



## **Victims Challenge Initial Ontario Court Orders for Three Tobacco Companies**

**Montreal, April 3, 2019** - CQTS-Blais and Létourneau Class Counsel will be heard tomorrow by the Ontario Superior Court, which has granted the successive applications for creditor protection under the *Companies' Creditors Arrangement Act (CCAA)* of **JTI-MacDonald, Imperial Tobacco and Rothmans, Benson & Hedges** in recent weeks.

"We will be asking the Ontario court to end CCAA protection for the three tobacco companies if they intend to seek leave to appeal to the Supreme Court of Canada" explains Mr. André Lespérance, one of the lawyers who defend the victims in this case. "We [are also asking](#) the Superior Court of Ontario to prevent three tobacco companies from transferring their profits abroad" adds Mr. Bruce Johnston another lawyer for the plaintiffs.

It should be noted that on March 8, 12 and 22, 2019, JTI-Macdonald, Imperial Tobacco and Rothmans, Benson & Hedges were granted protection under the CCAA by the Ontario Superior Court without a public hearing and without notice to the lawyers of victims of the tobacco industry.

### **A discounted settlement at the expense of tobacco victims**

Through this strategy, the **tobacco companies are attempting to evade the unanimous decision of five judges of the Quebec Court of Appeal which on March 1<sup>st</sup> condemned them to pay \$ 13.6 billion** to 100,000 Quebec tobacco victims. The companies are also seeking protection from lawsuits by 10 Canadian provinces, none of which have proceeded to a trial. The three tobacco companies have said they want to take advantage of the court's protection to settle all disputes in Canada. "The tobacco industry is again stalling for time, but this time by trying to **negotiate a deal at a discount on the backs of Quebec tobacco victims, who are the only ones to have won their case**. Since tobacco companies have been able to pay billions of profits to their parent companies abroad in recent years, they certainly have the capacity to compensate Quebec's tobacco victims," says **Mario Bujold**, strategic advisor to the **Quebec Council on Tobacco and Health (CQTS)**, which represents smokers and ex-smokers who are sick in this case, which started in 1998.

In June 2015, Judge Brian Riordan of the Quebec Superior Court condemned 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 and throat cancer and emphysema caused by consumption of cigarettes. On March 1, 2019, the Quebec Court of Appeal upheld the trial judgment, adjusting the method of calculating accumulated interest on the amount of the conviction.

Victims of tobacco who believe they are entitled to compensation under this class action, or their estates, 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.

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

#### **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.

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**Me André Lespérance** and **Me Bruce Johnston**, Trudel Johnston & Lespérance, and **Mario Bujold**, Strategic Advisor to the Quebec Council on Tobacco and Health are available for interviews.

**Source** : Quebec Council on Tobacco and Health (CQTS)

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