Court File No. 98-CV-141369 CP00

ONTARIO
SUPERIOR COURT OF JUSTICE

BETWEEN:

DIANNA LOUISE PARSONS, deceased by her Estate Administrator, William John Forsyth,
MICHAEL HERBERT CRUICKSHANKS, DAVID TULL, MARTIN HENRY GRIFFEN, ANNA
KARDISH, ELSIE KOTYK, Executrix of the Estate of Harry Kotyk,
deceased and ELSIE KOTYK, personally

Plaintiffs

and

THE CANADIAN RED CROSS SOCIETY, HIS MAJESTY THE KING IN RIGHT OF ONTARIO and
THE ATTORNEY GENERAL OF CANADA

Defendants

and

HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF ALBERTA
HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF SASKATCHEWAN,
HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF MANITOBA,
HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF NEW BRUNSWICK
HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF PRINCE EDWARD ISLAND,
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HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF NEWFOUNDLAND,
THE GOVERNMENT OF THE NORTHWEST TERRITORIES,
THE GOVERNMENT OF NUNAVUT and THE GOVERNMENT OF THE YUKON TERRITORY

Intervenors

Proceeding under the *Class Proceedings Act, 1992*

Court File No. 98-CV-146405

BETWEEN:

JAMES KREPPNER, BARRY ISAAC, NORMAN LANDRY, as Executor of the Estate of the late
SERGE LANDRY, PETER FELSING, DONALD MILLIGAN, ALLAN GRUHLKE, JIM LOVE and
PAULINE FOURNIER as Executrix of the Estate of the late PIERRE FOURNIER

Plaintiffs

and

THE CANADIAN RED CROSS SOCIETY, THE ATTORNEY GENERAL OF CANADA and
HIS MAJESTY THE KING IN RIGHT OF ONTARIO

Defendants

and

HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF ALBERTA,
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Intervenors

Proceeding under the *Class Proceedings Act, 1992*

No. C965349
Vancouver Registry

In the Supreme Court of British Columbia

Between

Anita Endean, as representative plaintiff

Plaintiff

and

The Canadian Red Cross Society,
His Majesty the King in Right of the Province of
British Columbia, and The Attorney General of Canada

Defendants

and

Prince George Regional Hospital, Dr. William Galliford,
Dr. Robert Hart Dykes, Dr. Peter Houghton,
Dr. John Doe, His Majesty the King in Right of Canada, and
His Majesty the King in Right of the Province of BC

Third Parties

Proceeding under the *Class Proceedings Act*, R.S.B.C. 1996, C. 50

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

SUPERIOR COURT
Class action

NO : 500-06-000016-960

DOMINIQUE HONHON

Plaintiff

-vs-

THE ATTORNEY GENERAL OF CANADA
THE ATTORNEY GENERAL OF QUÉBEC
THE CANADIAN RED CROSS SOCIETY

Defendants

-and-

MICHEL SAVONITTO, in the capacity of the Joint Committee member for the province of Québec

PETITIONER

-and-

FONDS D'AIDE AUX RECOURS COLLECTIFS

-and-

LE CURATEUR PUBLIC DU QUÉBEC

Mis-en-cause

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

SUPERIOR COURT
Class action

NO : 500-06-000068-987

DAVID PAGE

Plaintiff

-vs-

THE ATTORNEY GENERAL OF CANADA
THE ATTORNEY GENERAL OF QUÉBEC
THE CANADIAN RED CROSS SOCIETY

Defendants

-and-

FONDS D'AIDE AUX RECOURS COLLECTIFS

-and-

LE CURATEUR PUBLIC DU QUÉBEC

Mis-en-cause

JOINT MOTION RECORD
(Joint Committee Motion to Allocate 2019 Excess Capital)

May 8, 2023

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Members of the Joint Committee

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Counsel for the Province of British Columbia

INDEX

VOLUME VIII

Decisions/Judgments regarding the 1999 Settlement Approval

Decisions/Judgments regarding 2013 Phase Two Financial Sufficiency Special Distribution Benefits Allocation

This is the 13th Affidavit
of Lise Carmichael-Yanish in this case
and was made on 1/April/2016

Court File No. 98-CV-141369 CP00

ONTARIO
SUPERIOR COURT OF JUSTICE

BETWEEN:

DIANNA LOUISE PARSONS, MICHAEL HERBERT CRUICKSHANKS, DAVID TULL, MARTIN HENRY GRIFFEN, ANNA KARDISH, ELSIE KOTYK, Executrix of the Estate of Harry Kotyk, deceased and ELSIE KOTYK, personally

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Proceeding under the *Class Proceedings Act, 1992*

Court File No. 98-CV-146405

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JAMES KREPPNER, BARRY ISAAC, NORMAN LANDRY, as Executor of the Estate of the late SERGE LANDRY, PETER FELSING, DONALD MILLIGAN, ALLAN GRUHLKE, JIM LOVE and PAULINE FOURNIER as Executrix of the Estate of the late PIERRE FOURNIER

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Between:

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Plaintiff

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British Columbia, and The Attorney General of Canada

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and:

Prince George Regional Hospital, Dr. William Galliford,
Dr. Robert Hart Dykes, Dr. Peter Houghton, Dr. John Doe,
Her Majesty the Queen in Right of Canada, and
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Proceeding under the *Class Proceedings Act*, R.S.B.C. 1996, C. 50

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

NO : 500-06-000016-960

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DOMINIQUE HONHON

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THE ATTORNEY GENERAL OF QUÉBEC
THE CANADIAN RED CROSS SOCIETY

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-and-

MICHEL SAVONITTO, in the capacity of the Joint Committee member for the province of Québec

PETITIONER

-and-

FONDS D'AIDE AUX RECOURS COLLECTIFS

-and-

LE CURATEUR PUBLIC DU QUÉBEC

Mis-en-cause

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

NO : 500-06-000068-987

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DAVID PAGE

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-vs-

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THE ATTORNEY GENERAL OF QUÉBEC
THE CANADIAN RED CROSS SOCIETY

Defendants

-and-

FONDS D'AIDE AUX RECOURS COLLECTIFS

-and-

LE CURATEUR PUBLIC DU QUÉBEC

Mis-en-cause

AFFIDAVIT

I, Lise Carmichael-Yanish, of 400 – 856 Homer Street, Vancouver, British Columbia, Paralegal, AFFIRM THAT:

1. I am a paralegal with the law firm of Camp Fiorante Matthews Mogerman ("CFM"). I work with Sharon D. Matthews, Q.C. and J.J. Camp, Q.C. Mr. Camp is the Joint Committee member for British Columbia in the administration of the 1986-1990 Hepatitis C Settlement Agreement. As such, I have personal knowledge of the facts to which I depose except where I state them to be on information and belief, and where so stated I verily believe them to be true.

2. I am informed by Sharon Matthews, Q.C. that the Joint Committee sought input from Class Members and Family Class Members to assist them in identifying issues to be considered when making recommendations to the Courts on allocation of actuarially unallocated funds based on their experiences living with the hepatitis c virus ("HCV") and with persons who are infected with HCV. In this regard, CFM received written submissions from Class Members and Family Class Members and hosted consultation sessions with Class Members and Family Class Members.

3. Submissions received by CFM between August 2015 and October 15, 2015 from Class Member and Family Class Members either directly or through the Administrator by mail, fax or email are appended to the Affidavit #1 of Chya Mogerman, made on October 16, 2015.

4. Following the October 16, 2015 deadline, our office has continued to receive calls and several written submissions from Class Member and Family Class Members from across Canada.

5. I personally have spoken to several Class Members and Family Class Members. In these conversations I have provided information about the next steps in the proceedings leading to the June hearing, directed them to the Administrator for further information or specific answers regarding their personal file and listened to the accounts of their experiences with HCV and the compensation under the Settlement Agreement.

6. I have gathered and compiled the additional written submissions CFM received from October 16, 2015 to March 31, 2016 by mail, fax or by email from Class Members and Family Class Members pertaining to the allocation of the actuarially unallocated funds.

7. Between October 16, 2015 and March 31, 2016, CFM has received 42 written communications from Class Members and Family Class Members.

8. Attached as **Exhibit "A"** to this affidavit are 32 of the 42 written submissions received by CFM. The attached submissions were written on behalf of 43 Class Members and Family Class Members.

9. Exhibit "A" excludes 10 submissions that:

(a) have been identified as being submissions also received by other Joint Committee members in provinces other than BC and included in an affidavit which has already been filed or will be filed;

(b) are purely administrative (eg. change of address); and/or

(c) do not provide information, commentary, suggestions or recommendations regarding use of the actuarially unallocated funds.

10. The submissions attached at Exhibit "A" have been redacted to remove identifying information to protect the privacy of the Class Members and Family Class Members. The submissions have been organized chronologically in order of date received. Submissions that are dated prior to October 15, 2015 were received on or after October 16, 2015.

AFFIRMED BEFORE ME at Vancouver,)
British Columbia, on 1/April/2016.)
)
)
)
) Lise Carmichael-Yanish
A Commissioner for taking)
Affidavits for British Columbia)
)
)

NAOMI KOVAK
BARRISTER & SOLICITOR
856 Homer Street, 4th Floor
Vancouver, BC V6B 2W5
Tel: 604-689-7555 Fax: 604-689-7554

This is Exhibit" A "referred to in the
affidavit of Lise Carmichael-Yanish
sworn before me at Vancouver, BC
this 1 day of April 2016

A Commissioner for taking Affidavits
for British Columbia

Re:

To Whom It May Concern:

After being diagnosed with P.C.K. Disease my husband went on Hemo. Dialysis at St. Paul's. Hospital he was there for nine weeks. During this time he underwent a triple bypass for his heart. I believe this was when he received the tainted blood.

We found out about the tainted blood when I went for my yearly physical. The doctor told me she wanted me to have a hep c test. I was surprised and asked why. She said because had hep c. I went home and told my husband who was equally as shocked. In the morning we headed into St Paul's to see Dr. Lansberg his kidney doctor. He confirmed this was true.

received a kidney transplant in 1992, after 2 years on dialysis.

My husband had his own accounting practice and continued working. Our children and I noticed a decline in his energy level and his emotional state. He worried about passing hep c to our children and grandchildren. We took necessary precautions in our personal life and made the necessary change of plans for our retirement.

On May 9 2005 I took him to our family doctor because he was very unwell. The Dr. told him he had pneumonia and to go home and rest. By Tuesday evening he asked me to call an ambulance and we went to MSA hospital. He passed away on Thursday at 5 p.m.

The next morning I received a call from the Hep C office telling me there would be a settlement if he had passed away from complications from the hep c. I needed to find out from my Doctor what was the cause of death. He said pneumonia. When I talked to the Hep C office and told them he died of pneumonia they told me there would be no settlement. I accepted this but I feel had he not been given tainted blood his ability to fight the pneumonia would have been better.

As far as my input into how I feel the settlement fell short and how the surplus should be used my thoughts are as follows: although we did receive some funds while he was alive we were left with the impression that additional funds would come upon his death. As a result of the hep c my husbands ability to work was greatly affected. He was the sole breadwinner and the hep c made him very tired and unable to work a regular schedule. As a result our income was reduced. I feel the funds should be given to the people who are still suffering with the disease and the families of deceased people that were given the tainted blood.

Thank you for your time in letting me write this letter.

ROBSON, O'CONNOR

Lawyers and Notaries Public

P.O. Box 1890, 22 High Street
Ladysmith, B.C. V9G 1B4
Telephone: (250) 245-7141
Fax: (250) 245-2921
www.robsonoconnor.ca

David P. O'Connor
Paul R. Nettleton
Douglas B. Robson (Retired)

October 19, 2015

Attention: Members of the Joint Committee, J.J. Camp Q.C.

Camp Fiorante Matthews Mogerman
400-856 Homer Street
Vancouver BC, V6B 2W5

Re:

My Client, of Ladysmith British Columbia, has asked that I respond to the request for written submissions on the implementation of the 1986-1990 Hepatitis C Settlement Agreement. We would request that the funds should be given to the families or injured parties from the class action case. "Many have suffered for many years and have had to show again and again what they were going through".

Thank you on behalf of my client for the opportunity for input on this important issue.

Yours truly,

Robson, O'Connor

Paul Nettleton

August 18, 2015

To Whom It May Concern,

Re DOB

Hepatitis C Compensation of blood products between Jan 1, 1986 and July 1, 1990

I received your notice that the Joint Committee requests my input for the disbursement of the surplus funds. I feel that due to the loss of family that the funds should be disbursed to family members.

The funds were dispersed once the Canadian blood service was found at fault with the class action suit, due to inflation and the economy the surplus should be divided among families of loved one who became ill and or deceased.

Sincerely,

(Daughter)

Catherine A. Polder

From:
Sent: October-28-15 10:37 AM
To: J.J. Camp
Subject: Hep C Settlement
Attachments: Avis aux membres des recours collectifs (2015).pdf; Notice to Class Members 2015.pdf

Hi my name is [redacted]
I am responding to an email that was sent to me regarding a Hep C Surplus
My father received tainted blood and as a result developed hep C which lead to his death.
I was a recipient of a small settlement as a result. I felt that the funds from the settlement were unfairly distrusted
Because the spouse received 90% of the funds and the sons and daughters only 10%. I feel that if there is a surplus it should
Go to those who were least compensated in the beginning (sons and daughters). The damage to them was equal to that of the spouse

If you would like to contact me you can reach me on my cell at [redacted]

[redacted]

Email: [redacted]

From: Miller, Carol [mailto:Carol.Miller@crawco.ca] **On Behalf Of** Hep C Info
Sent: Tuesday, August 04, 2015 9:03 AM
Subject: Important notice regarding the 1986-190 Hepatitis C Settlement ; avis important concernant la Convention de règlement des recours collectifs relative à l'hépatite C – 1986-1990

Please find attached an important notice regarding the 1986-1990 Hepatitis C Settlement. Please note that you may have also recently received this notice in the mail.

Sincerely,

The Administrator of the 1986-1990 Hepatitis C Settlement

August 18, 2015

To Whom It May Concern,

Re: [redacted] DOB [redacted]

Hepatitis C Compensation of blood products between Jan 1, 1986 and July 1, 1990

I received your notice that the Joint Committee requests my input for the disbursement of the surplus funds. I feel that due to the loss of family that the funds should be disbursed to family members.

The funds were dispersed once the Canadian blood service was found at fault with the class action suit, due to inflation and the economy the surplus should be divided among families of loved one who became ill and or deceased.

Sincerely,

[redacted]

[redacted] (Grand Daughter)

29 October, 2015
Lise Y Carmichael
Paralegal
Camp Fiorante Matthews Mogerman
400-856 Homer Street
Vancouver, BC V6B 2W5

Dear Lise,

Per our telephone conversation and e-mail correspondence of earlier this month, I am writing you regarding the surplus related to the Hepatitis C settlements paid out to those whom contracted the disease as a result of blood transfusions received prior to 1990. My Father, formerly of Brandon, Manitoba contracted hepatitis C from 'tainted blood' in 1988. He suffered a multitude of ailments following the contraction of the disease and stopped working in 1990. He had received two payments from the Canadian Blood Service related the issue but as he was spending his final days in hospital (wherein he ultimately succumbed to liver cancer), he was made aware of the settlement funds surplus. As executor of his estate, I received the legal 'package' related to the funds surplus and contacted you.

At your suggestion, I contacted the "current administrator" to ask if my Father's beneficiaries may have a claim to the surplus and they said it was possible; I should put my request in writing to Camp Fiorante Matthews Mogerman. Consider this letter as a request for the beneficiaries of to be considered to receive funds distributed from the surplus, should there be any further payments/distribution. My Father's work life was cut short and his beneficiaries assisted in his care for the final ~ 24 years of his life.

Thank you for your time and consideration. I can be reached at the above-noted address and phone number should you wish to discuss this request.

Sincerely yours,

, on behalf of (deceased)

To Whom it may concern:

I am responding to your letter regarding the surplus concerning the 1986-1990 Hepatitis C settlement. This has been ~~mishandl~~ mishandled from the beginning with the different ones handling it & now this. I would like to see the surplus money be divided amongst the Survivors & families for which it was intended in honour of those who who suffered & died from this terrible circumstance

Sincerely..

August 18, 2015

To Whom It May Concern,

Re· DOB

Hepatitis C Compensation of blood products between Jan 1, 1986 and July 1, 1990

I received your notice that the Joint Committee requests my input for the disbursement of the surplus funds. I feel that due to the loss of family that the funds should be disbursed to family members.

The funds were dispersed once the Canadian blood service was found at fault with the class action suit, due to inflation and the economy the surplus should be divided among families of loved one who became ill and or deceased.

Sincerely,

(Son)

August 18, 2015

To Whom It May Concern,

Re: DOB

Hepatitis C Compensation of blood products between Jan 1, 1986 and July 1, 1990

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Sincerely,

Grand Son)

August 18, 2015

To Whom It May Concern,

Re: DOB :

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Sincerely,

(Grand Daughter)

August 18, 2015

To Whom It May Concern,

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Sincerely,

(Grand Son)

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The funds were dispersed once the Canadian blood service was found at fault with the class action suit, due to inflation and the economy the surplus should be divided among families of loved one who became ill and or deceased.

Sincerely,

(Grand Son)

Sept 1, 2015

I, (presently) of
Vancouver, B.C.
am responding to receiving your recent letter (at)
regarding the Hep C class action 1986-1990 Settlement Agreement. Myself, and my family(ies) and my mother may well have been the biggest (or one of the biggest) family losses of a Hep C (bad blood) list of casualties this country had through that tragic occurance. The victim, our step-father a widower with 7 children (then) married my mother , with her 5 children. Soon to become a greater number of grand children + great grand children.

I disagreed with my mother (at that time) for any settlement and let it be directed to the courts. Now, obviously that's where it's headed. She insisted to be done with it and took it upon herself to obtain addresses, birth certificates, Social Insurance Cards, the lot! So, that some compensation to our families might try to replace the loss of this (elder) and head of these families. She took on the responsibility he left her with — and did it! She did it!

②

She took charge, (with her loss of him) she was rewarded, for her broke down. She became ill (upset down) the families blamed & argued, and it all fell upon, her (she was unable to keep it altogether!

Rebuilding their first house and providing room for another adopted son, always a bed, a meal, a room for any of us families (whenever) we needed it! And, I think at one time or another — we all did!.

served his country and continent, during the last "big war", came home and worked "30" years on the Vancouver Waterfront.

Married my mother and gave her some years of happiness (and 17 years) sobriety!! — her, standing beside him with her 11 years in ALANON. We all gained & learned alot from them both as role models, parents and them serving the community, in their own ways.

He shouldn't have died and not that way! My mother also struggled with what came ahead; the loss of two sons + grand children all which came about with the loss of + what unity these two families shared. A "Unity" Severed by ① the "pitance" of a "gesture" of $500.00 to the grand children ② the indifference of some "first class" family members to those of us apparently classed as "members only". We all loved him "as much" but loved "the both" more. The difference in compensation "should have been the same - across the board" for every one - But, my Mother!

As it was; and "as it was for "her" at the end, she felt she had to change her own "burial plans" from cremation + placed beside at the cemetary "on the reserve / changed her plans + "will" to cremation and her ashes set up North to some trees on her sisters property.

Somewhere we'll never get to visit - I'm sure!

This was the plan; as she prepared 'burial-stone' + then; her dieing wishes. All changed by this Hep C compensation indifference + its "result"; greed + accusations too much for my mother - and felt "we" - our side of the family - would no longer be welcome or allowed to visit her at the reserve cemetry - when she died.

myself, being the "bad-apple" or "dirty-apple" of 'both sides of the families', I asked her to go with her first "feeling - as I would "agree never to come or cross their thresh-hold - again!

④

She wouldn't go for it! When she had her head wrapped around an idea – that was it! She said there was more to it, she had co-signed & shaved herself as much as she could & then became a "silent partner" in one enterprise.

It was "tough" but when I came along and asked for "change for the bus", she came at me – like a bull! I never gave thought to how many or what kind she was under. But, she knew I would take "tough", we always did!

She died just recently & my younger brother, [redacted] is the administrator of her Estate. PH: [redacted] Parksville Van. Island, B.C.

I am attaching a Programe from her recent funeral Service with a number of names of family survived from [redacted] our parents of both families.

I am trying to impress the marriage of these two people, joined two families / some have passed away in these past fifteen years, but, in specific response to (my input to your joint committe member(s) is as follows:

① I feel the settlement fell far-short of an equal balanced take of compassion for those suffering "the loss of the father / husband / step-father + grandfather.

② I think / feel / believe / totally, this Surplus should be used (A) from then 1986-1990 the Grand Children - who then only recieved $500.00, when they became 18 yrs of age. Obviously, this includes the Grand Children from both sides of the families.

③. Also, now fifteen years later, I feel great Grand Children, Should also be - calculated into this future or Surplus.

④ Next, in our family, the step-child recieved $2,000.xx where "first class family recieved $6,000. The imbalance + difference seemed apparent / we weren't classed as family / not Native family / but - just labelled "Members" my step-brother, & the Best Man at my wedding, would be sitting here beside writing this letter (if) he weren't the "first" - to die - after the "father"! Your referral again to Clubs members + Family Class Members seems (feels) to open old wounds. I didn't feel to sign that settlement but she said "to sign it + be done with it"! When became so ill - they sent him home - they offered him a replacement part - he refused, Knowing his condition he excepted his fate, with no malice! My mother was trying to respect his wishes - so I signed.

Today we get this letter and thoughts of a more "realistic or compassionate "closure" to this tragic affair. Some Fifteen years later!

After   died of alcohol abuse and then   from alcohol and drug abuse, was struck by a car. Grand children dieing "some violently", not knowing their grand father; my mother fought so hard, but, I hope, she has found some peace – "wherever"!

Before passing she instructed my brother to sell the house and the sale of the house at   N. Van, B.C. – be divided equally between both families. As it is stated in her "will".

I believe, in an effort to "quelch" some still hostile feelings & resentments with-in any families, and try sparing those grandchildren & great children any further bad memories & tales of some of us, but mainly "a grand father & uncles they'll never meet"! The "surplus" of this issue should be handled in a more equal manner that would best serve everyone & grandchildren / generations to come.

This is a matter of morale & Government responsibility and even though I have no Native status or "mainly-white" (for that matter – I am a breed – not Mattea!

Never felt I was native or white and I had no politics or feelings - either way. Except marrying a young native girl. a short while, but long enough to have a beautiful daughter who serves her family & culture (proud) working for the North Vancouver Squamish Native Band. Her family, her partner & his family were just blessed with another grandchild and she just keeps on making life a blessing (for me especially). Working or just being herself she has a great spirit. And I'm hoping she'll also have input into this Hep C Committee review, even though she was a "grandchild" back then - She still is now & has a "voice". I am hoping "alot" more voices are heard from in our family & across the country.

I feel like I've finally said ("wrote") about all I want to! I think I am where I want to be - Standing for the Children! Grandchildren, great grandchildren (the lot) right across the "Country". So I'd appreciate you to return my mothers programe (keepsake) to me, at this address. Thankyou.

In closing, may God & the Creator direct us to the right path, and "his" righteous - path!

1986-1990 Hepatitis C
Settlement Agreement.

Regina Sask.

I'm pleased to hear from you, and asking me to reply as you would like to hear from me. I think its an excellent idea. to remember The Class member and Family class members also.

I hope the courts will consider the class members to benefit from the surplus As I was very ill in begining of my Hepatitis C. I was given a blood tranfusion and thats how I got hepatitis c Now we cant give blood or what ever. And we the Class Members, certainly could use the money these days.

I hope the Courts decide to put it through for all of us. Thanks to the Joint Committee for making an Application to the courts to request that all or portion Of surplus will be in favor of Class Members And Family Class Members

I hope it goes through and will be waiting to hear from you.

Class Member.

From: [redacted] [mailto:[redacted]]
Sent: Sunday, December 06, 2015 9:06 PM
To: CFM Info
Cc: [redacted]; [redacted]
Subject: Trust Fund for 1986-1990 Hepatitis C Settlement Agreement

To whom it concerns:

Recently we received letters from *Camp Fiorante Matthews Mogerman (CFMM)* informing us of a review of the Trust Fund established from the 1986-1990 Hepatitis C Settlement Agreement. The review includes an option to distribute surplus money in the Fund, and CFMM is asking victims and their families to submit opinions on how the surplus should be distributed.

Firstly, in our opinion, all surplus money in the Trust Fund, which is currently estimated at CAD$250 million, must be used for its original purpose: to compensate victims and their families. The surplus cannot be used, in whole or in part, for any other purpose.

Our brother, [redacted], was 39 years old when he died on [redacted] 2001 in Salmon Arm, BC. He had contracted the hepatitis C virus (HCV) in a blood transfusion during the late-1980s, which directly resulted in cancer of his liver and his death.

Because of HCV, [redacted] life was cut short. He and his spouse [redacted] were married for only 5 years, from 1997-2001, and he should have had more years to be a husband, and [redacted] should have had many more years with [redacted] by her side.

Further, at 39 years old, [redacted] had another 20+ years to earn income, which his family would have used to support and develop their lives. [redacted] was self-employed and self-sufficient – he was a highly skilled cabinet and furniture maker – with many customers in the Salmon Arm/Shuswap region. Using a conservative gross income of CAD$50,000 per year, [redacted] would have potentially earned $1 million over those 20+ years.

[redacted] beneficiaries have received compensation from the Trust Fund created by the HepC Class Actions Settlement. Yet, the compensation that [redacted] spouse received was only a fraction of his potential earnings, nor did it account for the lost years they would have had together.

Any surplus money in the Trust Fund must be distributed to the victims and their families, starting with their spouses. The money must be used for its original purpose: to compensate victims of this horrible crime. The Fund cannot be used, in whole or in part, for any purpose.

