.**

The Federal Court of Canada certified a class action lawsuit against Her Majesty the Queen (“Health Canada”) concerning the mailing of approximately 40,000 letters to participants in the Marihuana Medical Access Program in November 2013, in envelopes referring explicitly to the “Marihuana Medical Access Program” or “Programme d'accès à la marihuana a des fins médicales” (the “Letters”).

## **WHAT IS THE LAWSUIT ABOUT?**

The plaintiffs allege that Health Canada breached the privacy of members of the Marihuana Medical Access Program when it sent the Letters.

The plaintiffs are asking the Court to order Health Canada to pay compensation to affected individuals for, among other things, the alleged breach of privacy.

Health Canada denies that it did anything wrong. A judge will decide if Health Canada is liable at a trial. The date for that trial has not yet been set.

## **WHO IS INCLUDED IN THE LAWSUIT?**

The lawsuit is brought on behalf of all persons who were sent a letter from Health Canada in November 2013 that had the phrase Marihuana Medical Access Program on the envelope.

If you meet the class definition, you are automatically included in the class action unless you opt out by **July 21, 2022**. If you want to opt out, see below under “What if I do not want to take part?”.

If you are a class member and you don't opt out, you will be part of the class action and you won't be able to make your own claim against Health Canada for any specific individual damages you may have suffered. In the class action, damages will be sought for the class as a whole. If there is a judgment in favour of the class, or there is a settlement, the judge will decide how any money that is recovered should be divided among class members.

## **WHAT IF I DO NOT WANT TO TAKE PART?**

If you do not want to take part in the class action, you must opt out. If you opt out, the results of the lawsuit will not apply to you, whether they are good or bad. If you do opt out, you will not be entitled to receive any money through the lawsuit. If you want to opt out, you must send your name, birthdate, and a statement that you wish to opt out in writing to the following address or email address:

Trilogy Class Actions Services,  
117 Queen Street, P.O. Box 1000,  
Niagara-on-the-Lake, ON L0S 1J0  
Email: [optout@trilogyclassactions.ca](mailto:optout@trilogyclassactions.ca)  
Tel: 1-877-406-5302  
Fax: 416-342-1761

**Class members who want to opt out must submit their request by July 21, 2022.** Class members who do not submit an opt-out request by **July 21, 2022** will continue to be a part of the class action.

## **DO I NEED TO PAY ANYTHING TO PARTICIPATE IN THE LAWSUIT?**

No. You do not need to pay anything out of your pocket to take part in the lawsuit. The lawyers appointed by the Court to represent the class will only be paid if the claims are successful. If that occurs, the lawyers will request a percentage of the total amount recovered for the class and will ask to be reimbursed for their disbursements. This percentage will be no greater than 33.33%, and must be approved by the Court.

## **WHO ARE THE LAWYERS FOR THE CLASS?**

The class is represented by:

BRANCH MACMASTER LLP  
1410 – 777 Hornby Street  
Vancouver, BC V6Z 1S4  
[medicalmarijuana@branmac.com](mailto:medicalmarijuana@branmac.com)

STROSBERG SASSO SUTTS LLP  
1561 Ouellette Avenue  
Windsor, ON N8X 1K5  
[medicalmarihuana@strosbergco.com](mailto:medicalmarihuana@strosbergco.com)

CHARNEY LAWYERS PC  
151 Bloor Street West, Suite 602  
Toronto, ON M5S 1S4  
[info@charneylawyers.com](mailto:info@charneylawyers.com)

MCINNES COOPER  
P.O. Box 730  
1300-1969 Upper Water Street  
Halifax, NS B3J 2V1  
[privacyclassaction@mcinnescooper.com](mailto:privacyclassaction@mcinnescooper.com)

## **I WANT MORE INFORMATION**

More information on the case is available at [www.marijuanaaction.com](http://www.marijuanaaction.com) along with the Amended Statement of Claim, the Order certifying the action, and other Court documents.

You can also register on the website at [www.marijuanaaction.com](http://www.marijuanaaction.com). If you register, you will receive periodic email updates regarding the action and advising you of any steps that you are required to take. If you visit the website, it will also advise you of any steps you are required to take (whether you are registered or not).

If you still have questions, you can contact any of the lawyers at the addresses above.

THIS NOTICE HAS BEEN AUTHORIZED BY THE FEDERAL COURT OF CANADA