

## QUEBEC CLASS ACTIONS

AGAINST JTI-MACDONALD, IMPERIAL TOBACCO AND ROTHMANS, BENSONS & HEDGES

### CHRONICLE OF THE CASE

Since they began in 1998, the two class actions of this case have received over 50 judgments rendered by various Québec courts. The account related here focuses on only specific highlights from these proceedings.

#### September 10, 1998

Filing by Cécilia Létourneau of a motion for leave to exercise a class action on behalf of persons dependent on the nicotine contained in the cigarettes manufactured by the defendants.

#### November 19, 1998

Filing by the CQTS and Jean-Yves Blais of a motion for leave to exercise a class action on behalf of persons suffering from lung, larynx or throat cancer or emphysema.



*Jean-Yves Blais, lung cancer victim, Dr. Marcel Boulanger, president of CQTS, and Michel Bélanger, Lauzon Bélanger*

#### 1999 to 2004

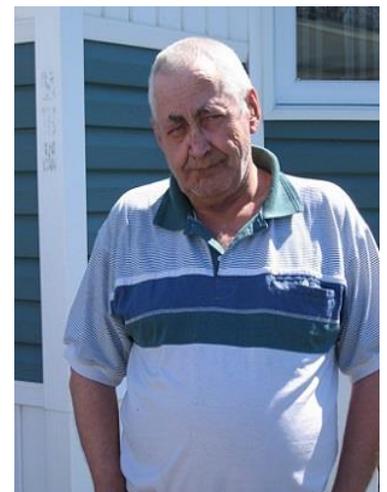
Filing of multiple motions by tobacco companies in order to invalidate the two class actions and prevent them from being authorized. Various judgments rendered by the Superior Court of Québec, the Québec Court of Appeal and the Supreme Court of Canada in these cases.

#### February 21, 2005

Important victory for the represented victims with judgment from the Québec Superior Court that authorized the two class actions.

#### 2005 to 2012

Completion of the preparatory steps toward the trial for the two class actions (filing of an application instituting proceedings, production of reports from experts, questioning of tobacco company executives and representatives from the two class actions, analysis of millions of pages of documents coming from the tobacco companies, monthly meetings with management from the two class actions presided over by the judge in the presence of lawyers from the parties involved, presentation of statements of claim and defence on various issues in the trial, and so forth).



*Jean-Yves Blais, designated member, class action, 2006*

## **February 2008**

Filing by the tobacco companies of a motion calling the Attorney General of Canada in warranty in the two class actions.

## **April 2010**

Agreement reached between the parties on the schedule of the proceedings and the trial start date, set for October 17, 2011.

## **March 12, 2012**

Beginning of the trial for the two class actions.

## **April 23, 2013**

Final presentation of evidence by lawyers for plaintiffs in the two class actions after 137 days of hearing.

## **June 5, 2014**

Final presentation of evidence by lawyers for tobacco companies after 94 days of hearings.

## **September 22, 2014**

Beginning of closing arguments. December 11, 2014 End of trial after 251 days of hearings, the examination of 76 witnesses and the filing of more than 43 000 documents as evidence.

## **May 27, 2015**

Historical victory for the two Quebec class actions! Justice Riordan ordered the three companies to pay more than \$15 billion in moral and punitive damages to almost 100 000 Quebec smokers and ex-smokers who developed emphysema, lung cancer, or throat cancer.

[Judgment of the Quebec Superior Court](#)

## **July 9, 2015**

Tobacco companies are trying to overturn the Quebec Superior Court's decision which oblige them to pay \$1,131 billion to compensate victims of the class actions. Both parties' lawyers were heard at Quebec Appeal Court.



*Mario Bujold, Lise Blais, Me André Lespérance and Me Bruce W. Johnston, at the announcement of the judgment, June 1, 2015*



### **July 23, 2015**

Quebec Court of Appeal cancel the provisional execution order that would have required the tobacco companies to pay \$1,131 billion to compensate victims of the class actions.

### **October 27, 2015**

Quebec Court of Appeal rules in favor of the two Quebec class actions sentencing two tobacco companies to pay a guarantee deposit of \$984 million until courts rules on the case.

### **Between the 21st and the 30th of November 2016**

The tobacco companies are trying to overturn in the Quebec Court of Appeal the judgment that sentenced them to pay **\$ 15 billion** to **100,000 Quebec tobacco victims**. The magistrates took the case under advisement and will give their judgment in 2018.