Regards, [redacted]

Catherine A. Polder

From: [redacted]3@gmail.com>
Sent: December-14-15 10:39 AM
To: J.J. Camp
Subject: Re: Surplus funds.

PS I forgot to add my postal code
[redacted]

On 14 December 2015 at 10:37, [redacted]@gmail.com> wrote:
To whom it may concern.

It was brought to my attention a little too late to be in the process of giving my input as to what I thought should be done with the surplus of funds available in the Red Cross 1986-1990 Hepatitis Class Action due to the fact that I had inadvertently allowed my contact information with Klein Lawyers to be outdated. This has since been rectified.

I will now give it to you so I can stay informed of the process.

Claim number: [redacted]
Email: [redacted]
[redacted] Pemberton, B.C.

I would like to share my thoughts now, if that is still prudent even if only to share how my life has been since infected.

The news of being tested positive was nothing compared to the journey that has challenged me since my diagnosis in 1994. I was initially infected in 1986.

The pain and suffering endured during the 48 weeks of treatment I feel was not compensated sufficiently. As as result of the treatment, I was not able to return to work as an Registered Nurse, which I loved, due to a lack of focus, reduced emotional and physical stamina, and anxiety depression all which I battle daily, nine years later.

Although I continue to remain non-detectable and I try maintain a healthy and active life-style, there is no guarantee that I will remain so. That is constantly in the back of my mind.

So what to do with the surplus? I would like to see it divided on a scale depending on the state of health of the remaining claimants.

Thank you for your attention.

Sincerely,

[redacted]

December 9, 2015

J.J. Camp Q. C.
Camp Fiorante Matthews Mogerman
400 - 856 Homer Street
Vancouver, British Columbia V6B 2W5

Re:

To Whom It My Concern,

Our Nana was the rock and the glue to this family until she was hit by a car retuning home one evening and transported to the Ladysmith General Hospital were it was determined by professionals she needed blood intravenously to survive.

So in response to your letter in regards to the 1986 - 1990 Hepatitis C settlement surplus account, my Nana lived for years with Hepatitis C undetected, directly caused by a blood transfusion and at the time there were tests in place and not conducted to ensure the blood was free of this disease.

She had many hardships and discrimination issues, she was treated very badly by health care professionals who at the time were not trained with all of the facts on how to handle a patient with Hepatitis C. It was heartbreaking to visit her in the hospital when she would have a bleed situation and it was like she had the plague, wear gloves, masks and no contact. There were hand written signs above her bed HEPITITUS C PATIENT USE PRECAUTIONARY MEASURES.

She eventually got to the point that the bleeds were more frequent and needed in home care, she often went without necessities like nutritional food as she had no medical insurance for necessary medication or in home care. And in time was required to move to a home which offered assisted care. At this time she was forced to sell her home of many years at a loss to facilitate the costs. When she progressively got worse and her money ran out she was forced to move in with a family member that was able to offer 24 hour, 7 days a week care at the monetary cost of all family members.

I feel the risk of contracting this disease have declined considerably if not entirely unless you are an avid drug user in which case these individuals wouldn't be entitled to any of these funds. I feel the suffering and discrimination my Nana endured over the years wasn't adequately compensated for. The surplus of funds in my opinion should be divided equally or proportionately between the Class Members or Family Class Members.

I can be reached at the following:

Sincerely,

Grand Daughter

December 7, 2015

J.J. Camp Q. C.
Camp Fiorante Matthews Mogerman
400 - 856 Homer Street
Vancouver, British Columbia. V6B 2W5

Re: 1

To Whom It My Concern,

My Nana was an active vibrant woman until she was struck by a car and hospitalized and required blood transfusions to survive.

When she was released from the hospital she was never the same, she became prone to frequent bleeds. I would often find her in a pool of blood and call for emergency medical attention. The ambulance would come for her and I would be left to clean up before I joined her at the hospital. I was led to believe she was over medicating with aspirin or such medication. Her bleeds became more and more frequent and then she had no choice but to pay for care to remain in her home of many years, often going without necessities, for example heat and lights. She in time became too weak to stay at home, she went to an assisted care home. She had to sell her home at a loss to facilitate the cost of this care she required. When assisted living was inadequate for her care she had to move to a family's home that had 24 hour, 7 days a week supervision.

She died penniless, the family paid for much of her care.

I was appalled when we found out the truth and were never informed of her diagnosis, if aware we would have facilitated for better care and used essential precautions for our own safety.

I am at a loss of words to describe how I feel about this entire process, quality of life for my Nana and her family could have been so much more comfortable and humane if informed. I still have terrible memories thinking of how this all transpired and could have been so different.

As for the surplus of funds, I believe they should be shared equally between all class members and family class members as I can imagine how this has affected all parties concerned.

I can be reached at the following:

Sincerely,

Loving Grand Daughter

December 15, 2015

Re: the 1986-1990 Hepatitis C Settlement Agreement

Our Son & Brother:

To whom it may concern:

Regarding the letter our family received from the Federal Government, we would like to offer our input.

As far as the Trust Fund, we think it 'Should' be distributed to the Families involved. We know it can't bring back our loved one but it will help the family with a final closure and an admission by the Federal Government for wrong doing. Our Provincial Government stepped up to the plate and it's high time the Federal Government did. After all where else should the Trust Fund Go? And it shouldn't take years to decide that.

The unnecessary loss of our son and brother was devastating, and affected so many others than the immediate family. We hope the Government is 'ashamed' of the way this has been handled.

This was an illegal crime that caused the death of so many people. Especially when this could have all been prevented by simple, proper testing of the blood before being used. Someone has to be **held accountable, perhaps the Federal Government**? The families will never forget or forgive this horrific tragedy. And still after all this time, the blood is not safe to take as a transfusion.

you sent this letter
to my mother.
and she passed away 2012.

Sincerely:

(mother)

(sister)

J. J. Camp Q.C.
Camp Fiorante Matthews Mogerman
400 856 Homer Street
Vancouver, British Columbia V6B 2W5 December 15, 2015

Dear Sir,

Re.: The compensation to Hep-C victims in the package awarded re. 1986-Claimants

Your letter to provide input of the effect of Hep-C on me and my family, I am hereby giving you some details of the effect:

As I understand it the package was designed to compensate victims that were given tainted blood through blood transfusions and the like during the time in question.

As I am such a victim and have received an amount which was to compensate me for receiving the tainted blood during an industrial accident I had on February 13th, 1986.

I was running my own business and provided for my family, a wife and four children, at the time. I still had strength for a few years after the accident to provide the needs for my family. As the years went by the effect of the increasing effect of Hep-C caused me to have more and more fatigue and pain in joints and muscles feeling very tired, belly pain itchy skin and eventually in 1996 I had to give up working and lost my business.

Since that time I have tried different ways to be a provider, but with the increasing fatigue and pain I have been unable to be the provider I could have been and now constantly have to borrow money to make ends meet. I had come to a poverty level which would not have been the case, had I not had the tainted blood which caused the damage to my liver.

Contacting the doctors and specialists about treatments. I was told that the treatments only had a small chance of succeeding and the side effect could worsen my health. Also, both the doctors and specialists I have discussed my situation with discouraged my from such treatment based on the side effect and limited outcome. These comments discouraged me from such treatments as my situation was serious enough.

Also my wife contracted Hep-C from me and died around 2002 only being 54 years old and left me with four children to support.

I understand that the settlement amount was in the excess of 1.1 billion dollars and have been told that there still is about 250 million dollars which have not been released.

When I was first made aware of the Hepatitis-C infection the doctor told me that the average lifespan was about 20 years after the infection, which I have now past. After 2002 I went ahead with the cure which the doctor and specialist recommended and got curried, but the side except I live with now is not always easy.

Would it not be humanly possible to receive more funding to ease my situation and make life a little more enjoyable in consideration of the above? So that I could receive either a monthly or a more yearly mount to help me to have some more quality of life, for what is left.

Sincerely Yours

Corporate & Business Consulting

Email:

MEMORANDUM

Date: January 7, 2016 No. of pages: 2

To: The Joint Committee of the
1986 – 1990 Hepatitis C Settlement

Company: J.J. Camp Q.C.
Camp Fiorante Matthews Mogerman
400 – 856 Homer Street
Vancouver, B.C. V6B 2W5

Tel: 604-331-9520
Fax: 604-689-7554
Email: jjcamp@cfmlawyers.ca

Re: , Deceased (2008)

Dear Sir:

Our son, , was infected when in hospital in 1988 as a result of a disabling auto accident that left him physically, emotionally and somewhat mentally crippled. We did not learn of his Hepatitis C infection until 1998 when the disease began to show its final effect.

received his settlement money which was spent over the next few years in giving him some comfort and trying to find ways of curing or at least mitigating the disabling effects of the disease.

By late 2006 it became apparent that his life would be greatly shortened unless he could have a liver transplant. was unable to use normal analgesics and, to relieve his pain, resorted to self-medicating with apple cider and long baths. The medical people who had infected him with Hep C enforced the 6-month-no-alcohol-rule that kept him off the transplant list. As the pain increased, so did the use of the cider analgesic.

He and his family then had two major problems to contend and live with.

We had to find an alternative, which at the time was a transplant offered by the Peoples Air Force Hospital (PAFH) in Guanghou, China. Through an agent our family negotiated a liver transplant for $218,000 and in April 2007 when he had less than a month to live, sent him to the PAFH where he received such excellent care by no fewer than 11 physicians, who administered conventional and Chinese medications so that was able to be up and around by June 2007.

His PAFH physicians decided he was then still too weak for major surgery and continued recovery treatments for the next two months so that he would be strong enough for the transplant procedure. They then began the search for a suitable organ. By August they had stabilized him sufficiently, or at least to the best point possible, given the condition of his liver. On September 11, 2007 received a liver transplant, giving him such recovery that he was able to come home within a month after the procedure.

The PAFH pointed out that he was ready for release, but that the greatly extended stay in hospital had cost another US$28,000 more than we had already paid. We paid it. We also paid for wife, , and later his friend, , to be in China to bring him through the ordeal. Those costs, with transportation and extras and the original $218,000 exceeded $260,000.

A month after came home, the VGH anti-rejection treatment resulted in his being infected with C-difficile or some other serious infection that sent him into intensive care for a month, but he again managed to recover by mid-November 2007. Then, at Christmas 2007, VGH gave him a deadly fungal infection that killed him quickly by January 10, 2008.

and his family endured a hell of pain and expense, which Judge Pitfield just waived off when heard our appeal of the claim for reimbursement of the cost of PAFH liver transplant, which even his specialist, Dr. Yoshida, stated was required and appropriate in the circumstances.

If you want to do the right thing, you can reimburse us the $260,000 of costs incurred to give another seven months of life and hope to reach his 39th birthday. We believe that was money well spent, is fairly claimed and little enough for the blessing of those additional last months he received for the outlay.

Yours truly,

Catherine A. Polder

From: [redacted]
Sent: January-07-16 3:02 PM
To: J.J. Camp
Subject: FW: [redacted] Deceased January 10, 2008
Attachments: Submission to Joint Committee 1986-1990 Hep C Settlement - 7-Jan-2016.pdf; [redacted] - Autopsy Report - January 14, 2008.pdf

Dear Mr. Camp,
I forgot to add [redacted]s autopsy report to my letter.

As you will note, the coroner attributed the immunosuppressive therapy as a contributing factor in the rapidly spreading multiple deadly abscesses in the brain infection that took only two weeks to kill [redacted]. I believe I received a copy of the pathology report, though I cannot locate it, but which described a particularly fast acting and virulent fungal infection that could not be controlled.
While he was still lucid, [redacted] was hooked up to a 'christmas tree' of antibiotic drips just after Christmas 2007 and proved ineffective by January 10, 2008.

All that, while the liver transplant received in Guangzhou China on September 11, 2007 was still intact, but deemed not worthy of being paid for, probably just because it wasn't done here, where they managed to kill rather than cure.

Yours truly,

From: [redacted] [mailto:[redacted]shaw.ca]
Sent: Thursday, January 7, 2016 12:14 PM
To: 'jjcamp@cfmlawyers.ca'
Subject: [redacted], Deceased January 10, 2008

Dear Mr. Camp,
I realize that this is a little late in filing, but it is a subject very hard to deal with even 8 years later.

We should have had [redacted] counsel, [redacted] at the time pursue the claim when we found out about the infection in 1998.
We would surely have recovered sufficient for proper treatment, and [redacted] might now be alive, but [redacted] was too ill to go another round of litigation, so we settled.
Big mistake ... and I believe my son paid for it dearly because the next years were truly a hell.

I look forward to hearing from you on the progress of the reconsideration.

Yours truly,

Re:
1986-1990 Hepatitis C
Settlement Agreement
inc.

J. J. Camp, Q.C.

Dear Sir:

I'm writing this letter in response to a letter received by my husband,

I'm , his wife.

When hearing he was infected with Hep C during his by-pass heart surgery, he was devastated. Not only to him, but to all his and our family and friends.

The once lovable and huggable father, became distant and afraid for us.

is now 86 years old as of December 25th, 2015. He has had three strokes and on Nov 9th 2014 suffered a brain seizure do to a fall, which cut the back of his head.

He was in hospital for four months. During this time he learned to walk again and his memory is pretty good, but he finds it difficult to write.

Evidently your Committee is discussing how to spend the Hep. C. surplus.

I'll inform you of our new address on the back of this letter.

Our old address at the house we sold
on May 1, 2015 was

our
New Address as we are now living
in a Supportive Living Home is:

Phone No:

Thank You

Lise Y. Carmichael

---

rom: @gmail.com>
Sent: January-26-16 4:05 PM
To: Lise Y. Carmichael
Subject: Hepatitis C Settlement

I was directed in an email from J.J. Camp to forward this email to you.

Thank you for the letter requesting input regarding the surplus funds from the Hepatits C Settlement. This surplus that is left over was meant for victims, and their families, who suffered from this horrible mistake, and should not be used otherwise.

Since much time has elapsed since the original payout, many have moved and did not get the mailing regarding the surplus, as I found out from talking to my family. Therefore, it may be necessary to divide the funds among the next of kin, or the estate of the victims, then distributed at their discretion. All family members saw their loved ones suffer, and experienced their untimely loss.

Widow of

Lise Y. Carmichael

From: [redacted]
Sent: January-27-16 2:06 PM
To: Lise Y. Carmichael
Subject: FW: Notice regarding the 1986-19990 Hepatitis C Settlement
Attachments: Avis aux membres des recours collectifs (2015).pdf; Notice to Class Members 2015.pdf

To Whom It May Concern:

In 2002 our family lost my father due to hep-c through a blood transfusion required for surgery. My 2 daughters were very young and essentially grew up with-out a grand-father. We were minimally compensated monetarily however not near what should have been compensated for the loss through no fault or my father's but due to the neglect of the blood bank. I would give up any amount of money to have my father in my life. It left and still leaves a massive void in our lives. I believe that if there are still dollars left on the table from the initial settlement that the remainder be give out to those affected from losses due to the neglect of the blood bank.

Sincerely,

From: Miller, Carol [mailto:Carol.Miller@crawco.ca] **On Behalf Of** Hep C Info
Sent: August-04-15 9:55 AM
Subject: Notice regarding the 1986-19990 Hepatitis C Settlement

Please find attached an important notice regarding the 1986-1990 Hepatitis C Settlement. Please note that you may have also recently received this notice in the mail.

Sincerely,

The Administrator of the 1986-1990 Hepatitis C Settlement

Veuillez trouver ci-joint un avis important concernant la Convention de règlement des recours collectifs relative à l'hépatite C – 1986-1990.

Veuillez noter que vous avez possiblement reçu cet avis tout récemment par la poste.

Veuillez agréer l'expression de nos sentiments les plus sincères.

L'administrateur de la Convention de règlement des recours collectifs relatifs à l'hépatite C 1986-1990

Feb. 16 - 2016

To;

J.J. Camp Q.C.
400 - 856 Homer Street
Vancouver, B.C. V6B 2W5

Members of the Joint Committee 1986-1990
Hep C Settlement.
My name is - - the beneficiary of Late who was deceased Aug. 11 - 2014. I am addressing my input to the Joint Committee in response to a letter received some time ago.
I was elected Councillor of my Band First Nation Government. Also Known as , Indian Band, on June 16 2008 for a 5 year term. I stepped down as Councillor January 2009. My term should of ended in June 2013.
At the time when I left office - was in good standing with my Band.
I stepped down because my wife , was too ill to be left alone at home while I was at work or travelling. She was basically unable to take care of herself, so she asked and begged me to stay home and care for her. and thats what I did. to do chores, housekeeping, cooking meals, doing laundry, assist her bathing.
- Drove her to her Doctor's Appointments, Clinics - trips to Williams Lake, Kamloops and Vancouver. The closest Doctor is in Williams Lake about 160 miles from our home in .
- Most frustrating of all for her was

→

Getting aquainted with her new Doctor when DR. Hicks retired - who knew her condition really well. The transition from one Doctor to another was realy hard on her.
She could have been entitled to level 5 & 6 at an early date - but she wouldn't visit DR. Owega till my daughter and I peruaded her to go to the Hospital in June 2014.
- What I am claiming for is loss of income for 3 1/2 years. I calculated what I would have earned in that time.
I would sincerely like to be considred for my humble input. If the committee require more information - write me at the following address:

cc. Loss of Income on separate sheet.

Sincerely

Loss of Income

36,000x 3yrs. = 108,000
6 month x 3000 per mo. = 18,000
total $126,000

1 mo. = Approximately $3000
12 mo. x3000 = 36,000 = 1 year
3 yrs. = 36,000 x 3 = $108,000
6 mo. x 3000 = 18,000
$126,000
Total

J.J.Camp
400-856 Homer Street
Vancouver,B.C.

Jan 25,2016

Re: Claim
1986-1990 Hepatitis C Settlement Agreement

My name is and I attended the August 12,2015 Consultation Sessions regarding excess funds in the above Hepatitis C Settlement. I attended on behalf of my late sister who tragically passed away at the very young age of 54 . That evening we went through several options and the air was filled with emotional stories of how each and every one in that room were trying to cope and survive with this terrible and tragic health issue. I can not emphasize enough that these funds are not to be used for any other purpose than to assist these patients and their families. I would like to see these funds divided equally to everyone involved either living or to the estates of those who have passed. These funds are to remain at the disposal of these families and not be used for some other "short fall" the government deems necessary.

Sincerely

February 14/15

Hinton , AB

The Joint Committee
1986-1990 Hepatitis C Settlement Agreement

Dear Sir/Madam ,

My own personal thoughts on what should be done with the surplus of funds are due to my own journey with serious health issues that my family & I have had to deal with since my blood transfusion at the Royal Alexander Hospital in August of 1986 .

I wasn't notified to have my blood tested until the year 2000 , by then I had been infected for fourteen years . I most certainly would have taken precautions had I known I had hepatitis c . Once we were aware of the virus , it was never ending trips to the city for Dr. appointments, an experimental treatment & the diagnosis of two more potentially terminal diseases of which there is no family history of either disease . I question what other health problems have the other recipients have had ?

I think the trust should make more money available to those that have suffered for the last 30 years . I do think a substantial amount should be left in trust for people that may need it in the future .

Sincerely

To: [redacted]
Cc: Sharon D. Matthews; Joe Fiorante
Subject: Re: 1986-1990 Hepatitis C Settlement Agreement

[redacted]

Sent from my iPhone

> On Feb 24, 2016, at 11:15 AM, [redacted]> wrote:
>
>
> Hello, Mr. Camp (JJ).
>
> What a pleasant surprise to see you named as one of the members of the
> Joint Committee re. the above named settlement agreement.
>
> I am writing to verify that it is not yet too late to provide input.
>
> Sadly, the notice of consultation sessions arrived too late (from
> Klein
> Lawyers) to allow me to attend the session on August 12, 2015 in Vancouver.
> Yet, as a parent of a son who is profoundly physically disabled,
> non-verbal and diagnosed with Hepatitis C, I would like to share my
> thoughts regarding the possible disposition of any surplus of the
> Trust Fund from which [redacted] received some compensation a number of years ago.
>
> You may remember [redacted] A good many years ago you took up the case
> of my wife [redacted] and me to try to bring forward a medical malpractice suit.
> Sadly, our efforts were thwarted by the Limitations Act in BC.
> Following that, we were eventually successful in effecting legislative
> change retroactively. And while it was of no benefit to [redacted] it
> did "right a wrong" so to speak.
>
> Do let me know if you would like input in the form of a brief to be
> shared with other members and as part of your submission to government
> later this year OR simply a longer email.
>
> Regards,

>
>

To whom it may concern:

I am writing to the committee today to let them know the effects of the devastating events that took my father away from my family.

Since I was a kid I had known my father was sick. There was not a day that went by that we didn't see him suffer in some way. He was born with hemophilia, which should have been more than enough for one man to bare. My brother and I would watch him do transfusions often, and later of course have to carry oxygen around with him everywhere he went. Even on short trips we traveled with a medium sized cooler of medication he needed. It was a normal part of our lives. No child could relate to my brother and I in the town we grew up in.

It was a difficult life to live, watching someone you love and look up to deteriorate before your eyes.

My mother was unable to work as she not only needed to care for my brother and I but also needed to take care of my father. She even learned how to give him transfusions and any other medical support he needed throughout his sickness.

He had full blown AIDS when I turned 3, and we managed what we thought would be our last family vacation with him. He had been given 9 months to live at that time. Hard enough for a 3 year old to figure out, and devastating to a mother who lived as a caregiver and had no real skills to offer the work market.

We even had a lot of fear from the health care workers in our town, particularly the dentists who refused to treat my brother or I based on my father's illness. We took them to court and sadly lost a battle fueled by ignorance and the fact my dad had to live with a terribly misunderstood disease. I am still fearful to bring up my father's illness in case someone has an outdated opinion on the matter. It was constant judgment and questions surrounding our family because my father had AIDS and HepC.

Watching my father suffer will haunt me for the rest of my life, his last words to me being "Help". What was a 9 year old to do to help a man suffering from AIDS and HepC? Our living room had slowly over the years transformed from a family place to watch tv and play games to a hospital room, filled with all the equipment needed to help him through the ordeal. He did not survive to see me turn 10, or my brother 12. It goes without saying that everything had changed from there.

We lived on the small pension my mom was awarded, and we did not have any extra's. In fact there were occasions when we needed assistance with food, and at times with holiday gifts since my mother couldn't always afford things on our own.

RECEIVED
FEB 29 2016

Campbell River, B.C.

February 24,2016

Klein Lawyers,

400-1385 West 8th Ave.

Vancouver, B.C.V6H 3V9

Dear Klein Lawyers:

Re: 1986-1990 Hepatitis C Class Action

File No.

In September of this year, we received a letter from your office regarding the Trust Fund of the 1986-1990 Class Action Compensation for those people who suffered from Hepatitis C. We discussed this and the letter was put aside and forgotten.

Recently, we were discussing this communication and decided that a letter was in order. When I found out that I suffered from Hepatitis C , this discovery changed our lives dramatically. I had been working full time, but decided that part time work would perhaps be better, and we decided to downsize our home as my wife felt that she could not manage our home and yard by herself , and that we needed a much smaller area to look after. We were concerned as our daughters were still attending university and there were many expenses. There was much anguish at this time as I was still recovering from the car accident in 1988 where I had been severely, injured.

As there is a large surplus still in the fund, I feel it should be dispersed to the members of the Class Action litigation.

We thank you for all of your help in the past and for thinking of us at this time.

Sincerely,

March 6, 2016

To: Joint Committee – 1986-1900 Hepatitis C Settlement Agreement

RE: Fund surplus feedback –

Dear Committee members,

Thank you for the opportunity for me to share my family's thoughts regarding the fund surplus as outlined in the communication received by you last fall. My name is I , son of the now deceased , who passed away over two years ago in North Bay, Ontario. I am writing on behalf of his survivors, including my mother , sister I ; and grandchildren, and

First off, I would like to express our gratitude for the years of compensation that my mother and father received; while it could never replace the many lost years that Dad spent ill and Mom, taking care of him, the financial assistance certainly helped alleviate some of the burden and stress. Dad for most of his last 15 years or so, was unable to contribute to the household, eventually requiring full time care in an institution in which he eventually died. His last years at home were quite difficult as he struggled with many health issues not to mention severe dementia. I was lucky enough at the time, to be self-employed and able to travel from Vancouver monthly on my own dime to help Mom when Dad was still at home and difficult to manage. His dementia was especially worrisome since he became violent and I feared, a danger to my Mom; a big motivation for my constant cross-country travel. But we were eventually, after lots of advocacy, successful in getting him in a facility close by and allowed Mom to be safe yet close to visit him and assist at the home on a daily basis. She never drove and had to pay for transportation and services in the home for many years..

Halifax, N S
March 2, 2016

J. J. Camp, Q.C.,
Camp Fiorante Matthews Mogerman,
400 – 856 Homer Streeet
Vancouver, B C V6B 2W5

Dear Sir: Re: Hepatitis 'C' Joint Committee

We, the Family, were in written communication with you in August 2015 and we attended the meeting held here in Halifax in connection with the Family Class Members of those diagnosed with Hepatitis 'C' as a result of a blood transfusion. We would be pleased, and wish to enquire, if you may now be in a position to advise what further action may have been taken in this connection since that period.

We realize of course that such matters take a great deal of time, but thought we might make an enquiry, and would appreciate hearing from you at your convenience.

