



For immediate release

Press release

## Judgment against the tobacco companies suspended!

**Montreal, March 11, 2019** – The Quebec Council on Tobacco and Health (CQTS) is outraged that a judge of the Ontario Superior Court has suspended, without public hearing, the rights of tobacco victims that were recognized a week earlier by a unanimous bench of the Quebec Court of Appeal. In the decision of March 1, the Court of Appeal ordered tobacco companies to pay nearly \$ 14 billion to compensate the victims of their product and their lies.

Following an application by JTI to come under the protection of the *Companies' Creditors Arrangement Act* ("CCAA"), Justice Glenn Hainey of the Ontario Superior Court also allowed the three tobacco companies to continue to pay billions of dollars in profits to their foreign subsidiaries.

In addition, this extraordinary order was delivered on a Friday afternoon without a public hearing and without any notice to the Quebec victims' lawyers, thus depriving victims of the fundamental right to be heard, while suspending the exercise of their rights until April 5.

"We are extremely surprised and disappointed that one judge of the Ontario Superior Court can, in a half-hour hearing, in camera, suspend the exercise of the rights of tobacco victims, and at the same time allow tobacco companies to continue to rake in billions in profits. After more than 20 years of public proceedings in which all parties have always had the opportunity to present their arguments, the decision of the Superior Court judge to suspend the rights recognized by 6 Quebec judges is a denial of justice. Our lawyers will defend the rights of Quebec's tobacco victims," says Mario Bujold, strategic advisor to the Quebec Council on Tobacco and Health. "This tobacco industry ploy instrumentalizing Ontario's justice system is yet another example of their bad faith, so often denounced by Canadian courts, including by the Supreme Court of Canada. The tobacco companies are still trying to protect their assets to the detriment of the victims of their deadly product," adds Mario Bujold.

In June 2015, Judge Brian Riordan of the Quebec Superior Court sentenced Imperial Tobacco, Rothmans, Benson & Hedges and JTI-Macdonald to pay \$ 15.5 billion in moral and punitive damages to 100,000 Quebec victims of lung cancer, throat cancer and emphysema caused by prolonged consumption of cigarettes. On March 1, 2019, five judges of the Quebec Court of Appeal upheld the first-instance judgment, while adjusting the method of calculating accumulated interest on the amount of the condemnation. The total amount of cumulative damages to be paid by the three tobacco companies is now close to \$ 14 billion.

Tobacco victims or their estate who believe they are entitled to compensation in this class action are invited to register online at [recourstabac.com](http://recourstabac.com).

### **About the Quebec Council on Tobacco and Health**

“Towards a Tobacco-Free Quebec” is the mission statement of the Quebec Council on Tobacco and Health, which has worked for 42 years to mobilize stakeholders from various sectors to reduce and prevent tobacco consumption in Quebec. In addition to representing the victims of the CQTS-Blais appeal, this non-profit organization coordinates a number of smoking prevention and cessation programs for the public, in schools and in businesses.

### **About the law firms representing the victims**

The lawyers who led this epic struggle were from three law firms: Trudel Johnston & Lespérance, Kugler Kandestin and De Grandpré Chait.

More information on this class action is also available at [quebecsanstabac.ca/cqts/recours-collectifs](http://quebecsanstabac.ca/cqts/recours-collectifs).

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