

DID YOU SUFFER BREAST CANCER AFTER TAKING PREMARIN WITH PROGESTIN OR PREPLUS?

If you or someone close to you used Premarin with progestin or Premplus and later developed breast cancer, this notice may affect your legal rights.

The Supreme Court of British Columbia has certified a class action for Canadian women who were prescribed Premarin in combination with progestin or Premplus between **January 1, 1977 and December 1, 2003**, and ingested Premplus, or Premarin in combination with progestin and were thereafter diagnosed with breast cancer. If you took these drugs during that time period and then suffered breast cancer you may be a class member.

The representative plaintiffs are Dianna Stanway and Kathryn Willis. The law firm representing the class is Klein Lyons ("Class Counsel"). The Defendants are Wyeth Canada Inc., Wyeth Pharmaceuticals, Inc., Wyeth Holdings Canada Inc., Wyeth Canada, Wyeth-Ayerst International Inc. and Wyeth.

Who are the Class Members?

The class is defined as:

"Women who were prescribed Premplus, or Premarin in combination with progestin during the Class Period and ingested Premplus, or Premarin in combination with progestin and were thereafter diagnosed with breast cancer."

The "Class Period" runs from **January 1, 1977 until December 1, 2003, inclusive.**

What is the Class Action About?

The lawsuit seeks compensation for class members. It is alleged that the Defendants failed to adequately warn of the risks of breast cancer related to their drugs prior to December 1, 2003.

The court has not yet made any finding as to the merits of this lawsuit. The Defendants deny the allegations made in the lawsuit. The trial of the common issues is scheduled to start on October 14, 2014.

How do British Columbia Residents Participate?

If you live in British Columbia you do not need to do anything to participate – you are automatically included in the class action, although you are encouraged to contact Class Counsel for more information. If you *do not* want to be part of this lawsuit you must notify Class Counsel at the address below, in writing, no later than **August 25, 2014**, providing your name and address and indicating that you do not want to be part of this lawsuit. If you are a class member resident in B.C. and do not exclude yourself by that date you will be included in this lawsuit and will be bound by the court's judgment on the common issues, whether favourable or not.

How do Persons Outside B.C. Participate?

If you live outside British Columbia, and you want to be included in this class action, you must sign an Opt-In Form, and return it to Class Counsel no later than **August 25, 2014**.

If you opt into this proceeding, you agree to be bound by the findings of the British Columbia court on the common issues, whether favourable or not.

Quebec

This class action includes a sub-class of Quebec residents, thereby ensuring that claims specific to the Quebec *Civil Code* and the Quebec *Consumer Protection Act* are included within this lawsuit. Quebec residents, like all Canadians outside of British Columbia, must opt into this proceeding if they wish to participate (See How do Persons Outside B.C. Participate?).

What are the Financial Consequences?

Class members will be entitled to the benefit of a successful judgment on the common issues. If the action is not successful on the common issues, no class member will be responsible for legal fees or costs.

The representative plaintiffs have entered into contingency fee agreements with Class Counsel for the legal work on the common issues. These fees must be approved by the court. The representative plaintiffs have also signed a litigation financing agreement to assist with disbursements. Such an agreement must be approved by the court, and is only payable on a contingent basis. If the class action does not succeed, class members are not responsible to pay anything.

If the class is successful at the common issues trial, further proceedings will be necessary for individual class members to prove their own personal claims for damages. Class members may be responsible for the costs of proving their own individual claims, and may wish to hire a lawyer to assist with these further proceedings. Class Counsel is available to be hired by class members on a contingency basis, or class members may hire another lawyer of their own choosing.

For More Information

For more information about the lawsuit or to obtain an Opt-In Form, visit **www.HRTclassaction.ca** or contact Class Counsel at:

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