Sincerely,

Court File No. 98-CV-141369 CP00

ONTARIO
SUPERIOR COURT OF JUSTICE

BETWEEN:

DIANNA LOUISE PARSONS, MICHAEL HERBERT CRUICKSHANKS, DAVID TULL,
MARTIN HENRY GRIFFEN, ANNA KARDISH, ELSIE KOTYK, Executrix of the Estate of Harry Kotyk,
deceased and ELSIE KOTYK, personally

Plaintiffs

and

THE CANADIAN RED CROSS SOCIETY, HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO and
THE ATTORNEY GENERAL OF CANADA

Defendants

and

HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF ALBERTA
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF SASKATCHEWAN,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF MANITOBA,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NEW BRUNSWICK
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF PRINCE EDWARD ISLAND,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NOVA SCOTIA
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NEWFOUNDLAND,
THE GOVERNMENT OF THE NORTHWEST TERRITORIES,
THE GOVERNMENT OF NUNAVUT and THE GOVERNMENT OF THE YUKON TERRITORY

Intervenors

Proceeding under the *Class Proceedings Act, 1992*

Court File No. 98-CV-146405

BETWEEN:

JAMES KREPPNER, BARRY ISAAC, NORMAN LANDRY, as Executor of the Estate of the late
SERGE LANDRY, PETER FELSING, DONALD MILLIGAN, ALLAN GRUHLKE, JIM LOVE and
PAULINE FOURNIER as Executrix of the Estate of the late PIERRE FOURNIER

Plaintiffs

and

THE CANADIAN RED CROSS SOCIETY, THE ATTORNEY GENERAL OF CANADA and
HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO

Defendants

and

HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF ALBERTA,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF SASKATCHEWAN,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF MANITOBA,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NEW BRUNSWICK,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF PRINCE EDWARD ISLAND
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NOVA SCOTIA
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NEWFOUNDLAND,
THE GOVERNMENT OF THE NORTHWEST TERRITORIES,
THE GOVERNMENT OF NUNAVUT AND THE GOVERNMENT OF THE YUKON TERRITORY

Intervenors

Proceeding under the *Class Proceedings Act, 1992*

This is the 2nd Affidavit
of Shelley Woodrich in this case
and was made on 1/April/2016

No. C965349
Vancouver Registry

In the Supreme Court of British Columbia

Between:

Anita Endean, as representative plaintiff

Plaintiff

and:

The Canadian Red Cross Society
Her Majesty the Queen in Right of the Province of
British Columbia, and The Attorney General of Canada

Defendants

and:

Prince George Regional Hospital, Dr. William Galliford,
Dr. Robert Hart Dykes, Dr. Peter Houghton, Dr. John Doe,
Her Majesty the Queen in Right of Canada, and
Her Majesty the Queen in Right of the Province of British Columbia

Third Parties

Proceeding under the Class Proceedings Act, R.S.B.C. 1996, C. 50

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

NO : 500-06-000016-960

SUPERIOR COURT
Class action

DOMINIQUE HONHON

Plaintiff

-vs-

THE ATTORNEY GENERAL OF CANADA
THE ATTORNEY GENERAL OF QUÉBEC
THE CANADIAN RED CROSS SOCIETY

Defendants

-and-

MICHEL SAVONITTO, in the capacity of the Joint Committee member for the province of Québec

PETITIONER

-and-

FONDS D'AIDE AUX RECOURS COLLECTIFS

-and-

LE CURATEUR PUBLIC DU QUÉBEC

Mis-en-cause

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

NO : 500-06-000068-987

SUPERIOR COURT
Class action

DAVID PAGE

Plaintiff

-vs-

THE ATTORNEY GENERAL OF CANADA
THE ATTORNEY GENERAL OF QUÉBEC
THE CANADIAN RED CROSS SOCIETY

Defendants

-and-

FONDS D'AIDE AUX RECOURS COLLECTIFS

-and-

LE CURATEUR PUBLIC DU QUÉBEC

Mis-en-cause

AFFIDAVIT OF SHELLEY WOODRICH
(affirmed April 1, 2016)

I, SHELLEY WOODRICH, of the City of Windsor, in the Province of Ontario, legal assistant, AFFIRM:

1. I am employed at Sutts, Strosberg LLP as a file administrator. I am the person at our office with the primary responsibility for the day to day handling of the 1986-1990 Hepatitis C class action settlement file. I have personal knowledge of the facts to which I depose in this affidavit, except where I state them to be on information and belief, and where so stated I believe them to be true.

2. On October 16, 2015, I swore an affidavit to which was appended written submissions our office had received beginning in August 2015 from the Class and Family Class Members directly or forwarded to us by the Administrator pertaining to the allocation of the actuarially unallocated funds.

3. I am advised by Heather Rumble Peterson that Class Members have been encouraged by the Joint Committee to provide their written submissions, despite the previous October deadline, some having just received the Joint Committee's notice because of change of address.

4. Following October 16, 2015, Sutts, Strosberg LLP continued to receive calls and written submissions from Class Members across Canada.

5. I am advised by Ms Peterson that she personally spoke to several Class Members and Family Class Members. She mainly provided basic information about the next steps in the proceedings leading to the June hearing, directed them to the Administrator for further information or specific answers regarding their personal file, and listened to their concerns and stories.

6. Sutts, Strosberg LLP has gathered and assembled the additional written submissions our office received since October 16, 2015 pertaining to the allocation of the actuarially unallocated funds subject to the qualifications discussed below, a copy of these additional written submissions is annexed as **Exhibit "A".**

7. To the extent possible, written communications that our office has identified as being communications also received by other Joint Committee members from Class or Family Class Members in British Columbia and Quebec were excluded from Exhibit "A". I communicated with stuff at Ms. Podrebarac's office to try to avoid duplication of submissions received by Ontario Joint Committee members. Staff from each of the offices of the Joint Committee members, have also communicated with each other in an effort to try to ensure that there was no duplication of the submissions included in any affidavit.

8. Additionally, written communications received from the Class and Family Class Members that were purely administrative (eg: change of address) or do not

provide information, commentary or suggestions that the Joint Committee can use to inform the recommendations it is making to the Courts on benefits for Class Members are not included in Exhibit "A".

9. Lastly, these additional written submissions received and appended as Exhibit "A" have been redacted to remove identifying information to protect the privacy of the Class and Family Class Members.

AFFIRMED BEFORE ME at the City of) Windsor, in the County of Essex, this) 1st day of April, 2016.)	
Commissioner for taking affidavits 1400978	SHELLEY WOODRICH

THE ATTACHED IS EXHIBIT "A" TO THE

AFFIDAVIT OF SHELLEY WOODRICH AFFIRMED

BEFORE ME THIS 1ST DAY OF APRIL, 2016

COMMISSIONER FOR TAKING AFFIDAVITS

HARVEY STROSBERG QC.
SUTTS STROSBERGH LLP
600-251 GOYEAU STREET
WINDSOR, ONTARIO N9A 6V4
TELEPHONE 1-866 223 0073
E MAIL HEPC @ STROSBERGCO, CA

11.09.2015

Dear Mr STROSBERG,

IN responce to your letter regarding the Joint committee mandate to implement the 1986 – 1990 HC settlement agreement, as a family class member my responce is that I would like to put forward a claim of the surplus as I feel my brother was taken from his family a lot sooner, because of his contracting Hepatitis C.

Yours Sincerely

RECEIVED
OCT 15 2015
SUTTS, STROSBERG LLP

The Joint Committee,
Harvey Strosberg Q.C.
Suits Strosberg LLP
600-251 Goyeau Street
Windsor, Ontario N9A 6V4

Date: Oct. 19/2015.

hepc@strosbergco.com

We are writing to you in reference to a letter we received regarding surplus in the Hepatitis C Claim and how it should be used.

We feel that this money should be paid out to the families to compensate for their losses. In our situation lost everything she owned due to her medical condition. The cost of her medications and many trips to the doctors, forced her to re-mortgage her house which was paid for. She could not afford to keep up with her life insurance policies and in return she left nothing but debt to her family when she passed. Un paid bills included: credit cards, pharmacy bills, gas bills, car repair, Wells Fargo (re-mortgage) ect... and no life insurance to cover cost of funeral or accumulated expenses that followed.

At the time we were unaware that there was any compensation for our family when passed.

We believe the surplus should be paid out to the families with claims such as ours. No family should ever have to go through the pain and suffering our family had to experience.

RECEIVED
OCT 21 2015
SUTTS, STROSBERG LLP

October 26, 2015

RECEIVED
OCT 30 2015
SUTTS, STROSBERG LLP

Harvey Strosberg, QC
600-251 Goyear Street
Windsor, Ontario

Before she was given a blood transfusion many years ago why not take it from the family members. If it was taken from the family members she would have been able to visit her sister who went to Alberta to see her and to spend some good time with them. Also she would have been able to draw her old age at 65. Why didn't they check the blood more closely where they got it. would have been able to look after her new husband who was in the senior complex in Alberta. Her mother out lived her by a few years she could have come to her funeral.

Sincerely

Shelley L. Woodrich

From:
Sent: Sunday, November 15, 2015 1:08 PM
To: Hepatitis C Class Action
Cc:
Subject: Joint Committee Letter

To Whom it concerns,

My name is and I am the granddaughter of who was an unfortunate victim of tainted blood, for which the Joint Committee Letter was distributed to the respective family members. I apologize for the late reply, however, I did not receive the notice despite being a valid family member and candidate. I am, therefore notifying the Joint Committee at this time.

I have read and understood the terms of the letter. I am sending this email as a confirmation that I agree that "all or the majority portion of the surplus" be allocated in favor of Class Members and Family Class Members. There should be no valid reason to not provide this compensation to the Class Members and Family Class Members.

If any further action is required from me, please contact me at your earliest convenience. My contact information can be found below in my email signature. Thank you in advance.

Sincerely,

Tel:

Shelley L. Woodrich

From:
Sent: Monday, November 16, 2015 9:27 AM
To: Hepatitis C Class Action
Subject: Joint Committe Hep C Att Harvey Strosberg Q.C.

To the Joint Committee, 1986-1990Hepatitis C Settlement Agreement

As a class member of the above agreement I feel the courts should after all this time allocate the surplus funds to class members
and family of class members.
Members have gotten ill,died. and are much older. It only seems right and fair that the surplus be given to the members and families
It would help the members NOW. I am 70 and have some health issues.Any monies will not do me any good after I die.
I could use funds now.Even the cost of funerals today have increased greatly.To have this prepaid would lift a great burden off families.
The surplus should be given to everyone affected by the Hep C settlement.

How does one measure the grief and pain caused by the tainted blood transfusions? We all have different health and financial needs
The surplus should be disbursed while members are still living.

Phone
Email

From:
Sent: Saturday, November 21, 2015 5:52 PM
To: Hepatitis C Class Action
Subject: surplus

Hello of the estate of . Regarding the letter I received from the Hepatitis C settlement agreement, at first I did not know what I should say on this matter of a surplus and what should be done. I think one group has been forgotten in this settlement, the grandchildren, I see my friends and neighbours doing all kinds of things with and for their grandchildren. In our case my wife never got to see them as she passed before they were born. It would be nice if a grandchild could say I never got to know my grandmother but I received money to help with my education, or start a business, or many other things in life. This money was given to help the people that were left to deal with the loss of a loved one, and if there is a surplus it should be used to help a group like this. I am not saying I would not take some more money, but this group has been left out. Just my input into what has been hard on a lot of people. Quite sure you already have the names of the grandchildren so it should not be hard to give something to them. Regards Would like a reply to let me know this was read. Thank you.

Nov. 24, 2015

Mr. Harvey Strosberg Q C
Sutts Strosberg LLP
Windsor, Ont.

RECEIVED
DEC 08 2015
SUTTS, STROSBERG LLP

Dear Sir:

I am a member of the 1986-1990 Hepatitis C Settlement agreement. My name is . My Claim Number is 1000202.

On the issue of the surplus in the trust fund, I would like to see it divided among the Class Members and Family Class Members.

I would also like to draw attention to the cost of travel to see a specialist.

I live in Labrador. We do not have any specialists. The closest liver specialist is located in St. John's, NL. The cost of airfare from Goose Bay to St. John's is $879 one way. My husband and I both have private insurance, but it would not even cover the cost of one trip if there was a medical emergency. My issue is, if we have an appointment for something related to hepatitis C we have to use our private insurance first. Then the hepatitis C claim will pay the rest.

If I have to see a specialist for any

other medical condition except hepatitis C, I have to pay myself for the trip to St. John's. If I had not contracted hepatitis C, our private insurances would have paid for part of my trip. The total cost of the trip for anything related to hepatitis C should be borne by the Class Action Settlement Agreement.

yours truly,

Shelley L. Woodrich

From:
Sent: Monday, December 07, 2015 9:57 AM
To: Hepatitis C Class Action
Cc:

Harvey Strosberg
Re: hepc settlement
From:

Good morning,
I am writing you on behalf of my family. I have become aware of the application for the settlement of those who had contracted hepatitis C through a letter sent to myself and family. My received a contaminated blood transfusion in 1988. Several years she suffered from this disease. My Nana's suffering ended November 23rd 2004 when she passed away, in my eyes too young. I would just like to say that the monies left over should go to the people and their families who have had to experience the long road of dealing with hepatitis C. It would be unethical to use these monies for anything else but the people and families.
Thanks for your time,
I look forward to receiving more information on this application.

On behalf of:

(grandson)
Same address as above

Dear Mr STROSBERG

My name is my file # is from the 1986 to 1990 Hep C class action suit. Here is the reasons my file was late getting to you. I originally filed and application in the early nineties. Apparently the Ottawa Hep C SOCIETY lost my file or my application papers. They notified me of this a few weeks prior to the settlement. They asked me to re-apply which I did. By the way I sent both applications by Priority Post. I also have a witness to this effect. I don't know why you did not receive it on time. Anyway I feel I am being re-victimized by their mistakes. I pray that this will clear things up. If you should need to (contact me) my phone # is my address is

If you have to read this letter to the Judge.

IMPACT STATEMENT FAMILY.txt

To whom it may concern:

I am writing to the committee today to let them know the effects of the devestating events that took my father away from my family.

Since I was a kid I had known my father was sick. There was not a day that went by that we didnt see him suffer in some way. He was born with hemophilia, which should have been more then enough for one man to bare. My brother and I would watch him do transfusions often, and later of course have to carry oxygen around with him everywhere he went. Even on short trips we traveled with a medium sized cooler of medication he needed. It was a normal part of our lives. No child could relate to my brother and I in the town we grew up in.

It was a difficult live to life, watching someone you love and look up to deteriorate before your eyes.

My mother was unable to work as she not only needed to care for my brother and I but also needed to take care of my father. She even went and learned how to give him transfusions and other medical things he needed throughout his sickness.

He had full blown AIDS when I turned 3, and we managed what we thought would be our last family vacation with him. He had been given 9 months to live at that time. Hard enough for a 3 year old to figure out, and devastating to a mother who lived as a caregiver and had no real skills to offer the work market.

We even had a lot of fear from the health care workers in our town, particularily the dentists who refused to treat my brother or I based on my fathers illness. We took them to court and sadly lost a battle fueled by ignorance and the fact my dad had to live with a terribly misunderstood disease. I am still fearful to bring up my fathers illness in case someone has an outdated opinion on the matter. It was constant judgment and questions surrounding our family because my father had AIDS and HepC.

Watching my father suffer will haunt me for the rest of my life, his last words to me being "Help". What was a 9 year old to do to help a man suffering from AIDS and HepC? Our living room had slowly over the years transformed from a family place to watch tv and play games to a hospital room, filled with all the equiptment needed to help him through the ordeal. He did not survive to see me turn 10, or my brother 12. It goes without saying that everything had changed from there.

We lived on the small pension my mom was awarded, and we did not have any extra's. In fact there were occasions when we needed assistance with food, and one time with holiday gifts since my mother couldnt always afford things on our own.

She went from having a home paid off in full to slowly taking out loans against the property so we had what we needed to survive. Although my brother and I are adults now, she still carries some of this debt to this day, still residing in the home my father died in.

I cannot say what it is like for the survivors, who are still here and unable to work due to their conditions, and I feel nothing but empathy for their positsions. However I do not want those who have lost their family to be forgotten in this process. My story is of one family who had to live without to get through financially when we didnt have the support we should have had in our lives. There is no amount of money that could replace my father as a person, however if there are still funds available from the settlement made it would greatly help since some of these financial burdens we all have today would not be so bad if our loved ones had not passed on due to such a terrible mistake which was made.

Please take this into consideration when you deliberate on what happens to the remaining payouts.

We have all suffered immensley, and I would take my father any day over a settlement. Unfortunately that is not an option we have.

Thank you.

Shelley L. Woodrich

From:
Sent: Wednesday, March 16, 2016 8:37 PM
To: Harvey T. Strosberg Q.C.; Debbie Tocco
Cc: Heather Rumble Peterson
Subject: RE: Teleconference with Harvey Strosberg Today - Press Conference June 15th.

Harvey:

Thank you for letting me know, that the submissions before the court were availability on the website. I read the recommendation and agree with everything suggested, although if I could suggest, hold back $5000.00 for a new web developer. Finding information is so difficult, and the font size is so small, even with my reading glasses it's difficult to see.

Harvey, I'm not trying to be difficult, or suggest that the administration of the fund is too high, but I have heard that the Federal/Provincial and Territorial governments, may try to reclaim the surplus. I believe the fund has good management therefore, realized a surplus. As your are aware, my situation wasn't as clear cut as others, therefore I fought my loss of income for five years and for the alternative to a liver biopsy, man I'm glad those years are behind me.

Harvey, I need you to promise me that, you and the other lawyers will not let the governments take the surplus. My time is limited, but I will celebrate my 50th in June, so I will make it one to remember. After reading the submissions, there is no need for a press conference, unless you feel, it might be helpful to stop the parties interested in reclaiming the surplus?

Also if I can assist in anyway, don't hesitate to call on me.

All the best,

March 30, 2016

Harvey Strosberg, Q.C.
Sutts Strosberg LLP
600-251 Goyeau Street
Windsor, Ontario
N9A 6V4

Dear Mr. Strosberg,

RE: Claim Number 11541
Hepatitis C Claims Fund

I am writing in response to the letter I received from the Hepatitis C Claims Fund regarding the possible surplus.

I am a 78 year old widow of tainted blood, having lost my husband of nearly 41 years, the late , to the ravages of Hepatitis C. He died on July 13, 2001 surrounded by three of our five of children and their families, from liver failure and internal hemorrhaging. At the Toronto session I was able to meet who unselfishly offered her response letter, as a result you will see similarities and unique differences that I have added. I must say this is somewhat of an exercise and certainly cannot be considered exhaustive.

There are several reasons the surplus should be used to supplement the levels of compensation for existing members of the class action suit. For example, from the perspective of a widow/widower of a Primarily-Infected Person (PIP):

1) It is assumed that the PIP would have stayed in their original positions. For example, in my case, the Fund assumes that Ed would have chosen not to expand his own dental practice. In fact he took on the burden of business expenses while not working at full capacity and as the cost of doing business rose, his earnings declined. The reality is that his practice would actually lose funds at times when he was unable to work. How are actual loses compensated? When his energy level and health periodically improved he would bounce back to work. Contrast that with a growing practice with partners and compensation is underestimated.

2) It is assumed that PIP's would never have been promoted at work. In my husband's case, he also worked at Greenshield as a dental consultant and it is very likely he would have been promoted and hence experienced a salary increase. He was a well respected dentist with adjudicator distinction and The Canadian Health Care Anti-Fraud Association honoured his significant contribution on dental fraud prevention by creating an annual award in his name.

   (https://archive.org/details/Dr.EdwardMazakAdvancementInPublicAwarenessAwardCanadianHealthCareAntiFraudAssociation)

   By using a base salary, the Fund underestimates his actual salary and recognizable achievements/contributions to Society, and hence the Fund also underestimates the widows'/widowers' compensation, which is a proportion of his base salary.

3) Regarding the retirement issue:
   a) It should not be assumed that all people retire at age 65; this is simply not the case. General internet searches imply dentists are not all retiring before 65. In our case we raised and provided for 5 children and were expecting that Ed would have been working well beyond age 65 to secure our retirement. Therefore, Loss of Income (LOI) payments should incorporate this fact into the calculations to extend LOI beyond age 65 and not assume that people have to then rely on the much lower Loss of Services (LOS) payments, (which, in my case, is approx $17K a year, which is not possible to live on, and only eligible for 2 more years).
   b)
      (i) If, however, it is the decision is made by the Fund that "everybody is retired at 65", then I wonder why the respective pension laws do not come into play in calculating the pension of the PIP's widow/widower where possible? Why doesn't the pension law apply in cases where pension laws would have applied to the PIP? So why can't the Fund simply allocate a proportion of the PIPs' pensions to the widows/widowers? Why is the post-retirement calculation of compensation calculated differently from the pre-retirement calculation of income? For instance, that if Ontario government employees die before their spouses, their widows/widowers automatically receive 60% of what their late spouse's pension would have been. The Fund could easily implement something like this. It does not make sense to switch to the completely arbitrary, below-the-poverty-line, LOS payments at aged 65 and ignore existing pension laws, which have been around for a while for a reason. There is no reason to deviate from these laws and there is no reason to be treated differently especially in such an ad hoc fashion, as the applying of the LOS at age 65 effectively does. In short, the pension rules have been set for years and there was no reason to create a new, unfair, ad hoc system for calculating widow's/widower's pensions like LOS

under the Fund if existing pension laws would apply to the PIP's widow/widower. Of course, if no pension laws apply for the particular individual i.e., if they were self-employed like my husband, then another formula would be used. In short, the Fund should simply use existing pension laws wherever possible to calculate the pension of their widows/widowers.

(ii) Moreover, if "Everyone is retired at 65", then the current amount for LOS available to widows/widowers when the PIP would have turned 65, should be increased. This is because the LOS amount is hardly sufficient to look after widows/widowers in their old age. As noted, LOS is $17K a year, which is not only concerning but also insulting, especially when one is entering their more vulnerable years alone without a spouse to take care of them, thanks to Hepatitis C. LOS must be dramatically increased so that widows/widowers can realistically live on it. Currently, the $17K I receive is barely enough to last a few months. That is egregious. To recap, if the Fund does not go the established pension law route, (wherever possible), then at the very least, the LOS should be increased dramatically.

c) The Fund ignores the fact that widows/widowers have to take time off to caregive, which negatively impacts their own pension earnings. In my case, my pension is lower as a result of HCV infection because the present value of my income is lower. The Fund should compensate widows/widowers for this lost income. In addition several of my children contributed to the caregiving effort and took time off to assist.

4) Compensation to widows/widowers does not take into account the fact that sometimes spouses of PIP's have to take time off work especially after Level 3, which negatively affects their potential income-earning stream. This diminished income should be supplemented.

5) The HIV-related MPTAP payments, which people received as tainted blood widows/widowers, were included in the Hepatitis C compensation calculations and, to this day, I do not understand why the MPTAP payments were ever included. So an adjustment is required there.

6) There are several ancillary issues:

a) Regarding out of pocket expenses, some spouses, (some of whom are now widows/widowers), regularly drove their late PIP's around, attended medical appointments, picked up meds, and searched to try to keep up with the constantly evolving treatments around. In support friends and family were always suggesting treatments in other countries cities. A vast amount of time and energy can be put into searching and looking for alternatives. (liver plugs, treatment centres in Mexico, new or experimental drugs). I know parking costs etc. were reimbursed but some other expenses related to these activities, such as photocopying costs, vehicle use, time, etc. should also be compensated;

b) Because HCV-infected typically become very ill in the recent periods before their death, (Levels 5 and 6), families are often around and dealing with an ongoing life crisis and, as a result, they do not have the luxury of requesting and organizing all medical receipts. There should be some compensation for these "estimated missed medical costs", especially at the higher levels of HCV when life becomes more intense; and,

7) It is assumed that there were no emotional damages incurred from losing someone very close to HCV. This is not true; Hepatitis C infection affects both the infected person and their families' lives irreparably on the emotional front and some amount of compensation should be provided for this damage. For instance, in my case, it continues to affect my mental well-being – not only simply because I lost my spouse and am now a widow without a life partner but also because watching my soul mate suffer through his battle fighting Hepatitis C. This has resulted in sleep deprivation and depression which, in turn, negatively affects all aspects of my life. This damage to my well-being is not covered by my Hepatitis C "compensation" and it should be. My children also remain emotional thinking about what if Ed did not have to go back into surgery and receive that tainted bag of blood. If the initial heart surgery was conducted without issue he would have been HCV free. Ed was engaging with his grand children, some he never met, none to benefit from his spiritual and physical presence since that Friday morning in July. Its been 15 years and I still succumb to tears when addressing the family at traditional events.

8) Circumstance of timing. As health deteriorated we realized we had to downsize in 1997 and sold our primary residence at a market low. After his death in 2001 I finally emerged to rebuild my life and started construction in 2005 (near high market value period) on what was supposed to be our retirement home and family homestead. Given historical real estate values over this time frame it would not be recommended to do what we did, but I did what I had to do going forward on my own. If Ed had not contacted HCV we would have been in a better position to time such major life events and ride out adverse economic and real estate situations. It is fact that our home sold in 1997 at $121,000 under its value. Equity lost in despair of HCV. Furthermore it is conceivable that we could have held on to sell our primary residence in a booming 2005 market at double value and rebuilt our retirement property with a retirement package in hand. Lastly, the transition to our retirement home was to be rent free, in my case the primary residence had been sold, the retirement property dwelling was demolished, as it was a 100 year old cottage. This resulted in 1.5 years of rental fees for accommodation during the construction of my current residence.

