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LOCAL NEWS

Class action lawsuit launched from Sechelt

Hormone replacement Christine Wood/Staff Writer

A Sechelt woman has started a class action lawsuit against Wyeth Canada Inc. on behalf of all Canadian women who have been afflicted with breast cancer as a result of taking hormone replacement therapy.

Dianna Stanway is relieved her seven-year battle to officially file the lawsuit against the makers of the drug Premarin is now over, as Madam Justice Miriam Gropper certified the class action lawsuit Aug. 4 in B.C. Supreme Court.

“It is my view that the question of whether the defendant’s conduct was sufficiently reprehensible or high-handed to warrant punishment is capable of being determined as a common issue at the trial in this proceeding where the common issues will be determined,” Gropper said in her ruling.

Stanway said she is pleased the courts have certified her lawsuit.

“This has been going on for seven years. It’s been a long time,” she said.

Stanway took Premarin for relief of symptoms of menopause for several years, but stopped taking the drug after reading reports it was linked to breast cancer. This came too late, however, as she was diagnosed with ductal and lobular breast cancer just two months after she had stopped taking the drug.

According to a media statement from Stanway’s lawyers, their plaintiff alleges that the defendant marketed the hormone replacement products for decades without sufficient research as to their safety, and that the defendant failed to investigate warning signs, dating back to the 1970s, concerning the risks posed by the drugs. Worse, the plaintiff alleges that the defendant used ‘ghost-writing’ in scientific journals to distort and downplay these risks.

So far Stanway said there are about nine women involved in the lawsuit, but she expects many more to join as news of the class action lawsuit spreads.

“I think there will be lots of people to come forward. I don’t really know how many, but I had five people call me this morning, and when I was talking to my lawyer this morning, she said they had quite a few calls too,” Stanway told Coast Reporter Aug. 8. “People who called wanted to really just know what to expect if they get involved, and all they really have to do is produce proof they took Premarin.

“We were never told about the side effects of it causing cancer, and that’s the thing.”

Stanway’s Vancouver lawyer Douglas Lennox called the case an important public health issue.

“When information about the risks of breast cancer and hormone replacement therapy was first published, sales of the defendant’s products plunged in Canada and in countries around the world,” Lennox said. “This was followed by an unprecedented drop in the rates of breast cancer in Canada and in other countries. This epidemiological evidence suggests that the defendant’s products may have been responsible for literally thousands of needless cancers.”

Stanway’s legal team expects hundreds, if not thousands of women to come forward and join the class action lawsuit that will likely not reach the courts for a year or two.

“We look forward to bringing this case to trial,” added Toronto lawyer David Klein. “Many similar lawsuits have already been successfully tried to conclusion in the United States, resulting in repeated verdicts against the defendants. This has led to the settlement of more than 3,300 cases in that country.

“Pfizer Inc., which purchased the defendant two years ago, recently set aside \$772 million to resolve remaining claims in the United States. The drug is the same no matter which side of the border it is sold on. The harm is the same. It is time for the defendant to also compensate injured Canadian women.”

Women who were prescribed Premplus or Premarin in combination with progestin in Canada between Jan. 1, 1997 and Dec. 1 2003 who were later diagnosed with breast cancer can be involved in the lawsuit.

If you feel you or someone you know should join this class action lawsuit, visit www.kleinlyons.com or call them at 1-604-874-7171.

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