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Class-action suit OK'd

Breast cancer patients can sue drugmaker

BY KEITH FRASER, THE PROVINCE AUGUST 7, 2011



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A B.C. judge has certified a class-action lawsuit for women who suffered breast cancer after taking hormone replacement drugs.

In a ruling released Thursday, B.C. Supreme Court Madam Justice Miriam Gropper found that representative plaintiff Dianna Stanway had met the criteria for the certification.

Stanway, 65, a resident of Sechelt, started taking a drug called Premarin in 1995 for relief from symptoms of menopause.

She stopped taking the drug in March 2003 after reading news about links between the drug and breast cancer.

But several months later she was diagnosed with ductal and lobular breast cancer.

Stanway was not available to comment on the court ruling Friday, but her lawyers released a statement from her.

"I never would have taken Premarin had I been told of the risks," she said. "Fortunately, I won my battle with breast cancer. Not everyone is so lucky. I want my lawsuit to help all Canadian women, and their families, who have been harmed by this drug."

David Klein, one of Stanway's lawyers, estimated that the number of Canadian women affected could be in the thousands.

"I expect the number might top a thousand even in British Columbia. The challenge is in having women come forward to assert their claims. There are a lot of women who may not have drawn the link between using hormone replacement therapy and developing breast cancer."

He said he expects it will be a year or two before the case goes to trial.

Stanway is alleging that the makers of Premarin, and a second prescription drug called Premplus, marketed their drugs for decades without sufficient research as to their safety.

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It's also alleged that the defendants used ghostwriting in scientific journals to distort and downplay the risks.

Klein said that many similar lawsuits have resulted in settlements in more than 3,300 cases in the United States.

Named as defendants are Wyeth Canada Inc., Wyeth Pharmaceuticals Inc. and several other related companies.

Klein said that Pfizer Inc., which bought the defendants two years ago, had recently set aside \$772 million to resolve remaining claims in the United States.

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