9) Finally, I understand that the Fund had limits under which compensation could be awarded. However, we must remember that human lives were lost and we must

also remember that, we the victims, are not getting rich on this compensation. To put this in context, as of 2011, the U.S. Environmental Protection Agency set the value of a human life at $9.1 million. Meanwhile, the Food and Drug Administration put it at $7.9 million — and the Department of Transportation figure was around $6 million. Frankly, there is not enough in the Fund to compensate for the loss of a loved one but if we turn to the valuations of human life cited above, the amount of compensation each widow/widower should have received for losing the PIP to HCV should have been closer to between $7.84 million Canadian ($7.9 million US) and $11.89 million Canadian ($9.1 million US). I can tell you that what I actually will have received for losing Ed to HCV pales in comparison to the lesser of the two amounts.

In sum, I am sure other widows/widowers have similar stories and I believe what they receive, as "compensation", is a gross underestimate of what should be realistically compensated. Because of this, I believe that a portion of the surplus should be allocated to the widows/widowers of HCV-tainted blood, to ensure that their compensation is more fair.

Shifting the focus to the people who are still alive, namely the PIPs:

A) The Fund should continue to pay for the expensive new HCV medication for people in the class including new drugs coming down the pipeline. Additionally, although I understand that the Fund does not assume that all people who reach undetectable HCV viral load actually feel better, I am curious as to how compensating these various percentages of people who are deemed to "recover" at each level, will actually be applied in practice. It is possible for people to be deemed to recover and yet also possible for them to not feel well enough to work. In light of that, an assessment at the level of the individual, in other words, on a case-by-case basis, is required to determine whether or not they are able to work (as opposed to relying on the "average" person at that Level with undetectable VL).

B) We cannot assume their skills will be relevant if and when they are well enough to re-enter the workforce. Even one year away from a position without being in practice is a long time in some industries and many of these people have been sick for much longer. They will need re-training and the Fund should be responsible for the costs of this re-training. In other words, it would be naïve to believe people's skills will be job-ready and that they will be able to earn the same level of income as they were before they got sick with HCV. There is no real evidence for how fast people can really get back to work. This evidence-gathering is a work in progress and each case must be assessed individually – again, on a case-by-case basis.

C) There are important insurance considerations for certain sub-groups of PIPs. For instance, hemophiliacs have historically been unable to be insured and this negatively impacts their attractiveness to potential employers. There should be an effort made to insure these cases.

I also have a few guiding principles regarding the use of the potential surplus, as follows:

I) Firstly, and most importantly, the existing class members are bearing the risks here and it is the duty of the managers of the Fund to protect the interests of the class members and ONLY the class members.

II) Regarding the surplus, I must emphasize that: a) any surplus should be kept for those of us ALREADY in the class; and, b) ALL of the surplus, if it is allocated, should be allocated exclusively to existing class members (i.e., none of the Fund should be allocated to individuals/groups outside the existing class). Moreover, there must be a VERY good reason to let new people into the class in the first place.

III) Originally, there was a concern that the Fund was not going to be viable and I would rather err on the side of caution regarding ensuring the Fund is viable well into the future using the most conservative assumptions about a buffer and any possible adverse events.

IV) The federal government – or any other entity for that matter - should not have a right to claw back any amount of the Fund, under ANY circumstances. The reason I mention this is that the possibility of the federal government clawing back some of the surplus was mentioned by counsel at the webcast Vancouver Consultation session and Toronto in person session August 2015. This is very concerning.

Finally, in terms of methodology regarding how to split of the surplus, I believe the Fund should be split up purely on a case-by-case basis (i.e., for widows/widowers, see my specific points 1-9 above). Using the case-by-case approach would likely be more time-consuming than simply splitting up the surplus, however, it would be fairer. I would not be in favour of an elaborate and cost prohibitive approach. I appreciate that the value human life should be equal yet recognize that the impact on individual worth will vary.

In closing, I thank you for asking for our input and for protecting the Fund for the existing class members, namely the victims for which the Fund was originally intended and awarded.

Please do not hesitate to contact me if you have any questions.

Kind regards,

This is the 2^st^ Affidavit
of Arnaud Sauvé-Dagenais in this case
and was made on 1/April/2016

Court File No. 98-CV-141369 CP00

ONTARIO
SUPERIOR COURT OF JUSTICE

BETWEEN:

DIANNA LOUISE PARSONS, MICHAEL HERBERT CRUICKSHANKS, DAVID TULL, MARTIN HENRY GRIFFEN, ANNA KARDISH, ELSIE KOTYK, Executrix of the Estate of Harry Kotyk, deceased and ELSIE KOTYK, personally

Plaintiffs

and

THE CANADIAN RED CROSS SOCIETY, HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO and
THE ATTORNEY GENERAL OF CANADA

Defendants

and

HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF ALBERTA
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF SASKATCHEWAN,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF MANITOBA,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NEW BRUNSWICK
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF PRINCE EDWARD ISLAND,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NOVA SCOTIA
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NEWFOUNDLAND,
THE GOVERNMENT OF THE NORTHWEST TERRITORIES,
THE GOVERNMENT OF NUNAVUT and THE GOVERNMENT OF THE YUKON TERRITORY

Intervenors

Proceeding under the *Class Proceedings Act, 1992*

Court File No. 98-CV-146405

BETWEEN:

JAMES KREPPNER, BARRY ISAAC, NORMAN LANDRY, as Executor of the Estate of the late SERGE LANDRY, PETER FELSING, DONALD MILLIGAN, ALLAN GRUHLKE, JIM LOVE
and
PAULINE FOURNIER as Executrix of the Estate of the late PIERRE FOURNIER

Plaintiffs

and

THE CANADIAN RED CROSS SOCIETY, THE ATTORNEY GENERAL OF CANADA and HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO

Defendants

and

HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF ALBERTA,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF SASKATCHEWAN,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF MANITOBA,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NEW BRUNSWICK,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF PRINCE EDWARD ISLAND
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NOVA SCOTIA
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NEWFOUNDLAND,
THE GOVERNMENT OF THE NORTHWEST TERRITORIES,
THE GOVERNMENT OF NUNAVUT AND THE GOVERNMENT OF THE YUKON TERRITORY

Intervenors

Proceeding under the *Class Proceedings Act, 1992*

No. C965349
Vancouver Registry

In the Supreme Court of British Columbia

Between:

Anita Endean, as representative plaintiff

Plaintiff

and:

The Canadian Red Cross Society
Her Majesty the Queen in Right of the Province of
British Columbia, and The Attorney General of Canada

Defendants

and:

Prince George Regional Hospital, Dr. William Galliford,
Dr. Robert Hart Dykes, Dr. Peter Houghton, Dr. John Doe,
Her Majesty the Queen in Right of Canada, and
Her Majesty the Queen in Right of the Province of British Columbia

Third Parties

Proceeding under the *Class Proceedings Act*, R.S.B.C. 1996, C. 50

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

NO : 500-06-000016-960

SUPERIOR COURT
Class action

DOMINIQUE HONHON

Plaintiff

-vs-

THE ATTORNEY GENERAL OF CANADA
THE ATTORNEY GENERAL OF QUÉBEC
THE CANADIAN RED CROSS SOCIETY

Defendants

-and-

MICHEL SAVONITTO, in the capacity of the Joint Committee member for the province of Québec

PETITIONER

-and-

FONDS D'AIDE AUX RECOURS COLLECTIFS

-and-

LE CURATEUR PUBLIC DU QUÉBEC

Mis-en-cause

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

NO : 500-06-000068-987

SUPERIOR COURT
Class action

DAVID PAGE

Plaintiff

-vs-

THE ATTORNEY GENERAL OF CANADA
THE ATTORNEY GENERAL OF QUÉBEC
THE CANADIAN RED CROSS SOCIETY

Defendants

-and-

FONDS D'AIDE AUX RECOURS COLLECTIFS

-and-

LE CURATEUR PUBLIC DU QUÉBEC

Mis-en-cause

AFFIDAVIT

I, **ARNAUD SAUVÉ-DAGENAIS,** lawyer, practicing in the law firm of Savonitto & Ass. inc., 468, St-Jean street, Suite 400 in the city and district of Montréal, Province of Québec, solemnly declare that :

1. I am a junior lawyer with the law firm of Savonitto & Ass. Inc.;

2. I work with Me Martine Trudeau and Me Michel Savonitto who is the Joint Committee member for Québec in the administration of the 1986-1990 Hepatitis C Settlement Agreement (the "Settlement Agreement"), and as such I have personal knowledge of the facts to which I depose herewith;

3. On October 15, 2015 I sworn an affidavit to which was appended a copy of the written submissions our office received since early August 2015 and until October 15, 2015 by mail, by fax or by email from the Class Members directly or forwarded by the Administrator and pertaining to the allocation of the actuarially unallocated funds, (Exhibit ASD-1);

4. Following the October 16, 2015 deadline, our office kept receiving calls and several written submissions from Class Members across Canada;

5. I personally have spoken to several Class Members. I mainly provided basic information about the next steps in the proceedings leading to the June hearing, led them to the Administrator for further information or specific answers regarding their personal file, and humbly listened to their stories;

6. I have also encouraged Class Members to submit their written submissions, despite the previous October deadline, some having just received the Joint Committee's notice because of address changes;

7. Thus, I have gathered and assembled the additional written submissions our office received since October 15, 2015 by mail, by fax or by email from the Class Members directly or forwarded by the Administrator and pertaining to the allocation of the actuarially unallocated funds, a copy of these additional written submissions is appended to this affidavit as **Exhibit A**;

13. To the extent possible, written communications that Me Martine Trudeau and I have identified as being communications also received by other Joint Committee members from Class Members of provinces other than Quebec were excluded from Exhibit A, with the exception of the ones written in French;

14. The written communications received from the Class Members that were purely administrative (eg: change of address) or do not provide information, commentary or suggestions that the Joint Committee can use to inform the recommendations it makes to the Courts on benefits for Class Members are not included in Exhibit A;

15. The 20 additional written submissions Savonitto & Ass. Inc. received from Class Members and appended as Exhibit A have been redacted to remove names and addresses to protect the privacy of the Class Members.

AND I HAVE SIGNED :

ARNAUD SAUVÉ-DAGENAIS

Solemnly affirmed before me
in Montréal, this 1st day of April 2016

Line Gagnon

Line Gagnon # 141094
Commissioner of oath
for the province of Québec

Line Gagnon
141 094

Martine Trudeau

De: [redacted]
Envoyé: 16 octobre 2015 15:55
À: Information
Objet: Hepatitis C Settlement Agreement...

M. Savonitto,
Nous vous remercions pour l'envoi d'informations concernant ce sujet qui a été, et est encore pour nous, les enfants de M. [redacted] [redacted] cause de chagrin et, je dirais meme, de ressentiment envers les membres de la Croix Rouge qui ont été plus que négligeants dans cette affaire. Bien que les compensations monétaires ne ramèneront pas nos chers disparus, ils apportent un certain réconfort à leurs proches, ainsi qu'à ceux qui combattent encore cette maladie et leur entourage.
Nous vous appuyons fortement dans cette démarche importante pour que vous puissiez obtenir le maximum de ce surplus qui aidera tous ceux qui ont été victimes de cette tragédie ainsi que de leurs familles.
Nous suivrons de près le déroulement de cette requete et assisterons, dans la mesure du possible, aux assemblées dont les dates sont indiquées dans votre document.
Nous vous remercions très sincèrement pour le travail que vous faites au nom de nous tous.
[redacted] au nom des enfants de [redacted]
P.S. Nos excuses pour le manque de certains accents dans le texte.... l'utilisation d'un clavier anglais en est la cause.

[redacted]

[redacted] Déccéder le 13 Novembre 1998.

Quand j'avait 12 ans, ma grande-mère habitait avec moi, mon frère ([redacted]) et mes parents ([redacted] jusqu'attant qu'on ne pouvait pas prendre soin d'elle et on là placer dans une maison pour les aînées. Ma mère à des frères et des soeurs mais ils vies dans d'autres ville et même d'autre province. Il y a un frère qui réside à [redacted] mais ils on tous des familles. La majorité du temps c'étais moi, mon frère et mes parents qu'on prennait soins d'elle. Mes tantes et oncles venait visiter sur les fin de semaine et pendant les vacances ou des congées. Je me souvien dans la sixième année, ma grande mère m'aidai avec mes devoirs, me conduissait à l'école quand que j'ai manquer l'autobus ou elle me ramassai de l'école quand que j'étais malade. Elle nous emportait a un site de camp et on passer plusieur jours et soirs de notre été là. En septième année, elle ne pouvait pas conduire souvent et quand que j'arrivai à la maison de l'école, elle voulais que je mais de la crème sur son corps, aller acheter des chose au magasin qu'elle avait besoin ou même l'aider à aller a la toilette et l'aider a rentrer et sortire du bain. Elle avait "Meals on Wheels" qui emportait un dînner pour elle à chaque jour pendant la semaine et je me rappelle qu'il y avait des jours qu'elle n'avait pas manger ou elle avait pas eux son repas. Quand que j'y pense maintenait, peut être les journées elle n'as pas eu son repas est parcequ'elle n'étais pas capable de répondre la porte. Où étais l'aide pour ma grande-mère quand elle l'avait besoin? Il y avait une journée qu'on cuissait des biscuit à la mollasse et elle avait échapper le pot chaud de mollasse par terre et sur mon chien. Elle n'était pas capable de nous conduire au vétérinaire. Après cette journée j'ai commencer a voire qu'elle ne sortait pas souvant de son lit. Elle avait de la difficulter à marcher et de prendre soin d'elle même. Quand on là mis dans un institue pour prendre soin d'elle, ça sentait que je l'avait abandonner parce que je ne pouvait plus l'aider et le plus pire c'était que je ne pouvait pas la visiter a l'institue parce que c'étais trop dûre la voire comme sa. C'étais comme elle n'avait plus de vie dans ses yeux et elle avait de la dificulter a parler. Voire ma grande-mère avoir beaucoup d'énergie, aller en voyage, être a l'exterieur faire du jardinage et aller camper pour avoir du temps avec sa famille et puis voire la transformation dans deux ans et demi, par ma memoire, à une personne qui ne pouvait plus faire de quoi elle aimmait, presque peu capable de marcher ni faire qu'elle que chose simple comme jouer au carte avec moi. Sa c'étais une réalité que je vais j'amais oublier. Après elle avec décéder je me rappelle qu'on n'avait besoin de nous faire tester pour voir si on avait l'hèpatite C. J'étais peur que je n'étais pas assay diligent quand que j'étai allentour de ma grande-mère. Mes résultas on revenue négatif. Une couple d'année passer j'ai reçus une lettre dans la poste qui disait que j'ai besoin de me faire tester pour l'hépatite C parce qu'un de mes donneur à été tester positif pour l'hépatite C. Alors encore j'étais peur pour un mois que j'étais pour avoir la même transformation que ma grande-mère avait. En plus, quand que j'ai lû les dates que quand les transfussion on été donner j'ai dit a moi même que c'est une bonne chose que j'étais tester une couple d'année passer et que les résultas était negatif. Parceque j'aurai été peur encore. J'étais née trois mois prémature en mai 1986. J'avais besoin plusieure transfussion de sang pour me garder en vie. Sa là de l'aire que j'étai chanseuse de ne pas être infecter dans plusieure section de ma vie. N'importe quoi que je fait, à chaque couple d'années je suis rappeller de l'hépatite C et les mauvaises effect que sa là sûr le corps. Entre vous, nous envoyez cette lettre dans la poste où un de mes donneurs qui on l'hépatite C. Es ce que il va avoir une journée ou que je peut me souvenire de ma grande-mère sans voir les effects négatif de l'hépatite C. Je ne pense pas, parce que je suis toujours entrain d'avoir des lettres par la poste qui mentionne l'hépatite C.

Ma grande-mère étais comme une mère pour moi. Elle étais toujours la pour moi et elle à manquer beaucoup de ma vie. On faisait presque tous emsemble. À cause de une erreur j'ai perdue ma grande-mère et j'étais peur que moi aussie j'avais l'hépatite C. Avoir tes parents t'expliquer pourquoi il faut que tu fait attention pour toucher ta grande-mère a l'age de 9 ans et de faire certaine que mes mains n'avait pas de blessure et que mon sang ne peut pas toucher son sang et ses blessure étais très confusant. Mais je l'ai faite. À chaque jour je regardait a mes mains pour que je pouvait toucher ma grande-mère. Mes parents voulais même pas qu'on utilise les même ustensil jusqu'en cas elle les avait utiliser et les à laisser sur le comptoire. Mon enfance étais différent que mes amies. Pour moi je savait que c'étais different parce que ma meilleure amie avait ses grand parents qui habitait seule et quand j'allai visiter ses grand parents qui son plus vieux que ma grande mère il étais encore très mobile. Je savait que c'étais pas normal comment vîte ma grande-mère n'étais peu capable de faire ses tâches quotidiennes. J'ai vue la détérioration de ma grande-mère à l'âge de 12 ans. Je vais j'amais oublier ça. Même maintenant ces encore dûre a revivre les effects et de voire la souffrance dans les yeus de ma grand-mère. Il y a rien que personne peut faire pour effacé mes mémoires des dernières deux à trois ans de sa vie.

Ma mère travaillai deux et des fois trois differents emplois dans une journée pour qu'elle avait suffisant d'argent pour payer les factures et les coûts pour aider ma grande-mére. Mon père étais un camioneur, alors il n'étais pas allentour souvant non plus.

C'étais toujours moi, mon frère et ma grande-mère. C'étais moi et mon frère qu'on l'aidait le plus et vers la fin c'étais nous qui faisait les dîners et les soupers quand mes parents n'étais pas là. Quand que mon frère et moi on à commencer à cuire, ce n'étais pas long après que ma grande-mère à été placer dans un bâtiment pour les aînées. J'avait la difficulter a visité ma grande-mère là. Elle avait la difficulter a parler et elle avait toujours de nouvelle poque sur son corps et elle ne pouvait presque peus marcher, même avec de l'aide.

L'hépatite C à détruit ma grande-mère. Elle aimait voyager et voire le monde, car sa santé, elle n'étais peus capable de faire tous les choses qu'elle aimait faire dans la vie. C'étais difficille à voire l'esprit de ma grande-mère tranquillement diminué pendant les années. Le plus pire c'étais pour dire au revoire, car je ne vais pas la voire encore dans se monde.

[redacted]

Recours Collectif – Hep C 86-90 [redacted]
Personnes infectées par le VHC à la suite de transfusion de sang entre 1986-1990

[redacted] décédée le 13 novembre 1998
Cause immédiate : Cirrhosis du foie
Cause morbide : Hépatite C

Objet : Le Comité conjoint sollicite la collaboration de tous les membres du recours collectif ainsi que des membres de leur famille afin de l 'aider à formuler ses recommandations pour la distribution du surplus.

Voici mes commentaires :
Injustice : Pour ma mère – aucune compensation ou aide de son vivant puisqu'elle est décédée avant la décision du recours collectif. Aucune compensation pour la douleur et la souffrance que ma mère a subie en apprenant qu'elle n'avait moins de 10 ans à vivre.

Injustice : L'indemnisation pour les frais engagés pour les déplacements, la perte de services domestiques, etc. n'était pas disponible de 1996 à 1998 tels qu'ils le sont pour ceux encore vivant après 1999. C'est injuste de ne pouvoir réclamer aucune indemnité tels les 20 heures par semaine pour les soins à la maison puisqu'elle est décédée avant 1999.

Toutes les dépenses encourues pour les soins de ma mère ont été payé de sa poche et non par le recours collectif tels les soins à domicile et les paiements mensuels pour la résidence jusqu'à son décès. Aucun remboursement n'a été effectué pour ses besoins personnels tels les couches, fauteuil roulant orthopédique, etc. On mentionne un montant de 20 heures par semaines pour ces services alors que ma mère a dû se servir de ses épargnes, de son chèque de pension, et d'encaissé son assurance-vie pour réussir à joindre les deux bouts. Pourtant elle aussi a été une victime, elle aussi a souffert, elle aussi a dû se fier à ses enfants pour les soins spécialisés dont elle avait besoin les deux dernières années de sa vie.

Injustice : Le fait que le recours collectif nous **a été imposé** en nous présentant deux options qui ne rencontraient nullement nos attentes et ne nous donnant aucun choix entre option A ou B. Un montant global aurait pu être désigné à l'exécuteur testamentaire. L'option de donner 5 000 $ à ses frères et sœurs qu'elle ne fréquentait que rarement nous à chavirer le cœur surtout en apprenant que seulement 500 $ avait été prévu pour chacun de ses 11 petits-enfants.

Une compensation de 5 000$ pour soulager la perte d'une mère est un affront et inacceptable. Les assurances privées octrois 5 000$ pour un doigt amputé; moi et ma famille ont reçu un coup de poignard au cœur. Pour moi et ma famille cette compensation de pitance ne suffit pas pour alléger la douleur et la souffrance d'avoir vu ma mère détériorée sous mes yeux tout en étant impuissant d'adoucir son supplice.

Injustice : Pourquoi est-ce que la cour a-t-elle choisi de donner 15 000 $ aux enfants de moins de 21 ans et seulement 5 000 $ pour ceux de plus de 21 ans? Le rôle d'une mère est souvent plus important au 21 et plus qui commence à former une famille et ont besoin du soutien de leur mère, de la présence de leur mère à leur graduation, à leur mariage, à leur anniversaire, etc. J'ai perdu non seulement une mère mais une confidente, une conseillère et une amie intime.

Injustice : Une compensation de 500$ pour les petits-enfants est une insulte. Ma mère vivait pour ses enfants et petits-enfants. Ils passaient leurs étés au « camping » avec elle. Cette maladie les a profondément affectés. Elle n'était pas présente à leur graduation, leur mariage, à la naissance de ses arrière-petits enfants, aux anniversaires, à Noël.

Injustice : Rapporter ceci après 15 ans de deuil c'est de revivre tous les émotions encore une fois. C'est injuste de nous faire vivre ses émotions sans l'assurance que les fonds excédentaires seront distribués de façon équitable **parmi les membres de ce recours collectif**. Que le gouvernement fédéral et les gouvernements provinciaux et territoriaux peuvent déposer une requête pour accéder au surplus de fond est une insulte. A qui de droit! Ce sont eux qui ont créé cette situation par leur négligence. Ils ne sont pas les victimes; ils sont les complices! C'est la raison pour laquelle ils ont contribué 1,18 billion de dollars à ce recours collectif.

Injustice : Ma mère avait tout probablement atteint le niveau 6 lors de son décès puisqu'elle était restreinte au lit, ne pouvait boire et manger seule et la compensation n'a pas relevée ce fait; les évaluations étant fait périodiquement (trois ans?) et ma mère a dépéri en deux ans.

A considérer
Le comité se doit de revoir la façon dont les paiements ont été effectués aux enfants et petits-enfants puisque la distribution a été injuste. L'indemnité dans notre cas incluait non seulement les enfants et petits-enfants mais aussi les frères et sœurs (ceux-ci déjà dans leurs 70 ans avancés.

Le comité se doit de revoir la façon dont les membres décédés avant la décision de la cour sur le recours collectif (1999) **ont été ignorés**. Ces membres ont autant souffert et aucune indemnité n'a été prévu pour recouvrir les frais encourues à leurs propres dépens.

Le comité se doit de réaliser l'impact que cette présentation aura sur tous les membres en nous faisant revivre des moments difficiles surtout pour ceux d'entre nous qui ont des parents défunts. Le comité ne peut prédire la décision de la cour … alors cette présentation servira à quoi? A nous faire revivre un passé douloureux ou nous faire croire à des illusions qu'il y aura justice après tout? Le comité a l'obligation moral d'être franc et ouvert avec tous les membres et ne rien cacher sur le déroulement des procédures judiciaires.

Le comité se doit de revoir le temps des réévaluations (niveau 1 à 6) puisque la maladie de ma mère à progresser très vite au courant des deux dernières années.

Merci de votre attention et meilleurs vœux de succès dans vos délibérations.

[redacted]

Recours Collectif – Hep C 86-90 [redacted]
Personnes infectées par le VHC à la suite de transfusion de sang entre 1986-1990

[redacted] décédée le 13 novembre 1998
Cause immédiate : Cirrhosis du foie
Cause morbide : Hépatite C

Objet : Le Comité conjoint sollicite la collaboration de tous les membres du recours collectif ainsi que des membres de leur famille afin de l'aider à formuler ses recommandations pour la distribution du surplus.

Voici mes commentaires :
Injustice : Pour notre grand-mère – aucune compensation ou aide de son vivant puisqu'elle est décédée avant la décision du recours collectif. Aucune compensation pour la douleur et la souffrance que notre grand-mère a subie en apprenant qu'elle n'avait moins de 10 ans à vivre.

Injustice : L'indemnisation pour les frais engagés pour les déplacements, la perte de services domestiques, etc. n'était pas disponible de 1996 à 1998 tels qu'ils le sont pour ceux encore vivant après 1999. C'est injuste de ne pouvoir réclamer aucune indemnité tels les 20 heures par semaine pour les soins à la maison puisqu'elle est décédée avant 1999.

Toutes les dépenses encourues pour les soins de notre grand-mère ont été payé de sa poche et non par le recours collectif tels les soins à domicile et les paiements mensuels pour la résidence jusqu'à son décès. Aucun remboursement n'a été effectué pour ses besoins personnels tels les couches, fauteuil roulant orthopédique, etc. On mentionne un montant de 20 heures par semaines pour ces services alors que notre grand-mère a dû se servir de ses épargnes, de son chèque de pension, et d'encaissé son assurance-vie pour réussir à joindre les deux bouts. Pourtant elle aussi a été une victime, elle aussi a souffert, elle aussi a dû se fier à ses enfants pour les soins spécialisés dont elle avait besoin les deux dernières années de sa vie.

