

Authorized by the Ontario Superior Court of Justice
**NOTICE OF INTENT TO DISCONTINUE PROPOSED
HEALTH SCIENCES NORTH
CLASS ACTION**

THIS IS AN **IMPORTANT NOTICE** FOR FORMER **HEALTH SCIENCES NORTH BREAST IMAGING PATIENTS** THAT **MAY AFFECT LEGAL RIGHTS**

IMPORTANT NOTICE

This is notice of an important development in a proposed class action on behalf of individuals who had breast imaging conducted and/or reviewed between January 1, 2008 and December 31, 2020 at Health Sciences North,¹ a public hospital in the City of Sudbury, in the Province of Ontario.

A. Background

The proposed class proceeding filed with the Ontario Superior Court of Justice on December 14, 2020, identified as *Hayes v. Health Sciences North et al.*, Court File No. CV-20-00009554-00CP (the “Hayes lawsuit”), **will be discontinued effective August 31, 2022.**

The Hayes lawsuit alleges negligence by Health Sciences North, certain hospital administrators, and certain doctors at Health Sciences North in the provision, review, and reporting of results of breast imaging.

Health Sciences North, the defendant hospital administrators, and the defendant doctors deny these allegations.

B. The Proposed Class

The proposed class proceeding advanced claims on behalf of putative class members defined as all persons:

- i. who underwent Breast Imaging at HSN during the period from January 1, 2008 until December 31, 2020, or where such person is deceased, the personal representative of the estate of the deceased (the “Patient Class”); and
- ii. all living parents, grandparents, children, grandchildren, siblings, and spouses (within the meaning of section 61 of the *Family Law Act*) of the Patient Class, or where such a family member died, the personal representative of the deceased family member (the “Family Class”).

¹ Prospective claimants should also take notice that Health Sciences North operates several sites. In 1998, the Sudbury General Hospital, Laurentian Hospital and Sudbury Memorial Hospital amalgamated to form Hôpital régional de Sudbury Regional Hospital (“HRSRH”). In 2004, HRSRH assumed responsibility for the Northeastern Ontario Regional Cancer Centre, which is now operated as the Northeast Cancer Centre. In 2011, HRSRH underwent a rebranding and now operates as Health Sciences North.

C. Implications on Limitation Periods

Persons who believe that they come within the defined proposed classes above, **SHOULD TAKE NOTICE THAT** applicable and remaining limitation periods, if any, for bringing a claim which were “tolled” (i.e. paused) as of December 14, 2020, will resume running on August 31, 2022. On the expiry of the limitation period a person’s right to sue may be extinguished. Such persons should take notice that the limitation period for bringing a claim, if there is any time left within it, will recommence running on August 31, 2022. If those persons do not commence their own actions within the applicable limitation period(s), then they may be prohibited from pursuing any claims they may have against the Defendants.

D. Action Required

As a result, former breast imaging patients of Health Sciences North wishing to claim compensation should seek legal advice and must commence their individual actions before their respective limitation period(s) expire. Failure to do so may restrict one’s ability to pursue a claim for compensation.

E. Contact for Further Information

Do not call the Courthouse with any questions about this Notice. For further information regarding this proposed class proceeding and Notice of Intent to Discontinue, please visit <https://www.gluckstein.com/class-action-lawyers-toronto/health-sciences-north-class-action/> or contact:

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