Injustice : Le fait que le recours collectif nous **a été imposé** en nous présentant deux options qui ne rencontraient nullement nos attentes et ne nous donnant aucun choix entre option A ou B. Un montant global aurait pu être désigné à l'exécuteur testamentaire. L'option de donner 5 000 $ à ses frères et sœurs qu'elle ne fréquentait que rarement nous à chavirer le cœur surtout en apprenant que seulement 500 $ avait été prévu pour chacun de ses 11 petits-enfants.

Une compensation de 500 $ pour soulager la perte d'une grand-mère est un affront et inacceptable. Nous l'avons perdu quand nous avions 17 et 15 ans. Elle a manqué nos graduations, mariages et plusieurs autres moments importants dans nos vies et dans la vie de ses enfants et autres petits-enfants.

Injustice : Rapporter ceci après 15 ans de deuil c'est de revivre tous les émotions encore une fois. C'est injuste de nous faire vivre ses émotions sans l'assurance que les fonds excédentaires seront distribués de façon équitable **parmi les membres de ce recours collectif**. Que le gouvernement fédéral et les gouvernements provinciaux et territoriaux peuvent déposer une requête pour accéder au surplus de fond est une insulte. A qui de droit! Ce sont eux qui ont créé cette situation par leur négligence. Ils ne sont pas les victimes; ils sont les complices! C'est la raison pour laquelle ils ont contribué 1,18 billion de dollars à ce recours collectif.

Injustice : Notre grand-mère avait tout probablement atteint le niveau 6 lors de son décès puisqu'elle était restreinte au lit, ne pouvait boire et manger seule et la compensation n'a pas relevée ce fait; les évaluations étant fait périodiquement (trois ans?) et notre grand-mère a dépéri en deux ans.

A considérer
Le comité se doit de revoir la façon dont les paiements ont été effectués aux enfants et petits-enfants puisque la distribution a été injuste. L'indemnité dans notre cas incluait non seulement les enfants et petits-enfants mais aussi les frères et sœurs (ceux-ci déjà dans leurs 70 ans avancés.

Le comité se doit de revoir la façon dont les membres décédés avant la décision de la cour sur le recours collectif (1999) **ont été ignorés**. Ces membres ont autant souffert et aucune indemnité n'a été prévu pour recouvrir les frais encourues à leurs propres dépens.

Le comité se doit de réaliser l'impact que cette présentation aura sur tous les membres en nous faisant revivre des moments difficiles. Le comité ne peut prédire la décision de la cour … alors cette présentation servira à quoi? A nous faire revivre un passé douloureux ou nous faire croire à des illusions qu'il y aura justice après tout? Le comité a l'obligation moral d'être franc et ouvert avec tous les membres et ne rien cacher sur le déroulement des procédures judiciaires.

Le comité se doit de revoir le temps des réévaluations (niveau 1 à 6) puisque la maladie de notre grand-mère à progresser très vite au courant des deux dernières années.

Merci de votre attention et meilleurs vœux de succès dans vos délibérations.

[redacted]

Michel Savonitto & Ass. Inc.

468 rue St-Jean suite 400

Montreal Québec H2Y 2S1

Objet: [redacted]

Monsieur,

Voici mes recommandations: je suis d'accord avec le Comité conjoint qui dépose une requête devant les tribunaux pour demander que la totalité ou une partie de l'excédent soit distribué aux membres des recours et aux membres de la famille.

Je considère que nous avons eu beaucoup de préjudices et de problèmes de santé autant physique, morale et psychologique. Également nous avons eu des pertes de revenus considérable car je n'ai pu retourner sur le marché du travail. J'ai une compensation une fois par année pour perte de revenus de 18 000$, qui est sous le seuil de pauvreté. Nos proches ont été grandement affectés aussi, car la vie familiale a été chamboulée par des petites choses aussi simple que d'accompagner ma fille dans différentes activités de tous les jours.

Espérant ces quelques informations utiles et espère avoir de vos nouvelles bientôt.

[redacted]

Le 12 novembre 2015

Me Michel Savonitto
Savonitto & Associés inc.
Bureau 400
468, rue Saint-Jean
Montréal (Québec) H2Y 2S1

Règlement relatif à l'Hépatite C 1986-1990
Réévaluation financière- Distribution de l'excédent

Cher Maître Savonitto,

En qualité de bénéficiaire et de représentant des bénéficiaires identifiés à l'Annexe A, je désire donner suite à la communication des Membres du Comité conjoint et vous faire connaître la position de ces bénéficiaires concernant l'existence d'un excédent au terme de la mise en œuvre de la Convention de règlement relatif à l'Hépatite C 1986-1990.

Considérant que l'objectif premier de la Convention était et demeure d'indemniser les victimes directes et par ricochet de l'Hépatite C, il nous semble évident qu'un excédent devrait d'abord et avant tout servir à indemniser ces victimes et que l'utilisation de cet excédent à d'autres fins serait incompatible avec la finalité de la Convention et les contreparties qui ont été consenties par les membres du groupe aux fins de clore ce litige. La distribution de cet excédent pourrait se faire suivant une simple clé de répartition proportionnelle, *au prorata* des indemnités établies dans la grille d'indemnisation négociée à l'origine.

On conviendra que les montants d'indemnité versés à ce jour étaient et demeurent d'ordre nominal et la distribution d'un excédent ne saurait en aucun cas constituer un enrichissement des victimes au-delà des critères reconnus d'évaluation des préjudices en cause. De plus, le passage du temps depuis la mise en place du Fonds et le versement des indemnités, soit une période de plus de 10 ans, rendrait déraisonnable tour report additionnel dans la distribution d'un excédent dont l'existence et l'importance sont confirmés tant par les actuaires du Comité conjoint que par ceux mandatés par le gouvernement. Je rappellerai, dans le cas de ma famille, qu'il s'agissait du décès en 2003 d'une épouse, mère de quatre enfants et grand-mère de neuf petits-enfants.

Par ailleurs, nous sommes informés de l'existence d'un nouveau traitement contre l'Hépatite C qui se serait avéré très efficace mais dont le coût est sans doute prohibitif pour la vaste majorité des personnes infectées visées par la Convention de règlement et susceptibles de bénéficier de ce traitement. Dans les circonstances, il nous semble qu'une partie n'excédant pas 25% de l'excédent pourrait être attribuée au financement d'un programme parrainé par des médecins compétents pour rendre ce traitement disponible dans les cas qui le justifient suivant les meilleures pratiques médicales en cette matière.

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Me Michel Savonitto Le 12 novembre 2015

Nous vous remercions de tenir compte et de livrer ces commentaires et suggestions au juge présidant à l'audition de la requête en juin 2016 aux fins du traitement de cet excédent.

N'hésitez pas à communiquer avec le soussigné pour toutes questions relativement à ce qui précède.

Cordialement,

[redacted]

p. j. Annexe A

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ANNEXE A

Bénéficiaires :

[redacted]

7 novembre 2015

Monsieur Savonitto,

I

Je suis une veuve de l'hépatite C depuis 10 ans déja. J'ai 3 enfants et 2 petits enfants. Je vie seule et j'ai maintenant 70 ans.

Je suis reconnaissante du travail que vous avez fait pour nous et je vous en remercie beaucoup.

La perte de mon conjoint est encore difficile, et il nous manque a tous.

En vieillissant mes capacités ne sont plus les mêmes, et j'ai besoin d'aide plus souvent.

Je pense que s'il y a un excédent, le tout ou une partie devrait revenir aux membres et a leur famille.

II

Quand je serai morte j'en aurai plus besoin. Je vous envoie les bonnes adresses de mes 2 filles.

[redacted]

(P.S.)

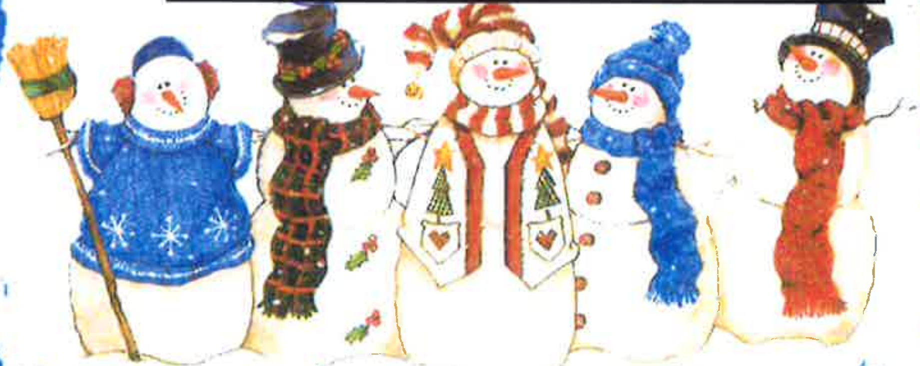
J'aimerais bien pouvoir rester dans ma maison le plus longtemp possible car je vieillie. Merci à vous

[redacted]

Bien à Vous

Merci de me lire

[redacted]



[redacted]

[redacted] le 5 nov 2015

Pour faire suite à la lettre que l Comite Conjoint m'a fait parvenir a sujet de la convention de reglement relatif à l'hepatite C 1986 - 1990 concernant l'excedent

Je crois que l'excedent devrais être distribué entre toute les persone qui ont recu du sang. Contamine à l'epatite ou a leur famille si les personnes sont décédé

moi ma santé se déteriore par une sirose du foi et je fais des infection de la peau qui ne guerisse jamais specialement aux jambes

Bien à vous

[redacted]

[redacted]

[redacted]

[redacted] le 7 novembre 2015

À l'attention de:

Michel Savonitto
Savonitto & Ass. Inc.
468, rue St-Jean
Suite 400
Montréal (Québec) H2Y 2S1

Sujet
Commentaires sur les dispositions du règlement de l'hépatite C et de notre vécu

Notre fils, [redacted], est décédé à l'âge de 36 ans le 21 septembre 2013 d'une insuffisance hépatique reliée à l'hépatite C qu'il avait contractée vers l'âge de 12-13 ans. Étant hémophile sévère, il a aussi été contaminé par le VIH vers l'âge de 8-9 ans.

Une cirrhose du foie s'est développée alors qu'il n'avait que 21 ans. Sa vie était déjà bien handicapée. Il a arrêté ses études en Secondaire III n'ayant pas la santé pour continuer et n'a jamais été capable de travailler.

En 2003, à l'âge de 26 ans, le virus de la Leuco-encéphalopathie multifocale ~~mal~~ progressive (LMP) s'est développé dans son cerveau. Il vivait à Montréal et nous l'avons ramené à la maison à [redacted]

2

il avait alors des pertes de mémoire, perte d'équilibre, manque de coordination dans ses mouvements, devait marcher avec une marchette et être en fauteuil roulant pour de plus grandes distances. Nous avons adapté son environnement afin qu'il soit le plus confortable possible. Le neurologue de Matelot lui avait donné 3 mois à vivre ce qui a fait que moi, sa mère, étant infirmière à temps plein, ai dû prendre un congé-maladie d'environ 16 mois car je n'avais plus d'énergie ni de moral.

Suis retournée au travail par la suite à raison d'une journée par semaine et plus tard, 2 jours par semaine. J'ai pris ma retraite à l'âge de 51 ans plutôt que prévu car [redacted] n'était pas bien et nécessitait beaucoup de soins à la maison: voyages, médication, rendez-vous chez les médecins... La lourdeur de la tâche était devenue trop importante pour moi. J'ai donc subi une énorme perte de salaire. Au lieu de prendre une retraite avec un revenu d'environ 65% de mon salaire, j'ai bénéficié d'à peu près 54% ce qui représente une perte approximative de 15 000 $ par année pour un total de 150,000 $.

Mon mari, [redacted] travailleur autonome à la maison en comptabilité, a dû refuser plusieurs clients car il n'avait ni d'énergie ni le moral pour entreprendre plus de travail. Il s'occupait beaucoup des soins de [redacted] et prenait la relève quand je m'absentais. Le manque à gagner représente la perte de plusieurs clients ce qui se chiffre à environ 20 000 $ par année pour un total de 200 000 $.

Nous avions décidé de nous occuper de [redacted] et de l'accompagner jusqu'à la fin car il était toute la richesse de notre vie et c'était notre seul enfant. Nous n'aurions jamais été capables de le placer en institution.

Notre fils a commencé à faire de l'ascite en 2006 et souffrait de crampes abdominales sans fin. Il a souvent parlé de suicide ce qui nous jetait par terre. Nous avons fait notre possible pour adoucir ses souffrances physiques et psychologiques

Suite au décès de [redacted] nous avons eu tous les deux besoin d'un soutien psychologique et n'avons pas d'assurance. [redacted] est obligé de travailler même à l'âge de 68 ans vu la perte de salaire subie dans le passé

(Note) Le montant de 4 700 $ n'a pas suffi à défrayer totalement le coût des frais funéraires qui se sont élevés à 8 000 $ plus les frais de messe, inhumation de l'urne ...

Nous trouvons aussi que le montant accordé de 500 $ aux grands-parents n'est vraiment pas suffisant. Imaginez leurs sentiments en voyant la santé de leur petit-fils se détériorer dès l'enfance et l'adolescence et comme nous, ses parents, en mettant une croix sur son avenir.

[redacted] a vécu beaucoup de moments heureux dans sa courte vie et nous aussi, avec lui. Cependant, il avait toujours une épée de Damoclès au-dessus de la tête. Il possédait un courage extraordinaire et a toujours fait rayonner la joie dans la maison.

Notre vie, en tant que parents a été faite de beaucoup de stress, de peine, d'angoisse et maintenant nous sommes en deuil.

Merci à l'avance de votre collaboration.

[redacted]

Excusez les fautes, j'ai écrit avec mon coeur de ce que je vis.
Excusez c'est le brouillon et c'est correct pour moi. Merci de votre compréhension
Bonsoir je ne sais pas par quel bout commencer. Je suis souvent découragée. Je vois vais commencer, je viens du Bas- bas du fleuve, je suis déménagé avec mes parents arrivé dans le coin de [redacted] ils ont ouvert un magasin de vêtements habits et robes chics je travaillais 60 heures semaine à 5.00 X semaine parce qu'ils n'avaient pas d'argent. J'aimais cela parce que j'aime beaucoup les gens mais je ne voulais pas rester pauvre et voulait être autonome. J'ai eu des grossesses difficiles mais je me décourageais pas quelques mois après vers l'âge de 27-28 ans je cousais pour les autres pour me ramasser des sous pour me payer une auto pour aller étudier je vous dis ce sont des heures de travail ce n'est pas une journée de 8 heures c'était 60-70 heures semaine j'~~avais~~ une santé de fer je disais souvent je ressemble à ma grand-mère est pas tuable moi non plus mais là c'est pas la même chose c'est de la merde. Donc je suis allé étudié à [redacted] pour électrolyste
J'ai ouvert mon commerce ça allait très bien parce que j'étais une bonne travaillante et surtout honnête donc ça n'a pas été long pour avoir une bonne clientèle mais le dimanche c'était pour nos enfants. J'avais beaucoup de demande pour l'esthétique donc je suis reparti vers [redacted] pour l'autre année mais j'avais une bonne gardienne et le soir c'était mon mari qui s'occupait d'eux car il était est un bon père, pour ne pas perdre ma clientèle j'arrivais le vendredi soir je travaillais de 6:00 à 1:30 du matin pour ne pas perdre ma clientèle et payer mon commerce et le samedi de 7:00 à 3:00 après c'était pour ma famille et le dimanche vers 3:00 je repartais vers [redacted] il faut

J'ai été obligé d'arrêter l'école pour aider mes parents.

avoir du courage pour ça même avant d'étudier j'ai fait tous les vêtements pour les enfants et même mes jus de tomates, pâtes ect pour vraiment avoir de l'argent.

Pendant mon commerce j'étais vraiment très en forme, j'ai fait 5ans de ballets Jazz, après j'organisais des parades de mode, j'ai même fait 5ans d'Afeas, 2ans pour les optimistes, après la danse j'ai chanté fait des spectacles avec chorégraphie comme [redacted] [redacted] c'était le paradis mais le Dimanche était toujours pour la famille. Vers 1989 avant d'être contaminé au mois d'Avril j'avais fait une demande à la municipalité d'avoir un terrain 200×200 pour faire une maison de santé, physiothérapie, pressothérapie, balnéothérapie, coiffure, esthétique, massage et électrolyse mais au mois d'avril je me suis fait enlevé une côte parce que la côte compressait mes vaisseaux mais j'avais besoin de coagulant à cause de la dysfibrinogénémie et c'est là que l'enfer à commencé j'ai reçu 3 virus de l'hépatite C mon mari a dit quand je me suis réveillé j'ai dit en me réveillant je ne me sens plus en dedans de ce que j'étais avant car les gens me disait réveiller vous on est en train de vous perdre ils me brassaient ils ont essayé de me tuer après ils me disaient on va vous perdre c'est dégueulasse, ça m'écoeure (m'echoeure) avant cela j'étais infatiguable mais depuis et aujourd'hui c'est l'enfer et je vous dis ce n'est pas comme une fatigue de grand ménage c'est une fatigue inexplicable faut le vivre pour le savoir, je me suis même fait dire par un médecin que j'avais le mal imaginaire je lui avais répondu si c'était le mal imaginaire j'irais faire du ski mais pas mon travail. je travaillais et n'étais plus capable

P.S. Même je faisais un médecin en électrolyse elle m'a même demandé de prendre 1 prise de sang parce qu'elle me voyait perdre ma vivacité pendant 3 fois, elle s'est aperçue que mes enzymes montaient suite à cela j'ai reçu une lettre de la croix-rouge et alors la suite c'est ce que je vous ai écrit de faire du ski alors quand j'ai su que j'avais H.C je suis allé lui dire pour un mal imaginaire c'est drôle on a essayer de me tuer et même le cacher pour ne pas actionner individuellement écoeurant C'est(échoeurant) ça me désole comment peut on continuer de fonctionner quand on sait qu'on tue des gens, c'est un dossier sale, souvent je demande de mourir mais quand je pense à mes touts petits enfants, est-ce que ce sera encore comme quand on a pas pu savoir les coupables mais aujourd'hui je sais qui c'est et je ne les aime pas du tout, ce sera tout organisé à l'avance j'ai tellement été déçu j'espère qu'un jour je serai là quand la vrai vérités sortira parce que je me bat seulement pour mes petits ma famille et mes amis qui trouvent ça dégueulasse de ce qu'on vit après les traitements je pensais pouvoir continué mais non la seule différence c'est que mon virus dort le reste c'est de la merde toujours fatigué pas de résistance je ne peux même pas garder mes petits-enfants toute seule même le petit garçon de 6½ ans m'a dit l'autre jour je vais étudier plus tard pour te guérir et je vais ramasser les choses de métal sur les canettes pour t'acheter une chaise roulante car je ne peux même plus prendre une vrai marche Moi qui n'était pas arrêtable j'ai été obligé faire pleins de deuils Chants, danse, coudre je m'avais achetée une brodeuse (6,800.-) quand j'étais en traitements avec l'argent qu'on recevait mais vous savez je n'ai même cousu 1 fois (m) je l'ai vendue 3,000. à ma chum au moins c'est quelqu'un que je connais qui l'a et m'a dit c'est une vraie cadillac encore un deuil et de la peine,

J'ai mal partout, mes os se défont, j'ai mal à l'estomac, foie, ventre, pas de résistance, je ne suis jamais bien, J'ai même essayé de me jeter en bas du char parce que j'en avais assez de cette merde, moi je travaillais pour voyager et sortir de ma pauvreté et payer des études pour les enfants avec mon mari parce que ça m'avait manqué d'étudier même vous savez c'est dur cette vie tu ne veux pas que tes enfants s'en aperçoivent mais vous savez ils ont étudié dans la santé et ils ne trouvent pas ça drôle, je ne peux fonctionner comme je veux même ma mère a 84 ans et est plus en forme que moi c'est décourageant, je vais toujours haïr ces gens je ne prend même pas de vin pour rester debout, je ne suis tellement pas bien c'est ça que je trouve dur même mon mari me dit t'es verte et (même) mes amies (is) me disent aujourd'hui tu ne peux plus le cacher, j'étais une personne fier, j'ai tellement perdu de cheveux ça aussi c'est humiliant et j'aimerais tellement ne plus avoir de mal à chaque fois que je mange ou bois, vous savez je n'ai même pas une journée que je n'ai aucun mal. c'est pas facile (et si) j'ai même 5 médecins qui m'ont dit d'écrire un livre, vous savez j'avais ramassé plein de choses pour faire bricolage dernièrement j'ai presque tout donné c'est encore un autre deuil, je pourrais vous en écrire encore mais je m'arrête parce que je suis frustrée.

Vous savez les sidéens ont eu 1 bon montant par année et n'ont pas de papiers à faire mais nous c'est pas cela et j'haïs faire des papiers je n'aurais jamais été comptable j'aimais mieux faire du manuel et être avec une clientèle, je n'aime pas l'ordinateur, c'est le monde que j'aime, la vente, même on regarde pour vendre la maison ça fait pas notre affaire (m) c'est triste parce que mes parents on gardé leur maison jusqu'à 82-88 ans mais nous pour 1 personne

C'est trop.

Vous savez l'argent était supposé être pour l'hépatite c, je crois que ça devrait nous rester pour nous soigner parce que vous savez avec les traitements qu'on a eus même si le virus dort le mal est fait ça nous a brisé plein d'autres choses (on a plein choses qui est brisé). on est toujours malade et ça fait au moins 2 autos qu'on paie à cause de rendez-vous. c'est démoralisant vous savez les gens qui ont fait ça j'espère qu'ils vont aller en ..... je suis choqué de vivre ça moi qui avait une santé de fer même avec l'argent je vais me payer un jour 1 genou même si c'est une opération qui sera dure parce que j'ai toujours dit (quand) tant que je vois marcher ça va aller bien dans ma tête mais là je ne fais plus de vrai marche. Pourquoi vouloir notre argent peut-être pour soigner ceux qui ont l'hépatite c à cause de la drogue j'espère que ce n'est pas ça parce que moi je n'ai jamais prise 1 joint ni même piqué pour moi c'est de la merde. et tous les gens paient l'assurance maladie alors que les politiciens sont là qu'ils fassent comme c'est supposé, qu'ils fassent de la prévention pour qu'ils ne se drogue pas et ne se pique pas à cause qu'ils peuvent avoir l'hépatite et ce qu'ils peuvent vivre je ne sais pas si c'est ça je suis peut-être à côté de la (tragique) vérité.

Vous savez on a assez perdu, santé, bonheur souvent, joie, rire moi je riais souvent j'organisais des party capotés, pyjamas, mexicains... mais je ne peux plus faire ça c'est encore un deuil, je ne sais pas où je m'en vais je commence à être agressive parce que je leur en veux beaucoup, vous savez si mes enfants et petits enfants sont opérés vous savez je vais les surveiller tant que je serai vivante car ils ont le même problème de sang. Ce serait quand même un retour de l'argent une belle surprise Merci, [redacted]

C'est vraiment un cadeau empoisonné et les coupables font la belle vie et courent. c'est épouvantable je me demande comment font-ils pour dormir! et ceci a coûté très cher et ils ne sont pas en prison.

Recours Collectif – Hep C 86-90 Claim ID: [redacted]
Personnes infectées par le VHC à la suite de transfusion de sang entre 1986-1990

[redacted]

Cause immédiate : Cirrhosis du foie
Cause morbide : Hépatite C

Objet : Le Comité conjoint sollicite la collaboration de tous les membres du recours collectif ainsi que des membres de leur famille afin de l 'aider à formuler ses recommandations pour la distribution du surplus.

Voici mes commentaires :
Injustice : Pour ma mère – aucune compensation ou aide de son vivant puisqu'elle est décédée avant la décision du recours collectif. Aucune compensation pour la douleur et la souffrance que ma mère a subie en apprenant qu'elle n'avait moins de 10 ans à vivre.

Injustice : L'indemnisation pour les frais engagés pour les déplacements, la perte de services domestiques, etc. n'était pas disponible de 1996 à 1998 tels qu'ils le sont pour ceux encore vivant après 1999. C'est injuste de ne pouvoir réclamer aucune indemnité tels les 20 heures par semaine pour les soins à la maison puisqu'elle est décédée avant 1999.

Toutes les dépenses encourues pour les soins de ma mère ont été payé de sa poche et non par le recours collectif tels les soins à domicile et les paiements mensuels pour la résidence jusqu'à son décès. Aucun remboursement n'a été effectué pour ses besoins personnels tels les couches, fauteuil roulant orthopédique, etc. On mentionne un montant de 20 heures par semaines pour ces services alors que ma mère a dû se servir de ses épargnes, de son chèque de pension, et d'encaissé son assurance-vie pour réussir à joindre les deux bouts. Pourtant elle aussi a été une victime, elle aussi a souffert, elle aussi a dû se fier à ses enfants pour les soins spécialisés dont elle avait besoin les deux dernières années de sa vie.

Injustice : Le fait que le recours collectif nous **a été imposé** en nous présentant deux options qui ne rencontraient nullement nos attentes et ne nous donnant aucun choix entre option A ou B. Un montant global aurait pu être désigné à l'exécuteur testamentaire. L'option de donner 5 000 $ à ses frères et sœurs qu'elle ne fréquentait que rarement nous à chavirer le cœur surtout en apprenant que seulement 500 $ avait été prévu pour chacun de ses 11 petits-enfants.

Une compensation de 5 000$ pour soulager la perte d'une mère est un affront et inacceptable. Les assurances privées octrois 5 000$ pour un doigt amputé; moi et ma famille ont reçu un coup de poignard au cœur. Pour moi et ma famille cette compensation de pitance ne suffit pas pour alléger la douleur et la souffrance d'avoir vu ma mère détériorée sous mes yeux tout en étant impuissante d'adoucir son supplice.

Injustice : Pourquoi est-ce que la cour a-t-elle choisi de donner 15 000 $ aux enfants de moins de 21 ans et seulement 5 000 $ pour ceux de plus de 21 ans. Le rôle d'une mère est souvent plus important au 21 et plus qui commence à former une famille et ont besoin du soutien de leur mère durant et après la grossesse, de la présence de leur mère à leur graduation, à leur mariage, à leur anniversaire, etc. J'ai perdu non seulement une mère mais une confidente, une conseillère et une amie intime.

Injustice : Une compensation de 500$ pour les petits-enfants est une insulte. Ma mère vivait pour ses enfants et petits-enfants. Ils passaient leurs étés au « camping » avec elle. Cette maladie les a profondément affectés. Elle n'était pas présente à leur graduation, leur mariage, à la naissance de ses arrière-petits enfants, aux anniversaires, à Noël.

Injustice : Rapporter ceci après 15 ans de deuil c'est de revivre tous les émotions encore une fois. C'est injuste de nous faire vivre ses émotions sans l'assurance que les fonds excédentaires seront distribués de façon équitable **parmi les membres de ce recours collectif**.
Que le gouvernement fédéral et les gouvernements provinciaux et territoriaux peuvent déposer une requête pour accéder au surplus de fond est une insulte. A qui de droit! Ce sont eux qui ont créé cette situation par leur négligence. Ils ne sont pas les victimes; ils sont les complices! C'est la raison pour laquelle ils ont contribué 1,18 billion de dollars à ce recours collectif.

Injustice : Ma mère avait tout probablement atteint le niveau 6 lors de son décès puisqu'elle était restreinte au lit, ne pouvait boire et manger seule et la compensation n'a pas relevée ce fait; les évaluations étant fait périodiquement (trois ans?) et ma mère a dépéri en deux ans.

A considérer
Le comité se doit de revoir la façon dont les paiements ont été effectués aux enfants et petits-enfants puisque la distribution a été injuste. L'indemnité dans notre cas incluait non seulement les enfants et petits-enfants mais aussi les frères et sœurs (ceux-ci déjà dans leurs 70 ans avancés.

Le comité se doit de revoir la façon dont les membres décédés avant la décision de la cour sur le recours collectif (1999) **ont été ignorés**. Ces membres ont autant souffert et aucune indemnité n'a été prévu pour recouvrir les frais encourues à leurs propres dépens.

Le comité se doit de réaliser l'impact que cette présentation aura sur tous les membres en nous faisant revivre des moments difficiles surtout pour ceux d'entre nous qui ont des parents défunts.
Le comité ne peut prédire la décision de la cour ... alors cette présentation servira à quoi? A nous faire revivre un passé douloureux ou nous faire croire à des illusions qu'il y aura justice après tout?
Le comité a l'obligation moral d'être franc et ouvert avec tous les membres et ne rien cacher sur le déroulement des procédures judiciaires.

Le comité se doit de revoir le temps des réévaluations (niveau 1 à 6) puisque la maladie de ma mère à progresser très vite au courant des deux dernières années.

Merci de votre attention et meilleurs vœux de succès dans vos délibérations.

[redacted]

Martine Trudeau

De: [redacted]
Envoyé: 3 décembre 2015 10:05
À: Information
Objet: Suivi convention de réglement relatif à l'Hépatite C

Monsieur Michel Savonitto,

J'ai vu ma sœur [redacted] avoir des conséquences dans sa vie de tous les jours et ne pouvoir vivre une vie normale.

Elle avait beaucoup de peine et ne méritait pas cette situation d'avoir été contaminée par du sang qu'elle avait besoin.

Je suis certaine que si elle vivait aujourd'hui, elle demanderait que l'argent de cette cause soit partagé avec les membres de sa famille qu'elle aimait particulièrement. Ces personnes l'ont aimées et accompagnées au cours de ces années difficiles où elle
souffrait.

Tous, parents, frères et sœurs, nous avons eu de la peine de la voir souffrir ainsi puisqu'elle était une personne d'une grande bonté
avec une force intérieure pour lui permettre d'accepter ces souffrances et difficultés qu'elle a dues enduré chaque jour surtout depuis sa contamination.

J'aimerais recevoir les suivis d'information via mon courriel.

Merci à l'avance de l'attention portée à cette cause.

[redacted]

[redacted]

[redacted] Décembre 2015

Le FAiT d'AUOiR été CONTAMiNÉ À L'hépATiTe C, c'est comme empoisoner Quelqu'un c'est GRAVE! HeuReusemenT Nous guérison ceT MALADiE MAiNTENANT mais Le FAiT ResTe, soiT d'ÊTRe CONTAminé, Réduit Aux préjugés SANS compTeR un SysTème iMuNiTAiRe Faible, une FATigue EXTReme pour CERTAiN, une MALADiE a déclARATion obligATOiRe Quel TRACAS [illegible] [illegible], même A L'hopiTAl CERTAiN, même plusieur Refuse CATégoRiQuemenT de nous Toucher

→

II

Pour toute ces raisons
Le niveau 1 devrait être
plus pécunière, substancielement
plus êleve a cause des
— inconvénients —

Défintion
Désavantage, désagrément
facheux qu'une chose ou une
situation peut produire.
* du latin : malheur

merci de m'avoir lue

[redacted]

Martine Trudeau

De: [redacted]
Envoyé: 21 décembre 2015 18:28
À: ijcamp@cfmlawyers.ca; hts@strosbergco.com; Information; kp@toughcounsel.com
Objet: Règlement relatif a l'hépatiteC

Bonjour,

Je suis d'accord a ce que " LA TOTALITÉ DE L'EXCÉDENT SOIT DISTRIBUÉ AUX MEMBRES DES RECOURS ET AUX MEMBRES DE LA FAMILLE"

Merci.

[redacted]

M^e^ Martine Trudeau
Savonitto et Associés Inc.
450 rue St-Pierre, suite 101
Montréal, Québec H2Y 2H9

Le 30 janvier 2016

Mᵉ Trudeau, Sous toutes réserves

ENTENTE 1986-1990 pour les transfusés et hémophiles

Vous trouverez ci-dessous un ajout à mes commentaires du 4 août 2015 pour l'audition prochaine de votre requête. Je vous souligne que l'ensemble de mes commentaires ne reflète que mon vécu personnel et ces derniers ne doivent en aucun cas nuire à qui que ce soit.

Le VHC qu'on m'a transmis par transfusion en 1986 a non seulement affecté grandement ma santé mais aussi ruiné ma vie personnelle. Le tout me causant beaucoup de stress depuis maintenant 30 ans, ce qui a aujourd'hui une répercussion grave sur ma santé. Je vous explique : pendant treize longues années (de 1986 à 1999) j'ai été victime de multiples infections à répétition et inflammations entraînant consultations médicales de généralistes et spécialistes incluant analyses sanguines et tests invasifs. Le corps médical a posé pendant ces années plusieurs diagnostiques de différentes maladies plus ou moins reliées au système immunitaire sans vraiment en trouver la source réelle : arthrite rhumatoïde, fibromyalgie, syndrome du colon irritable, syndrome de la fatigue chronique, hypoglycémie... De plus, j'ai subi 3 chirurgies mineures à ma main droite. Pendant la dernière chirurgie, la spécialiste me demanda si elle pouvait prendre un prélèvement pour analyse car elle voyait beaucoup d'inflammation interne avec pour résultat que la cause n'a pu être identifiée. Mon système immunitaire était en pleine action, j`y reviendrai plus loin. Donc pendant 13 ans, vu que mes ALT ne dépassaient pas la norme, les médecins n'ont jamais investigué mon foie malgré la découverte d'un test pour détecter le VHC dans les années 90. Une avocate spécialiste en droit médical consultée en 1999 m'informa que les médecins ne poussent pas leurs investigations si les résultats sanguins sont dans la norme. Vivre dans l'ignorance de connaitre la cause de mes malaises qui m'affectaient malgré la prescription de médicaments pour les soulager causait chez moi stress et anxiété accompagnés de fatigue intense.

En 1999, la morsure d'un chien nécessitant un vaccin contre le tétanos provoqua chez moi une augmentation de mes malaises ainsi qu'une première augmentation de mes ALT. C'est mon nouveau médecin généraliste docteur [redacted] qui poussant plus loin son investigation selon les informations fournies sur mes antécédents médicaux (même information que j'avais fournie aux précédents médecins) a posé le diagnostique qui m'a enfin éclairé sur la source de mes malaises. Soulagé, c'est tout dire car je savais enfin que ce n'était pas dans ma tête, surtout qu'un précédant généraliste m'avait traité devant mon mari de folle et parasitophobe parce que je lui disais que je sentais tout mon intérieur brulé depuis mon opération de 1986, que je n'étais pas folle mais je croyais avoir soit un virus, soit une rare bactérie ou un parasite en moi. Cette recherche de mes problèmes de santé a imposé un lourd fardeau à ma vie familiale et professionnelle.

Entre 1987 et 2000, j'ai du limiter l'exercice de ma profession à un emploi de recherchiste puis de greffière-audiencière, travail plus léger, moins stressant et exigeant donc moins rémunérateur (plus ou moins $12,000. pour 1999) qu'un notaire en exercice avec pour conséquence que l'analyse actuarielle du recours collectif me verse une indemnité de beaucoup inférieure à la moyenne de mes consœurs ou confrères en exercice et cela depuis 2000.

Première conséquence fâcheuse concernant mon indemnité annuelle versée en vertu de l'entente 86-90. En 1999, le stress subi pendant mon travail à la [redacted] m'envoya en ambulance à l'urgence de l'hôpital [redacted] pour un problème cardiaque (tachycardie), par la suite les tests ont révélé aucun problème à mon cœur. Cependant, j'ai décidé de quitter cet emploi stressant en 1999.

Deuxième conséquence fâcheuse concernant ma situation financière. Pour couronner ma saga médicale, je me retrouve en 2000 dans une saga judiciaire non désirée par moi à cause du VHC. Dès la connaissance à l'été 1999 de mon infection à l'hépatite C, mon mari après 23 années de mariage décide de mettre un terme à notre vie familiale et entame des procédures de divorce. Malgré la signature d'une entente de règlement hors cour, mon mari signataire de cette entente mais non satisfait de me verser une pension alimentaire à laquelle j'avais droit surtout à cause de mon indemnité annuelle reçue d'Ottawa. Ce dernier présente donc une nouvelle requête en annulation de ma pension alimentaire. Selon mon avocate, s'ensuit une mauvaise décision rendu en [redacted] (tel que mentionné à ma lettre du 4 août 2015). Cette avocate, vu le manque de définition sur la nature de l'indemnité à l'entente 86-90, m'informa qu'elle n'avait pu défendre le fait que l'indemnité annuelle versée en lieu et place d'une somme forfaitaire ne représentait pas un revenu malgré sa qualification de perte de revenu ou perte de services domestiques mais bien une somme annuelle pour indemniser des dommages subis. De plus, la juge a doublé la valeur de mon indemnité annuelle reçue parce que perçue nette d'impôt. Décision portée en appel à la Cour d'Appel, le jugement de cette cour n'a pas renversé la décision de première instance. Étant très affecté par cette injustice, je n'ai ni la force ni les moyens financiers de porter ma cause à la Cour Suprême dans le délai requis de 30 jours. J'ai tenté ma chance en présentant une requête personnelle pour une extension du délai d'appel, requête rejeté n'ayant pas d'avocat pour me représenter. Stress additionnel imposé pendant 8 ans.

Je me retrouve en 2015, recevant une indemnité annuelle sous évaluée avec des problèmes de santé aggravés par le VHC. Mon gastroentérologue m'informant que je ne serai pas éligible avant quelques années au nouveau médicament reconnu par Québec (Harvani ou al.) traitant le virus. Mon microbiologiste doutant même de pouvoir me le donner vu ma réaction de 1999, il craint la réaction de mon système immunitaire qui est présentement très affecté par 30 années de combat. Il m'a d'ailleurs conseillé de ne pas recevoir le vaccin contre le virus H1N1 ou tout autre vaccin.

Sa présente crainte face à ma santé est que mon système immunitaire s'attaque à un organe sain le croyant invasif, je peux aussi me retrouver avec une hépatite auto-immune.

Dernière conséquence mais non la moindre, ma santé est devenu très hypothéqué surtout qu'en mars dernier j'ai subi 2 arrêts cardiaques nécessitant la pose urgente d'un pacemaker, la batterie naturelle de mon cœur étant finie. A mon avis, le stress imposé à ma santé et ma famille depuis 30 ans par les séquelles fâcheuses du VHC, est un facteur déterminant ayant affecté ma vie surtout ma santé.

En résumé, je suis épuisée de vivre avec ce virus et de me battre pour obtenir réparation aux injustices qui en découlent tout en me replongeant annuellement à remplir des formulaires pour obtenir ma pitance d'Ottawa qui me permet de vivre alors qu'elle aurait du m'apporter soulagement pour les dommages subis.

Bien à vous,

[redacted]

Martine Trudeau

De: [redacted]
Envoyé: 10 février 2016 10:40
À: Information
Objet: Input on Hep C surplus

To whom it may concern,

After taking some weeks to reflect over the surplus of money I came to the conclusion that no matter how much money we, the family, will or could get it won't bring back any of of dead family members.
When my beloved dad passed away after a long and painful fight against this horrible disease, I could not believe he was gone at the age of 70. He was a great man. Thought how to be a responsible and honest citizen. I owe him all my life. However, the disease killed him and I cannot express how much pain I have gone through since his death. He unfortunately never saw my family. In my opinion the surplus should be redistributed to all members of the living families.
Recently, I had to fly from Austria to assist my mother who had suffered a liver cancer due to Hep C complications. I left my work, my husband and 2 young children to spend 2 months caring for my 80 year old mother. Unfairness, painfulness and too often anger build up in me as both my parents will die from that disease. First my dad, and now my mom. I also believe the HEP C should at least allow the immediate family members to visit the victims of that disease. I am living in Austria and cannot afford to have my children and husband fly to Canada to visit my mother. The Hep C should at least pay for the plane tickets so that at least my children and husband could come and spend some time with my mother/their granny before she dies.

Life has no price, but money can help us come closer together before death takes my mother away.
Best wishes

[redacted]

A qui de droit, 17 Février 2016.

Moi Mme [redacted] vous présente cette lettre qui vous expliquera le pourquoi j'ai droit à cette « compensation monétaire ».

Moi et ma famille (frère, sœur, et petits enfants) Avons vu ma mère Mme [redacted] souffrir de cette erreur médicale pendant de bons nombres d'années, rester à son chevet était un supplice pour nous. Nous avons vu cette dame dépérir et s'éteindre dans ces atroces souffrances de par ces faits.

Je crois fermement que ce montant nous est due pour moi [redacted] et mes deux enfants [redacted] Par respect pour notre famille le tout dois nous revenir de par cette compensation.

[redacted]

[redacted]

Succession Mme [redacted]

[redacted]

Dossier [redacted]

Ce virus a changé ma vie ; J'étais une personne pleine d'énergie, prêt à conquérir le monde. J'adore les enfants, ceci étant dit, je suis une mère de 4 enfants. J'ai eu l'hépatite C par transfusion sanguine quand j'ai accouché de mon 1er enfant. Entre 1986 et 1991, j'ai donné naissance à 3 autres belles filles. J'ai découvert que j'avais le virus en 2001. Après des recherches sur le virus et que j'ai trouvé de l'information sur les effets secondaires, fatigue, démangeaisons et douleurs musculaires, j'ai compris le pourquoi je me sentais de cette façon depuis plusieurs années. Si j'avais su, je n'aurais pas eu 4 enfants, si j'avais découvert plus tôt, que j'avais ce virus. J'adore mes filles, mais je n'ai pas pu leur donner mon 100 % en raison des effets du virus. Où j'aurais eu besoin aide et ne pouvait pas le faire parce que nous ne pouvions pas nous permettre, et les dispositions du règlement ne permettait pas, était d'avoir quelqu'un pour m'aider avec le nettoyage de la maison. Mon mari était le seul qui travaillait et quand il est arrivait à la maison, il devait m'aider avec le ménage et les enfants. Après que nous avons découvert mon état, il était difficile pour toute la famille, mes filles auraient dû voir un professionnel pour aider avec le stress que cela nous a porté, nous ne pouvions pas nous le permettre. À ce jour, avec mes rendez-vous chez le médecin, passer des tests et après avoir fait le traitement tout ceci a été très dure sur ma famille. Nous sommes marqués par cette épreuve. L'argent ne résout pas les choses, mais cela aiderait un peu de soulagement avec les travaux de ménage à faire à la maison que je n'ai pas l'énergie pour le faire, et aider ma famille à surmonter cette étape de notre vie.

Bien à vous

[redacted]

Arnaud Sauve Dagenais

De: Information
Envoyé: 17 mars 2016 22:21
À: Arnaud Sauve Dagenais
Objet: TR: A/s Me Michel Savonitto - [redacted]

[redacted]

>> Bonjour,
>>
>>
>> Mon nom est [redacted] fils unique de feu [redacted] Suite à la réception de votre lettre il y a quelques mois mentionnant un excédent de plus de 200 millions de dollars dans les coffres de HEPC, je ne peux retenir mon désarroi face à cette nouvelle. En tout honnêteté, je trouve la situation dérisoire et j'ai à ferme impression que l'on rit totalement des familles des défunts . Depuis ma tendre jeunesse, ma mère, ma meilleur amie est seul parent présent dans ma vie, était malade. J'ai vu et supporter ma mère dans tous les pires états physiques et d'esprit qu'on ne peut imaginer vivre. On a volé les plus belles années de ma mère, ses rêves, et on a aussi volé une partie de ma vie et de ma jeunesse. Je ne suis pas une personne à l'argent, mais quand je réfléchis au montant RIDICULE de 6750$ que reçoivent les enfants des personnes infectés comparativement à toute une vie de souffrance et de traumatisme qu'a pu engendrer cette infection scandaleuse qui a dû bouleverser la vie de millier d'enfants, je ne peux m'empêcher de vous exprimer ma frustration face a cette profonde injustice. Comment peut-on se demander quoi faire avec un tel excédent ? Qu'Arrivera t-il avec ses fonds ? Seront-il distribuer la ou ils devraient ? Au nom de tous les enfants de parent infectés par l'hépatite C ou décéder suite à des complications reliées, je demande que l'on révisent les modalités de gestion de excédent vers une distribution juste et équitable des fonds vers les familles concernées. Il est clair qu'une partie de cet excédent doit être distribué vers les enfants qui en passant, INCROYABLEMENT ont reçu le même traitement et montant que les autres membres lointains de la famille. Il est impératif que les administrateurs des fonds prennent en considération cette révision. Ou en sommes-nous avec cet histoire d'excédent ? Comment et par quel instances peut on avoir plus d'informations ? je tiens à avoir des nouvelles dans ce sens.
>>
>> Merci pour l'attention porté a cette note.
>>
[redacted]

[redacted] le 18 août 2015

OBJET : Convention de règlement relatif à l'Hépatite C – [redacted]

À qui de droit,

Suite à la réception des documents au sujet de l'objet en titre, de mauvais souvenirs nous sont revenus en mémoire. Notre grand-père paternel, [redacted] décédé en août 2001, fût « pris » dans cette saga qui continue de hanter plusieurs personnes.

Notre grand-père a subi un quintuple pontage coronarien dans les années 1986-1990. Par la suite, malgré un résultat qualifié de « réussite » par les médecins traitants, son état de santé s'est dégradé à de multiples reprises des suites des transfusions de sang reçues au cours de l'opération.

Grand-papa avait une santé et une qualité de vie « renouvellée », avec un cœur en santé, mais le sang reçu lui causait bien des problématiques. Il eût d'ailleurs le fardeau de devoir se rendre plus d'une cinquantaine de fois pour des traitements, piqûres, et autres rendez-vous médicaux, toujours reliés à la mauvaise qualité de sang.

En vieillissant, nous constations que son désespoir quant à cette situation l'irritait de plus en plus, et que malgré toute la haine qu'il pouvait ressentir, nul ne pouvait régler la situation …

Le matin du 19 août 2001, [redacted] s'est suicidé à l'âge de 77 ans. Il laissait dans le deuil sa femme, [redacted] son fils [redacted] ses 2 petits-fils [redacted] ainsi qu'une multitude de parents et amis. Son geste, brutal, fût par plusieurs incompris ; nous, la famille immédiate, avions une idée précise de l'origine de son « mal »…

Aujourd'hui, force est d'admettre que « notre » guérison s'améliore, mais en pensant à grand-papa, nous aurions tant aimé pouvoir lui présenter nos enfants, [redacted] Un beau jour, lorsque ceux-ci nous demanderons « comment » était leur arrière-grand-père, de quelle façon est-il « parti au ciel », le mauvais souvenir du sang contaminé refera surface…

Lorsque questionné quant à savoir « les commentaires et observations concernant les dispositions du règlement qui n'ont pas répondu à nos attentes et sur la manière dont l'excédent devrait être utilisé », il nous apparaît très clair que l'argent déjà reçu, ou qui pourrait potentiellement nous être octroyé dans un futur rapproché, ne nous ramènera jamais notre grand-père. Cependant, l'éducation a toujours été une priorité pour notre grand-père, et nous croyons fermement que toute somme forfaitaire pourrait aider en ce sens nos propres enfants.

Finalement, veuillez noter que nos adresses respectives ont changés avec le temps ; ainsi, pour communiquer avec [redacted] veuillez adresser toutes communications futures au [redacted] [redacted]

Merci,

[redacted]

This is the 1st Affidavit
of Julie-Lynn Davis in this case
and was made on 1st/April/2016

Court File No. 98-CV-141369 CP00

ONTARIO
SUPERIOR COURT OF JUSTICE

BETWEEN:

DIANNA LOUISE PARSONS, MICHAEL HERBERT CRUICKSHANKS, DAVID TULL,
MARTIN HENRY GRIFFEN, ANNA KARDISH, ELSIE KOTYK, Executrix of the Estate of Harry
Kotyk, deceased and ELSIE KOTYK, personally

Plaintiffs

and

THE CANADIAN RED CROSS SOCIETY, HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO
and
THE ATTORNEY GENERAL OF CANADA

Defendants

and

HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF ALBERTA
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF SASKATCHEWAN,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF MANITOBA,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NEW BRUNSWICK
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF PRINCE EDWARD ISLAND,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NOVA SCOTIA
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NEWFOUNDLAND,
THE GOVERNMENT OF THE NORTHWEST TERRITORIES,
THE GOVERNMENT OF NUNAVUT and THE GOVERNMENT OF THE YUKON TERRITORY

Intervenors

Proceeding under the *Class Proceedings Act, 1992*

Court File No. 98-CV-146405

BETWEEN:

JAMES KREPPNER, BARRY ISAAC, NORMAN LANDRY, as Executor of the Estate of the late
SERGE LANDRY, PETER FELSING, DONALD MILLIGAN, ALLAN GRUHLKE, JIM LOVE and
PAULINE FOURNIER as Executrix of the Estate of the late PIERRE FOURNIER

Plaintiffs

and

THE CANADIAN RED CROSS SOCIETY, THE ATTORNEY GENERAL OF CANADA and
HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO

Defendants

and

HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF ALBERTA,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF SASKATCHEWAN,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF MANITOBA,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NEW BRUNSWICK,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF PRINCE EDWARD ISLAND
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NOVA SCOTIA
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NEWFOUNDLAND,
THE GOVERNMENT OF THE NORTHWEST TERRITORIES,
THE GOVERNMENT OF NUNAVUT AND THE GOVERNMENT OF THE YUKON TERRITORY

Intervenors

Proceeding under the *Class Proceedings Act, 1992*

No. C965349
Vancouver Registry

In the Supreme Court of British Columbia

Between:

Anita Endean, as representative plaintiff

Plaintiff

and:

The Canadian Red Cross Society
Her Majesty the Queen in Right of the Province of
British Columbia, and The Attorney General of Canada

Defendants

and:

Prince George Regional Hospital, Dr. William Galliford,
Dr. Robert Hart Dykes, Dr. Peter Houghton, Dr. John Doe,
Her Majesty the Queen in Right of Canada, and
Her Majesty the Queen in Right of the Province of British Columbia

Third Parties

Proceeding under the *Class Proceedings Act*, R.S.B.C. 1996, C. 50

CANADA

PROVINCE OF QUÉBEC

DISTRICT OF MONTRÉAL

SUPERIOR COURT

Class action

NO : 500-06-000016-960

DOMINIQUE HONHON

Plaintiff

-vs-

THE ATTORNEY GENERAL OF CANADA
THE ATTORNEY GENERAL OF QUÉBEC
THE CANADIAN RED CROSS SOCIETY

Defendants

-and-

MICHEL SAVONITTO, in the capacity of the Joint Committee member for the province of Québec

PETITIONER

-and-

FONDS D'AIDE AUX RECOURS COLLECTIFS

-and-

LE CURATEUR PUBLIC DU QUÉBEC

Mis-en-cause

CANADA

PROVINCE OF QUÉBEC

DISTRICT OF MONTRÉAL

SUPERIOR COURT

Class action

NO : 500-06-000068-987

DAVID PAGE

Plaintiff

-vs-

THE ATTORNEY GENERAL OF CANADA
THE ATTORNEY GENERAL OF QUÉBEC
THE CANADIAN RED CROSS SOCIETY

Defendants

-and-

FONDS D'AIDE AUX RECOURS COLLECTIFS

-and-

LE CURATEUR PUBLIC DU QUÉBEC

Mis-en-cause

AFFIDAVIT OF JULIE-LYNN DAVIS
(sworn April 1, 2016)

I, Julie-Lynn Davis, of the Town of Ajax, in the Province of Ontario, MAKE OATH AND SAY:

1. I am a legal assistant at Podrebarac Barristers Professional Corporation ("**PBPC**"), assisting Kathryn Podrebarac, who is a member of the Joint Committee. As such, I have personal knowledge of things to which I herein depose, except where stated to be based on information and belief. In all such instances, I have stated the source of the information and believe it to be true.

2. On October 15, 2015 Alan Melamud swore an affidavit (the "**Melamud Affidavit**") which appended a copy of the written submissions PBPC received, from early August 2015 through to October 14, 2015, by mail, fax or by email from Class Members directly or which had been forwarded by the Administrator, pertaining to the allocation of the actuarially unallocated funds.

3. Thereafter, PBPC continued to receive additional calls and written submissions from Class Members across Canada.

4. I have gathered and compiled the additional written submissions PBPC received from October 14, 2015 to March 31, 2016 by mail, fax or by email from Class Members pertaining to the allocation of the actuarially unallocated funds. Attached as **Exhibit "A"** are the additional written submissions received by PBPC from October 14, 2015 to March 31, 2016.

5. I have coordinated with staff members employed by the other Joint Committee members to avoid duplication, where possible. Written submissions that were identified as being sent to other Joint Committee members have been included in Exhibit "A" and have been excluded, to the extent possible, from the other Joint Committee member's materials.

6. The written communications received from Class Members that were purely administrative (eg: change of address) or do not provide information, commentary,

suggestions or recommendations regarding use of the actuarially unallocated funds are not included in Exhibit “A”.

7. The 64 additional written submissions received by PBPC from Class Members at Exhibit A have been redacted to remove the names, addresses, email addresses, telephone numbers, signatures and photos, where applicable, to protect the privacy of Class Members. These submissions have been organized chronologically except where one person submitted more than one communication in which case all communications from that person have been grouped together and treated as a single submission. Ms. Podrebarac advises me and I believe that additional submissions received in French were forwarded to the office of Mr. Savonitto of the Joint Committee for consideration and inclusion in his office’s affidavit relating to written submissions from Class Members. As such, they have not been included in Exhibit A.

SWORN BEFORE ME at the City of Toronto, in the Province of Ontario, this 1st day of April 2016. Kathryn Podrebarac A Commissioner for taking Affidavits *(or as may be)* KATHRYN PODREBARAC	JULIE-LYNN DAVIS

This is Exhibit "A" referred to in the
Affidavit of Julie-Lynn Davis
sworn before me,
this 1st day of April 2016

A COMMISSIONER FOR TAKING AFFIDAVITS

From: [redacted]
To: jjcamp@cfmlawyers.ca; hepc@strosbergco.com; info@savonitto.com; Kathryn Podrebarac
Cc: [redacted]
Subject: Written Submisson re; Trust Fund Surplus
Date: Thursday, September 10, 2015 19:10:57
Attachments: Hepatitis C Letter.docx

Please find attached [redacted] written submission to the Joint Committee.

September 10, 2015

Attention: Hepatitis C Joint Committee:

I received your correspondence a little over a month ago asking for my input in regards to the surplus monies that is currently in the Trust Fund. I was so overcome with anger that it has taken me this long to sit down and actually write this letter.

My father, [redacted], went for what we thought was routine surgery. Little did we know that years later he would be advised that because he had that surgery, he was now going to die because the Red Cross had knowingly given him contaminated blood. Our family was never the same again. My dad was a go-getter; nothing could stop him; and even after he came to terms with having this deadly diease, I think deep down he thought he could beat it. On October [redacted] [redacted], Hepatitis C won and my father died after suffering for many years. In return for the Red Cross murdering my father, I was given a cheque for just a little over $6,000.00 and in order to cash this cheque, I had to sign papers stating that I would not ask for any further funds from them.

Just last week on TV it was announced that a family would receive over six million dollars from a police department for the accidental death of their family member. What the Red Cross did to my father was no accident; they knowingly gave him contaminated blood, which in turn led to his death. You ask me what I think you should do with the excess money? I'd like to ask you what you think should be done with it? Is $6,000.00 all my dad was worth. I cannot believe that correspondence like this is even sent to families. My mom is currently in a court battle with this so called Committee as they refuse to pay her the monies that they stated they would because the trust cannot afford to do so and then I get this letter advising of the $236 to $256 million surplus. Unbelievable! It seems the committee is more content to give the trust funds to lawyers then to the the Family Class Members!

Compensate the families to the fullest extent for the murdering of their family member; that's what I think you should do!

[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: 8690 hep c view point
Date: Friday, September 11, 2015 14:06:08

Dear Administrator,

Re 8690 Hep C Claimant 158

In light of recent news that the 8690 Hep C Settlement Fund is in a surplus state I wish to provide my opinion re the allocation of the surplus funds for the benefit of class members.

I, [redacted] , am an adult child of a Hep C victim, [redacted] who died from the disease. My claim number is [redacted]. I received a compensation payment of $5364.39 on November [redacted].

My [redacted] each received compensation of $536.44.

If surplus funds are to be disbursed to all infected victims and their family members I feel consideration should be given to the following:

Increased compensation for the loss of a parent. For 7 years prior to his death on November 7, 1996, my father's health deteriorated substantially...changing his life as an independent healthy senior to an afflicted dependent. His suffering was physically and mentally intense and for 7 years deprived us, his children and grandchildren of his engaged companionship and robust lifestyle. Due to his long practised healthy lifestyle and his fortunate longevity genes his life prior to tainted blood was activity based with active engagement with his family and his community. His projected life span, based on his family genes and his healthy physical and mental state prior to the Hep C infection from tainted blood, should have seen him live well beyond the 99 year actuarial numbers. That all changed as of February [redacted] when he was given tainted blood via a transfusion at the VG Hospital in Halifax, NS. He died at 97 from Hep C complications. He and we were robbed of 7 Plus years of quality family life.

The compensation provided to adult children and grandchildren. I feel, was inadequate for such a great loss of a much loved family patriarch.

Sincerely,

[redacted]

Please advise re receipt of this submission.

Sent from my iPad

From: [redacted]
To: Kathryn Podrebarac
Subject: Hepatitis C Settlement-Member [redacted]
Date: Wednesday, September 16, 2015 20:51:49

Hi Kathryn,

I'm writing on behalf of my parents [redacted] both were infected with Hepatitis C.
We all 3 attended the session you held in Toronto on August 25th and found it very informative.

[redacted] was approved at DL3 & [redacted] was approved at DL4 however received the same payout at DL3.
Our question is why didn't [redacted] receive a higher payout?

Also if the courts decide to enhance benefits to the class from the surplus we would prefer it in a lump sum. If there is a lump sum we feel the disease level should considered however for the living members first and them for the families of the deceased.
We feel those that are still living and currently suffering from the disease
right now should be compensated at a higher amount than the family members of the deceased infected member.

Please keep my email on file if you need to communicate by email to my mom & dad.

Thank you,

From: [redacted]
To: Kathryn Podrebarac
Subject: 1986-1990 Hep-C Settlement Agreement
Date: Monday, September 21, 2015 18:02:05

Kathryn Strosberg,

I think the surplus of millions of dollars should be given to the Class Members and Class Family Members.

-It was award for wrong doing for not checking blood products before issuing it to patients.
-You paid mileage not considering what type of gas your vehicle take or size of your vehicle or gas prices.
-You don't get the paid for the day(s) off for doctor appointments.
-If you take the lum sum, that doesn't help if you have to do the treatment more than once.
-No prescription cover most of your money goes to the cover the cost so your always behind with other comments
-You can't put a dollar amount when it comes to a life and death situation when it wasn't the members fault so anything to help ease members and their family is only fair.

I just wanted to have my say hoping this will help the Class Members receive the surplus deserved,

Thank you,

[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: hepc8690 surplus
Date: Monday, September 21, 2015 19:18:49

September 21 2015

[redacted]

Joint Committee Members
J.J. Camp Q.C.
Camp Fiorante Matthews Mogerman
Michel Savonitto
Savonitto & Ass. Inc.
Harvey Strosberg Q.C.
Kathryn Podrebarac
Podrebarac Barristers Professional Corporation

To The Joint Committee

Following the meeting on August 25 2015, with regards to the 1986-1990 Hepatitis C Settlement Agreement Surplus, we strongly feel the surplus should accept late applications and redistribute the surplus of money using the original formula to the Class Members and the Family Class Members as it was original intended.

Respectfully yours

[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: Hep C 86-90
Date: Wednesday, September 30, 2015 21:09:42

Hello, i am writing to you today in regards to a letter i had received in the mail a short while ago. The letter stated that there is a surplus in the fund for people who lost family members from blood transfusions. My grandfathers life was taken in 2003 from a blood transfusion that he had to receive due to a stomach ulcer. I was 6 when he passed and i hardly remember him. What pains me the most about loosing him is that i will never get to see the look on his face when i, or any of my sisters, have our children. My future children will grow up not ever knowing their grandpa like they should. He was so young. I was at a baby shower the other week and one of my friends brought up doing a generation picture with the baby, and i got excited about one day doing that in the future but i cried because i realized i will never be able to. Family is the most important thing in my life and having a piece of it ripped away from me so young hurts. The only thing i have of his is the copious boxes of poems that he wrote to understand what he was like. There is not a day that goes by that i don't think about him, and how he could help guide us through the rough times in our lives. It hurts knowing that he missed watching me walk across that stage to receive my diploma and also wont be there on my wedding day. We received $300 each from the fund, which i don't even remember getting, my mom bought my sister and I a TV to share. I believe the surplus should be divided amoungst the families who have lost someone who is irreplaceable.

[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: 1986-1990 Hepatitis C Settlement
Date: Friday, October 2, 2015 17:09:10

Dear Kathryn Podrebarac,

My name is [redacted], a retired teacher who is living with HCV since 1989. I am presently a Disease Level Five class member who has been treated with the expensive combination drug therapy sofosbuvir/simeprevir. Fortunately for me this medication expense was reimbursed by the monies allocated for drug treatment expenses from the HCV Settlement 1986-1990.
I feel that benefits from the surplus funds should continue to be allocated to the class members and their families for any future medical expenses in dealing with this HCV ongoing disease and related disease outcomes ie: cirrhosis and or liver transplant.

Yours truly,
[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: Hepatitis C Settlement Agreement Letter
Date: Sunday, October 11, 2015 15:16:07
Attachments: 1 - Joint Committee Letter.pdf

Hi Kathryn,

Please find attached a copy of our letter for the Joint Committee. A paper copy with all family signatures included will be mailed on Tuesday.

[redacted]

Kathryn Podrebarac
Podrebarac Barristers Professional Corporation
Suite 701, 151 Bloor Street West
Toronto, Ontario M5S 1S4

Re: 1986 - 1990 Hepatitis C Settlement Agreement

This letter is written for the Joint Committee with regards to the 1986 - 1990 Hepatitis C settlement. We are submitting this letter as the family of [redacted] who developed Hepatitis C as a result of the IV transfusions he received to treat hemophilia. No amount of money will bring our father/grandfather back to us, however the Hepatitis C did result in his liver failure and premature death at the age of 67.

This family is no stranger to loss that has occurred as a result of tainted blood products. Previous to the 1980's we lost a 6 year old family member who was also afflicted with hemophilia. This was a life lost far too soon. Our father/grandfather always blamed himself for giving [redacted] this genetic disease.

We understand that it is the court's decision as to how the surplus money will be allocated. If it is not paid to the Class Members it is our hope that it be used to help those currently suffering from Hepatitis C and to ensure that blood products remain safe. It is only through testing and controls that we can prevent another disaster.

Our family has one remaining member who currently suffers from hemophilia. At this time we are very pleased with the safety protocols and products now available but we must remain vigilant. This member lives every day with the knowledge of what happened to his grandfather and cousin and the worry that it might happen again.

Yours sincerely,

[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: 1986-1990 Hepatitis C Settlement Agreement
Date: Monday, October 12, 2015 0:42:08
Attachments: hepc.docx

Hi,

I am writing to you on behalf of myself and other Thalassemia patients like me.

Sincerely,

[redacted]

Hi,

I am a Thalassemia patient who was given the Hep C virus as a child (probably when I was 13) due to my requirements for monthly blood transfusions. I have received compensation at a level 3. It is difficult to say how much hep C has contributed to my life because I got it so young. I have been able to get a bachelor's degree in Civil engineering and have worked since I graduated in 1996. Having said all that I know that I am compromised in my everyday life. Keeping up with my 2 year old son is a big challenge. Keeping up my 1300 sq ft home is an even bigger challenge. I think the contribution to tiredness and fatigue have shaped my life. I think that Thalassemia patients in my situation should be compensated with loss of service to help maintain a home at the very least. This class action suit was for people who were given a disease by the federal government. Please do not lose sight of that. Other members who somehow (?) got the disease afterwards are not the same as us.

Thanks,

[redacted]

RECEIVED
OCT 2 0 2015

Oct 14th, 2015

Attention The Joint Committee Members;

We have been asked to send a written submission to each of the Joint Committee members regarding the surplus in the Trust Fund of the 1986-1990 Hepatitis C Settlement Agreement.

In our opinion the surplus should be disbursed to Class Members and Family Class Members.

This fund was set up for these claimants and therefore any surplus should be fully distributed to them.

This opinion has been approved by all family members of [redacted] and the [redacted].

Attached please find an updated list of family members and their current addresses. Please ensure these updated addresses are used in future communication for [redacted].

Thank you for your consideration on our input

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: surplus: re1986-1990 Hep. c settlement
Date: Thursday, October 15, 2015 19:35:05

Hello Kathryn Podrebarae,

I am writing this letter on behalf of my late mother- [redacted] ,who passed away from Hepatitis c complications, April [redacted] .

As her daughter, I am in support of the surplus being kept in a fund for the class members/family class members. I have not been able to bury my mother because I do not have the $ I do not understand why there can't be a process that ALLOWS for monies to be distributed to the funeral parlour purchasing a plot that will cover the burial-DIRECTLY. It is not REALISTIC that family members of hep c claimants have to pay for the plot FIRST, THEN be reimbursed later by the hep c settlement fund. Not only is this not realistic, it is not fair. Not everyone has thousands they can pull out of their pocket. Therefore, my mother is in a box on a ledge of my hutch in my living room.

I am very sad and disheartened that I cannot bring somewhat of a closure to my mother's journey, as she wanted to be buried in the same cemetery as her baby brother. I cannot finish her wish, her final request. I cannot come up with the funds to do so. I am hoping this plight can shed some light on a simple but yet very challenging request. My mother deserves that.

We have endured a lot of pain, suffering and in actuality, it took me over a year to PROCESS her death. Who knew?

I am asking for your help on behalf of my mother [redacted] , who isn't just a hep c claimant, but a person who represents a cascade of attributes like every other human being. I'm her voice. Please help us to bury her.

Sincerely,

[redacted]

RECEIVED
OCT 15 2015

Kathryn Podrebarac
Podrebarac Barristers Professional Corporation
Suite 701, 151 Bloor Street West
Toronto, Ontario M5S 1S4

Re: 1986 - 1990 Hepatitis C Settlement Agreement

This letter is written for the Joint Committee with regards to the 1986 - 1990 Hepatitis C settlement. We are submitting this letter as the family of [redacted] who developed Hepatitis C as a result of the IV transfusions he received to treat hemophilia. No amount of money will bring our father/grandfather back to us, however the Hepatitis C did result in his liver failure and premature death at the age of 67.

This family is no stranger to loss that has occurred as a result of tainted blood products. Previous to the 1980's we lost a 6 year old family member who was also afflicted with hemophilia. This was a life lost far too soon. Our father/grandfather always blamed himself for giving [redacted] this genetic disease.

We understand that it is the court's decision as to how the surplus money will be allocated. If it is not paid to the Class Members it is our hope that it be used to help those currently suffering from Hepatitis C and to ensure that blood products remain safe. It is only through testing and controls that we can prevent another disaster.

Our family has one remaining member who currently suffers from hemophilia. At this time we are very pleased with the safety protocols and products now available but we must remain vigilant. This member lives every day with the knowledge of what happened to his grandfather and cousin and the worry that it might happen again.

Yours sincerely,

[redacted]

[redacted]

RECEIVED
OCT 23 2015

October 16, 2015

Kathryn Podrebarac
Podrebarac Barristers Professional Corporation
Suite 701, 151 Bloor Street West
Toronto, Ontario M5S 1S4

Attn: Kathryn Podrebarac

Re: 1986-1990 Hepatitis C Settlement Agreement

In response to the letter I have received Re: Hepatitis C Settlement, I support that surplus funds in the Trust Fund should be dispersed equally to the Class Members and Family Class Members.

Sincerely,

[redacted]

RECEIVED
OCT 2 2 2015

October 19, 2015

To Whom It May Concern,

My husband, [redacted], died December [redacted].

He will be gone [redacted] years (as of December).

Nothing will replace his being here BUT I do think that the surplus should go to the Class Action members.

Sincerely,

[redacted]

[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: Reply to letter
Date: Monday, October 26, 2015 15:20:45

Dear Kathryn Podrebarac

I'm reply to the joint committee in regards to the recent letter sent out about the surplus. I'm in favour to the Class Members and Family Class Members in receiving the funds that are being held in trust. I'm a family member and have lost my father do to this illness and there was just not enough time for us to say our good byes no one should have to suffer a lost as this or my father should have never went threw the suffering that he did. With this in mind I would think of the other people who has went through the same as I did and feel for them. This money was awarded for the individual and the family that this terrible illness has caused them therefore I am in agreement that the funds be awarded to them.

Thank you for this opportunity to give my opinion on this matter.

Thank you

[redacted]

[redacted]

RECEIVED
NOV 0 6 2015

To The Joint Committees Oct, 26/15.

My sister [redacted] was operated on in the year 1988. During that time, she was given blood transfusions, which were tainted. She was not notified until 15 years later, that she had been infected with Hepatitus C. She was devastated, her husband had just recently passed away , and she was afraid that in some way her being infected had contributed to his death. She felt dirty. Our mother and family were all at risk , not knowing that she had hepatitis C , when they were caring for her after her surgery, and through out her recovery.

This is the first opportunity that we have had, to voice our feelings about the terrible situation that our sister was put in , the constant stress and worry about her own mortality really took a terrible toll on her .

It is our opinion , that the trust fund should be allocated to the class members, and family class members. The priority should be to take care of the victims, and there families.

We hope to attend the meeting of the joint committee in June.

Yours Sincerely

[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: proposals to the joint commitee
Date: Wednesday, October 28, 2015 19:02:44

Attn: Kathryn Podrebarac

This letter is in response to a request from the Joint Committee on the allocation of surplus monies held in the HEPC trust fund. I have been handling the issue on behalf of the estate since February 2011, when interaction with the HEPC contact centre was required. This office has a wealth of information and responds to inquiries in a timely and efficient manner. My experience with these people has been positive and uneventful and as such I can only assume that others have had similar experiences. With this in mind I am hopeful that these individuals are also aware of the benefits and compensation which is available to them as claimants. I am not sure the word surplus is appropriate in this instance as the nature of the legal action was to compensate individuals who became sick and or died because they put their trust in a system that failed them. These funds should be allocated and distributed in the manner in which they were directed and that is to be disbursed to Class Members and Family Class Members as compensation for those that have been affected by a blood collection process. I would like to thank you in advance for your consideration of my position and that of all claimants.

[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: My Father [redacted]
Date: Friday, October 30, 2015 10:49:22

Dear Kathryn

My father contracted Hepititis C through his blood transfusion.As a family we watched a very strong and vibrant man slowly deteriorate.It was very hard to watch him suffer for so long.Please do your best as I know you will to make sure that everyone whom has been touched by this disease is compensated as promised.Thanking you in advance for your hard work and dedication.

[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: Hep C Settlement
Date: Monday, November 2, 2015 12:59:58
Attachments: Hep C letter.docx

Please see attached.

If you are unable to upon this file please let me know and I will resubmit it.

Thank you
[redacted]

October 31, 2015

To the Joint Committee HEP C 86-90 [redacted]

[redacted] deceased on November [redacted]

Following are my comments and feelings concerning the injustice of this Class Action Law Suit.

My mother was a healthy vibrant woman who travel all the time. Several years after her diagnostic of Hep C through Blood Transfusion this all came to a stop. My mother lived with us (my husband and 2 kids) before and after given the tainted blood.

Myself and my kids seen my mother go from Travelling all over, spending her summers at the campsite with her grandkids to having to feed her and take care of her. Applying lotion on her body because it itched to much.

My husband and I had to work so we had to get help for her near the end before I had to put her in a home.

This was hard on everyone, the helpless ness she was experiencing and knowing she could not do what she wanted to and have to rely on her grandkids to feed her at lunch. My son would come home from school at lunch to help her. My Daughter would help her at night.

After placing her in a home it was just as hard. She needed to be fed, her kids would take turns when they could. Go to the home and help feed her, they would travel from Montreal and Ottawa on weekend.

One of the most heart wrenching night is when my brother told me that my mother started crying, the only thing she wanted was water and he could not understand her, she was too weak to do it herself and as you know there is never enough help in the Nursing homes. The only thing she wanted was water. She never asked for anything.

The money was needed then to help her when she was alive, she did not have a big saving account and a small pension.

Her brothers and sisters would visit but stay in the next room, they were too afraid to catch it, and this class action lawsuit compensated them by giving them $5,000 each. That was the other insult and then to find out her grandkids that helped feed her, take care of her, apply lotion to her slowly deteriating body only got $500 that is unfair. The image that they have of an active bubbly person was taken away in the span of a year.

The countless hours I took off work to take my mother to the doctors, evaluations and test. I was fortunate to have Family related leave to take my mother to her appoints, which was great, but it was still hard having to ask every month to have an afternoon off.

I feel the Federal or Provincial Government's have no right in the surplus funds. This should be used to help the surviving people with Hep C. and to do the injustice that has been done to the families.

From:	[redacted]
To:	Kathryn Podrebarac
Subject:	"Hep C"
Date:	Monday, November 2, 2015 16:04:52
Attachments:	Hep C.docx ATT00001.txt

Please see the attached. Thank you, [redacted]

[redacted]

November 2, 2015

Ms. Kathryn Podrebarac
Podrebarac Barristers Professional Corporation
Suite 701, 151 Bloor Street West
Toronto, On
M5S 1S4

Dear Ms. Podrebarac:

Re: Response to request for thoughts on 1986-1990 Hepatitis C Settlement Agreement Surplus
-and-
Re: [redacted]

I recently reviewed the suggested categories listed online for where I feel the settlement may have fell short. I'm having difficulty determining where my scenarios may fit within these categories so instead I will offer the following:

1) My wife and I owned a small fine dining restaurant in a seasonal environment. During the busy season we had two seasonal employees, during the off season the budget did not provide income to hire employees.

   During the 13 months I was in the treatment program the side effects had effected my performance in the business. This caused shorter hours, smaller menus and ultimately our business had to close.

   Not only was my income effected but my wife's too. Living in a seasonal community does not offer much employment and our community was already saturated. Therefore, neither my wife or myself could find employment and non existent resources with bad health attached made day to day survival extremely difficult.

   There does not seem to be compensation for individuals such as my wife whose life was directly and dramatically effected.

2) Secondly, as a result of receiving the Hep C through tainted blood during the tainted blood scandal I was left with a severely scarred liver. My risk of liver cancer is very high. I've had to alter my life to support the risk of cancer, where some changes are positive, others are not. My wife and I live with the fear of cancer everyday…….where is the compensation for that.
3) I feel that the surplus should be distributed to those who are already members of the settlement for their ongoing consequences as result of their experience with the Hep C.

Thank you for the opportunity to respond and good luck.

Sincerely,

[redacted]

I [redacted] would Like To see THIS MONey in my Account Please.

[redacted]

FAX 416-348-7505

From: [redacted]
To: hepc@strosbergco.com
Cc: jjcamp@cfmlawyers.ca; info@savonitto.com; Kathryn Podrebarac
Subject: written submission regarding Hepatitis C settlement surplus
Date: Thursday, November 5, 2015 11:05:03
Attachments: Hep. C letter 2015.docx

Dear Joint Committee Members,

Attached, you will find an email of a hard-copy letter currently en route to Mr. Harvey Strosberg.

Regards,

[redacted]

[redacted]

November 3, 2015

Harvey Strosberg Q.C.
Sutts Strosberg LLP
600 – 251 Goyeau Street
Windsor, ON N9A 6V4

Dear Mr. Strosberg,

I would like to thank you and the other Joint Committee Members for the opportunity to comment regarding the 1986 – 1990 Hepatits C Settlement Agreement.

Simply put, contracting Hepatitis C prevented me from having a career.

I contracted Hepatits C in [redacted] from a tainted blood transfusion. I'm thankful I didn't get HIV/AIDS. Because of the nature of my illness, I was on long-term disability from [redacted]. While recovering from all the surgeries, I started taking courses at Seneca College. From [redacted], I focused on finishing the program so that in [redacted], I graduated with a diploma in Library Techniques. That same year, I started working part-time for the pre-amalgamation Scarborough Public Library.

In [redacted], I was diagnosed with Hepatitis C. As time went on, I found that brain fog and fatigue limited me to working no more than two full days in a row. By day three, I was of no use to anyone and needed to rest. When I took on too much, I had crash days as my body was telling me "you can't do this."

In the meantime, my colleagues took extra hours, were hired into fulltime work in our seniority-based system, and continued to work their way up. I have completed [redacted] years with the Toronto Public Library, still working in my entry-level position.

Because of the nature of my illness in [redacted], I did not qualify for interferon based drug therapy. In [redacted] after contracting Hepatitis C, I became part of a clinical trial at Toronto Western Hospital, of Abbott Laboratories, Hepatitis C Genome 1 treatment. All of the nineteen participants were cured! My brain fog has decreased, energy level increased, and the weight of having an infectious disease has been lifted.

Since then, I have applied for full-time positions but generally don't receive a call back; others with more seniority are filling the openings (plus, they are younger). During the one and only interview I had, one of the managers pointed to my lack of experience because I had not taken extra hours in other positions. I explained to her that I had not been able to work my way up in the organization because I had had

Hepatitis C. She back-pedaled very quickly but I told her that it was a good news story, as I no longer had the illness. I still did not get the job.

Mr. Strosberg and other Joint Committee Members, I am thankful for the payment I chose of $60,000.00 plus interest. However, it is nowhere close to covering the income that I lost over these past [redacted]. I would love to have had an advanced career in the Library with the attendant financial benefits, but that was not to be. As it stands I will receive a minimal pension, which is unable to support my retirement.

Thank you for listening,

Sincerely,

[redacted]

From: [redacted]
Sent: Tuesday, November 10, 2015 12:24
To: jj camp; Michel Savonitto; Kathryn Podrebarac
Subject: Fwd: LETTER #2 RE:--1986-1990 HEP C SETTLEMENT AGREEMENT TRUST FUND SURPLUS

Importance: High

Subject: Fwd: LETTER #2 RE:--1986-1990 HEP C SETTLEMENT AGREEMENT TRUST FUND SURPLUS

To: Members of the HepC-86/90 Joint Committee:

For your information, as members of the Joint Committee, I am forwarding to you what I have written to Harvey Strosberg Q.C. --There are two letters included herein.--The first contains my strongly stated comments about not having received any acknowledgment whatsoever of his having received my Letter of Submission, sent to him almost a month ago, on Oct. 12/15, as per the request of the Joint Committee.---The other letter contained herein is my original , formal Submission letter, as per the request of the Joint Committee. My complete formal Submission letter of Oct. 12/15 is below my complaint to Harvey Strosberg . I would very much appreciate it if you would scroll all the way down to my Formal Submission of Oct.12/15--(just below my note of complaint sent to Harvey Strosberg on Nov.8/15) --and read my Formal Submission in its entirety.---I would also very much appreciate receiving verification of your receipt of this communication.

Thank you very much for your kind attention.

Respectfully,
[redacted]

From: [redacted]
Date: November 8, 2015 2:25:47 PM EST
To: hepc@strosbergco.com
Subject: Fwd: LETTER #2 RE:--1986-1990 HEP C SETTLEMENT AGREEMENT TRUST FUND SURPLUS

To: Harvey Strosberg, Q.C.

Sutts Strosberg, LLP
600-251 Goyeau St.
Windsor, Ontario, N9A6V4

Dear Sir:

As per the request of the Joint Committee, I submitted my letter to you on Oct. 12/15. (Please see my Oct. 12th Submission included below.)--I have not received any acknowledgment whatsoever from you that you actually received my letter which I submitted almost a full month ago. Nor have I received any such acknowledgment from the Joint Committee
itself.

I would like to state that I put a lot of thought and effort into composing this letter for the Committee. It is my belief that I should have, at the very least, received the courtesy of a reply acknowledging receipt of my letter, and thanking me for my contribution. I have phoned your office at least four times in the interim, leaving a message asking for some kind of acknowledgment of receipt of my written submission. However, I have not yet received any response whatsoever to any of my calls. I take strong exception to this complete lack of courtesy.

I find this cavalier treatment completely unacceptable and inexcusable.--I, as a person, am MUCH MORE than simply a "Case #", tucked away in a file somewhere!!--I am a very well-known, well-respected, and highly valued member of my community. And I deserve to be treated as such!--I strongly believe that not only I, myself, but each and EVERY OTHER person who ended up being victimized FOR LIFE by the Canadian Blood Agency's criminal actions between 1986 and 1990 deserve, at the VERY LEAST, to be treated with no less than the absolute ultimate in care, concern, consideration and respect!

Respectfully Submitted,

[redacted]

From: [redacted]

Date: October 12, 2015 2:38:06 PM EDT
To: hepc@strosbergco.com
Subject: **LETTER #2 RE:--1986-1990 HEP C SETTLEMENT AGREEMENT TRUST FUND SURPLUS**

To: Harvey Strosberg, Q.C.

Sutts Strosberg LLP
600-251 Goyeau Street
Windsor, Ontario, N9A 6V4

Dear Sir,

This letter is in response to the Confidential letter I received from the Joint Committee concerning the huge SURPLUS of an estimated $236 million to $256 million in the HepC Settlement fund. I have several concerns about various areas of the settlement that fall short. There are far too many shortcomings in how these funds are being administered, and about how victims of the Contaminated-Blood Scandal of 86/90 are being treated, and have been treated over the years. However, rather than produce a "manifesto", I will focus here, for obvious reasons, on one main policy only, and its disastrous two-fold effects which have affected me most unfairly, and which have been extremely injurious to my physical and emotional health and well-being, as well as to the well-being of my loving family.

As an aside, I must insert here that I wish that I had a podium from which to more fully speak my truth and my opinions. If I were to be fortunate enough to be granted such a podium, I would then find myself in a position to speak strongly to various other critical issues, and not find myself feeling the need to restrict my focus to one crucial issue only, given the circumstances of this being an e-mail letter that will obviously be better presented and accepted with a single-focus only.

The particular policy I refer to above as my particular, and singular, focus in this letter is that of HepC /86/90 being declared as the "Last Payee", a policy---actually an "escape-clause", as it turns out(!)--which is highly deleterious to the victims that the Settlement fund is supposedly here to serve in various ways:...for example, by assisting with providing much-needed information, assisting with funding options, helping with the various difficult processes that victims have to had to go through and endure, and to compensate for damages done to these victims, FAR too many of them who, after suffering for years, are now dead!! Unthinkable!!!

And yes, we have been victimized, and traumatized, AND we are all trying our ultimate best to become Survivors! ---We are victims who unknowingly received transfusions of contaminated blood from within a medical system in which we, as patients, had had to place our trust and our faith, ---and as a result, we have each been forced to bear the many damages done and caused by the unthinkable actions, and unconscionable NON-actions, of the Canadian Blood

Agency "personnel", --AND-- quite frankly, what amounted to outright CRIMINAL NEGLECT by the Canadian Blood Agency.

I, myself, am a victim of a contaminated blood transfusion that I was given in Dec. [redacted], blood which, unbeknownst to me, was contaminated with the HepC virus.--This evil virus was quiet for years, but I began to become suspicious of its beginning to act up three or four years ago.----Then the disastrous and traumatic events happened during the summer of [redacted] --- I was diagnosed with liver cancer, hepatocellular cancer, four tumors, caused by the HepC virus which I had contracted in Dec. [redacted] through having been given a contaminated blood transfusion. I had major surgery (successful) on Oct. [redacted], but I spent more than two months in hospital, and much longer in recovery. My cancer was found to be potentially invasive, unfortunately.--Just shortly afterwards, while I was still recovering, I suffered a recurrence in March, [redacted].---Unfortunately, surgery was not an option this time.---I had an extremely tricky, and highly risky, RFA procedure, one that had been devised and done only once before in all of Canada!!! --Fortunately for me, it appears to have been successful, except that the 3-mo.-follow-up CTScan shows four nodules, too small to be characterized a this point.---If they remain too small, that's a good thing for me!-- But if they grow, I'm in serious trouble once again, and I might not even make it through this time.--I won't be able to receive any information for a full three months when I have yet another CTScan. All of this waiting is extremely hard, emotionally and physically. It takes a huge toll on myself, my husband, and my entire family.

Prior to all of this, I was an active, vibrant, energetic woman who was deeply and actively involved within my social network of friends and colleagues, within my community here in Kingston, and within my wonderful and fun-loving family, also all living here in Kingston.

Now on to my concerns about the HepC funds:-----A major concern is the completely unfair policy declaring the HEPC86/90 Settlement Fund as the "last payee".----I believe this to be completely unfair.---It is a policy that denies victims their rights to quick and easy reimbursement and compensation.---Not only that, this policy is dangerous to the health and recovery of HepC-86/90 victims. I will refer here to myself and to my case, in particular.--Case in point here is that I had worked extremely hard for hours and hours on end to go through all of the red tape with HepC-86/90 in order to get their approval for a 12-week course of Harvoni treatment, the new drug which my doctor had prescribed in order to cure my HepC. (Note:---A 12-week course cost approximately $80,000!!)---After a couple of months of red-tape, I finally did get my approval from HepC-86/90, and was ready to get started on this highly successful treatment, which would not only cure my HepC, but also remove my risk of yet another recurrence of my liver cancer! However, I received a major blow just before HepC-86/90 signed the final papers for me to get started and to receive my much-needed reimbursement for the high cost of Harvoni treatment. The blow to which I refer is that the Ontario government finally decided that they were possibly going to start covering Harvoni through the ODB. Of course, this was great for all those HepC sufferers who had no other insurance coverage!!----But it was certainly not great for me, personally, given my particular situation, having just recently received my final approval for reimbursement from hepC-86/90, and ready to start my treatment upon my medication delivery within a few days. The horrible blow for me was that even though the government had not yet made a FIRM decision concerning coverage, HepC-86/90 immediately, and without even notifying me personally, removed themselves from any and all responsibility for reimbursement of the $80,000 cost of my treatment, and dropped me like a hot potato, denying any responsibility whatsoever for reimbursing me as promised. They justified this removal of my right to coverage by citing their legal "out" of declaring themselves as the "last payee"-----meaning that, therefore, if there was ANY chance WHATSOEVER that I might somehow be able to get Harvoni paid for through a different insurance source, that HepC-86/90, as the "last payee", would therefore now be denying me their previously promised reimbursement.

The disastrous, two-fold effects resulting from this highly unfair "last payee" policy were twofold:

...........(#1)...it took so long to make it through all of the new Ont. government, "special committee" bureaucratic red-tape for approval of acceptance into their program that I had to wait MONTHS longer before I finally was issued ODB coverage approval, and even at that, I was initially only approved for 2/3 of the treatment which had been prescribed by my doctor! So to drag out the approval process even longer yet, I had to go through yet another mess of completely tangled-up red-tape, and spend more time waiting desperately to get started on my curative Harvoni treatment to which I had long ago been entitled,   and then ultimately denied(!!) by HepC-86/90!.. HepC-86/90 cheated me out of what was rightfully mine, and out of months of my life----perhaps even much more, as you will read below in (#2).

...........(#2)...The second absolutely, and utterly disastrous part of this two-fold effect was that during this long drawn-out, and completely unfair process of trying to get the treatment that I was rightfully entitled to, I suffered a recurrence of my liver cancer!---- Hepatocellular cancer --- which was caused by the very HepC virus for which

I had been so unfairly denied my prescribed curative Harvoni treatment, my previous approval having been withdrawn and reimbursement denied by the HepC 86/90 Settlement Fund using its "last-payee" policy as an escape route . And the "pay-off" for me??---The horrifically disastrous consequence of being diagnosed with a recurrence of the dreaded hepatocellular cancer in my liver! with the result that I again had to wait MONTHS before I could begin the Harvoni which would cure my Hep C, and remove the future cancer risk!! --Why the wait this time?--Because I had to wait for the special RFA procedure to be developed, and then go through the procedure, another stay in hospital, followed by a recovery period until I could again become well enough to undertake the course of Harvoni treatment which, BY RIGHTS, I ought to have been able to have fully and successfully completed LONG BEFORE my recurrence!!--Had the HepC-/86-90 process unfolded properly, and FAIRLY, on my behalf, I would have ALREADY completed my 12-week Harvoni treatment, and the odds are very high that I would NOT have suffered that recurrence at all,nor would I have had to undergo the risky procedures that I had to suffer through in the spring of this year!

Is it any wonder now that there is now a huge SURPLUS of $236 million to $256 million??!!--That "Last Payee" escape clause certainly did "save" the "Settlement Fund" a huge bundle of money!!--However, I sincerely believe that this policy, as well as others not being discussed here, also contributed to the unthinkable number of eventual deaths of innocent victims, and unbearable pain for so many families, parents and children, who had to watch their loved ones endure years of suffering, and then lose them again when they eventually succumbed and died. ....Simply NOT FAIR, in any sense of the word!!!

In conclusion, I respectfully submit that it is my strong opinion that a full three-quarters (3/4) of the current "surplus" should be allocated in favor of Hep C-/86/90 Class Members as compensation for having been forced to suffer needlessly, through no fault of their own, and who have had to continue to endure this travesty of justice for far too many years, ---and that the remaining one-quarter (1/4) should be allocated to family members who have lost loved ones who have suffered and died as a result of the contaminated blood transfusions of /86-/90.

Respectfully yours,

[redacted]

[redacted]

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NOV ~~1[illegible]~~ 2015
12

[redacted]

Ms. Kathryn Podrebarac

Suite 701,

151 Bloor Street West,

Toronto, Ontario, M5S 1S4

Dear Ms. Podrebarac,

I recently received a letter stating that the Hepatitis C. Trust had declared a surplus after dealing with all the claims. The letter requested that claimants should submit their ideas as to what should be done with this surplus. I did not receive this request until recently as I had moved from the residence I was in when the claim was paid. It has taken me a while to submit my ideas as it is still painful to remember my son's illness and death and writing about it brings back strong memories.

I raised my son as a single parent and we were very close, particularly more so since he was a hemophiliac and required constant attention and medical treatment. The time when I discovered that he had AIDS and Hepatitis C. due to contaminated blood product, was the most devastating time in my life. He valiantly fought the diseases at a time when little treatment was known or administered and died at the young age of nineteen.

I did receive a portion of the Hep. C. claim, having had to share this with my son's father. It was a help at the time but in no way compensated for the loss of my son. I have always missed my son immensely but now, as I age (I have just turned 70), I realize I have no one to assist me either financially or physically in my declining years. Due to his physical disability I did not have other children so he would have been my sole support at this time.

You ask for our input into how to disburse the remaining surplus. I strongly advise distributing the funds among the claimants, proportionately to what they initially received. I am sure that those still struggling with the Hep. C. virus could use the financial help and those, like me, who have lost their loved ones and the support that they would have given, would be thankful.

I fervently hope that you consider the plight of the claimants when deciding how to distribute this surplus. Thank you for your consideration.

[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: Hep C Settlement - Letter to Joint Committee - K Podrebarac
Date: Friday, November 13, 2015 17:16:09

Dear Ms. Podrebarac,

We are writing to provide input into the Hepatitis C Settlement Agreement surplus process. Our father, [redacted] received compensation from the Settlement which was directed to his surviving wife, our mother, [redacted]

The settlement process covered a multitude of concerns regarding our mother's loss of her husband and provider but we feel there were concerns that were not adequately compensated. The loss of our father had a huge psychological impact on our mother and family. We feel the stress contributed to her contracting several stress-related, long-term illnesses often requiring lengthy hospital stays and possibly shortening her life. As a family we had to pull together support to deal with these medical issues, including stress on us and financial losses through, e.g., hiring a caregiver for our mother and missing days of employment for ourselves.

We appreciate this opportunity for input and look forward to your decisions.

[redacted]

RECEIVED
NOV 18 2015

To whom it may Concern - KatHRyn PodREbaRAc

I received your letter months ago, and thought it wouldn't make a difference if I were to reply. Seeing the Joint Committee wants my input, I figure what harm will it do.

I do believe that if my mother, hadn't got Hepatitis C she should would have been around a lot longer. It was not "FAIR" She was a good Person.

She did nothing WRONG.

As far as the Surplus, should go to the Immediate Families, small portion Stay in the Trust fund.

Giving any money to anyone who suffered a loss from such a dreadful disease is Just.

I Rember my mom said. [redacted]

I won't be around, but you Kids should get Something from This. That's the truth.

I think all the other people feel the Same [redacted]

Sincerely [redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: Hep C Input
Date: Thursday, November 26, 2015 20:08:16
Attachments: hep c letter.doc

Please find enclosed attachment.

Thank you

[redacted]

Dear Ms. Podrebarac:

I am responding to the letter I received regarding the surplus of funds of the 1986-1990 Hepatitis C Settlement.

This is My input:
My name is [redacted] Our mother [redacted], was a victim of this unspeakable miscarriage of justice. **<u>She died on April</u>** [redacted]

Our mother had open heart surgery on March [redacted] at the University of Heart Institute, Ottawa Civic Hospital, Ottawa, Ontario where she received 25 units of blood during her surgery.

On March [redacted] she entered the Ottawa Civic Hospital very ill we were not told how ill our Mother was. A lot of questions were asked if our Mother had any recent surgeries where she needed blood transfusions. The doctor in the emergency was told about our Mother's heart surgery in [redacted] She was admitted to the hospital, but a few days later was transferred to the Pembroke General Hospital in Pembroke, Ontario, because we were told there was nothing more that could be done for her. Our Mother died a very painful death, they would not give her anything stronger than a Tylenol because the disease had progressed to far. No one should every have to witness what this disease can do to the human body all because of someone's neglect. Thank God she didn't suffer to long.....

Four weeks after her death I was contacted by the Health Unit where I live that our Mother died from Hepatitis C. She explained to me that myself, my sisters and our Dad would need to be test for Hepatitis C, and at that time she explained to me if we had this disease how we would have to deal and live with it. They knew in Ottawa and in Pembroke Hospital that our Mother had Hepatitis C. We were furious that we were not told, by not telling us they jeopardized our lives, our spouses and our children. I have the Lab report from the Ottawa Civic Hospital on March [redacted] that a specimen was taken and it came back positive for antibodies to Hepatitis C Virus. We were in a state of shock after our Mother's death let alone finding out that she had contracted Hepatitis C during her Heart surgery.

Five months after our Mother died we had to put our Dad into a home because he could not psychologically handle the loss of our Mother. Not only did we lose our **Mother** but our **Dad,** our children lost their **Grandparents**. Our Parents never got to see their grandchildren graduate from University, get married or see their first Great Grandchild, **how unfair is that....**

The ironic thing about this whole tainted blood scandal is that the **<u>RED CROSS</u>** knew about it and yet they still used this blood on our Mother, this was a ***<u>death sentence.</u>***

It has been [redacted] years since our Mother died and having to explain what should be done with this surplus of money just brings up all those feelings and emotions all over again. My sister to this day has a difficult time speaking about what happened to our Mother. It is something that you would like to forget about, but you can't. This is and was such a **miscarriage of justice.**

This excess of money should be given to the family members for the loss of their loved one because of the negligence of these people. **No questions asked!!!!!** No amount of money will ever bring them back, but it will help with the psychological and emotional suffering that we all have been put through, also to the people that are living with this unspeakable disease.

I hope what I have written about our Mother's circumstances, and all the pain and suffering, emotionally and mentally as a family what we had to go through will help them make the right decision of what to do with this surplus of money.

Thank you for your time.

Yours truly

[redacted]

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NOV 3 0 2015

To whom it may concern.

In regards to myself and the [redacted] I believe that any Surplus that is in the Trust Fund, should be devided between Class Members and Family Class Members.

[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: hepc [redacted]
Date: Monday, November 30, 2015 20:38:23

My mother [redacted] contracted hepatitis C on Mar [redacted] during heart surgery and died Apr. [redacted]
The blood my mother received was deliberately distributed even though the Red Cross knew it was contaminated with hepatitis C.

You want to know what to do with the excess money. I thought the money was for the people affected by hepatitis C .

[redacted]

RECEIVED
DEC 14 2015

Re: [redacted]

I am the Brother of the captionally noted late [redacted]. As such, I wish to make the following assertions:

1. It is my position that the balance of the funds currently retained in the accounts following the initial distribution should be distributed forthwith.
2. It is my position that the remaining monies should be distributed among those persons who were designated as the class at the time of the initial distribution.

I trust the foregoing satisfies the request for input. I can be reached for further comment at my mailing address.

[redacted]

RECEIVED
DEC 14 2015

Re [redacted]

I am [redacted] . As such I wish to make th the following assertions

1. It is my position that the balance of the funds currently retained in the accountsfollowing the initial distribution should be distributed forthwith.

2. It is my position that the remaining monies should be distributed among those persons who were designated as the class at the time of the initial distribution

I trust the foregoing satisfies the request for input. I can be reached for further comment at my mailing address

[redacted]

RECEIVED
DEC 14 2015

Re: [redacted]

I am the Mother of the captionally noted late [redacted]. As such, I wish to make the following assertions:

1. It is my position that the balance of the funds currently retained in the accounts following the initial distribution should be distributed forthwith.
2. It is my position that the remaining monies should be distributed among those persons who were designated as the class at the time of the initial distribution.

I trust the foregoing satisfies the request for input. I can be reached for further comment at my mailing address.

[redacted]

RECEIVED
DEC 1 4 2015

Re: [redacted]

I am the Father of the captionally noted late [redacted] As such, I wish to make the following assertions:

1. It is my position that the balance of the funds currently retained in the accounts following the initial distribution should be distributed forthwith.
2. It is my position that the remaining monies should be distributed among those persons who were designated as the class at the time of the initial distribution.

I trust the foregoing satisfies the request for input. I can be reached for further comment at my mailing address.

[redacted]

RECEIVED
DEC 14 2015

Re: [redacted]

I am the Sister of the captionally noted late [redacted]. As such, I wish to make the following assertions:

1. It is my position that the balance of the funds currently retained in the accounts following the initial distribution should be distributed forthwith.
2. It is my position that the remaining monies should be distributed among those persons who were designated as the class at the time of the initial distribution.

I trust the foregoing satisfies the request for input. I can be reached for further comment at my mailing address.

[redacted]

From: [redacted]
To: jjcamp@cfmlawyers.ca; hepc@strosbergco.com
Cc: info@savonitto.com; Kathryn Podrebarac
Subject: [redacted]
Date: Tuesday, December 15, 2015 23:52:30

Dear Joint Committee members,

I am sorry I was not able to attend either of the consultation sessions listed and presented in your latest communication stating “The Joint Committee wants to Hear From You”.

I am a [redacted] year male hemophiliac that contracted both Hepatitis B & C as an infant, through multiple blood and blood product transfusions. In the prime of my youth I was diagnosed with Chronic liver disease in for the form of Chronic active hepatitis C & B. At that point I started understanding why I was chronically ill most of my life, suffering from one chronic infection after another, which of course was treated by 100’s of anti-biotic prescriptions over the course of my life. Our family doctor was just trying to help not knowing that the under lying (Non A Non B hepatitis) chronic viral infection was cytotoxic PMC2647842, (HCV Induces Oxidative and ER Stress and Sensitizes Infected Cells to Apoptosis in SCID/Alb-uPA Mice..Tyrrell, Joyce and Walters).

Shortly after the above discovery we decided the best course of treatment option needed to be based on the advancement of disease, we agreed to a trans-jugular liver biopsy as a need point biopsy’s are medically too risky for a severe Hemophiliac.

What happened next changed my course of life forever. The results came back confirming advanced cirrhosis. This was the start of a new normal course of life due to three back to back failed interferon treatments. These treatments added challenge after challenge to my new family’s life, however the worst was yet to come when I ended up having to stop interferon treatment due to a bacterial infection caused by long term interferon exposure, which suppressed my immune system. This infection was treated with long term continuous Cipro prescriptions, which inturn shut my liver down, after 10 days in the hospital I was told I may need a liver transplant was sent to the U of A, to be evaluated by a transplant team. At this point I had lost over 45 lbs of muscle, which was accompanied by a very poor/sickly quality of life. The next 18 months were filled with one doctor’s appointment after another. All the records are on my file with the Hepatitis Claims center. Yes, I have been compensated for some of my losses, however there are a few items that the settlement agreement does NOT take into consideration.

I hope the lower items will help define the weaknesses of the current settlement agreement.

The fact that my wife had to give up her RN nursing licence is NOT covered in the settlement agreement. At this point in our lives it was impossible for me to contribute on the home front. This acute hepatic flare and breakthrough lasted for the first 4-5 years of my children’s lives. My state of health made it impossible for her to care for me and our new born children, plus maintain a regular RN’s shift work based rotation. As you are well aware RN’s need to work a minimum of 300 hrs per year to keep their registration. This was physically impossible as [redacted] parents lived in [redacted] and my family was dealing with helping my father manage a chronic illness of his own, as he had fast advancing COPD.

The next reality was the sale of our very profitable business, although I was very fortunate to be surrounded and supported by great staff, the stress of them dealing with a boss that was chronically ill burned them out. This developed over an 8 year period, as my primary focus was regaining my health through Research and Development of natural based anti-fibrotic treatments. which made it impossible to contribute at the office on a regular basis. I have been able to work with a medical advisory team made up of Liver experts from across the world, and have been awarded two Canadian research grants the first one was a $50,000.00 Innovations Voucher and the second most recent was a $50,000.00 IRAP grant, as you know $100,000 doesn't go far in the R&D world. The total research bill ended up being over 1 million dollars, however I was able to use this research to regain a portion of my health over the past 8 years.

The other provision NOT covered by the current settlement agreement is the down time caused by Harvoni treatment or the POST treatment side effects caused by HARVONI. Of course Gilead has marketed Harvoni as the miracle drug of the century. Again the Hepatitis C Claims center did cover the cost of treatment, but nothing for the suffering caused by treatment, because it's not covered in the settlement agreement. However there is an very real, very scary dark side to Harvoni. As of last month I am now cured of HCV but sicker then I have been in years due to something called NO SPECIFIC fatigue!!! This is NOT good, nor is what I signed up for… Harvoni can also change many functions in the human body, and not all the facts are yet known, but here is one of the most concerning "When Altering the Nucleotide in the DNA chain with an HCV nucleotide analog NS5B polymerase inhibitor (Sovaldi) some alterations can occur in the brain and DNA, which potentially could change many things". I haven't felt right or normal since starting and finishing the Harvoni treatment.

My doctors have been closely monitoring my current situation and have advised the Claims center of my personal situation, we have also been in contact with Gilead sciences. At first I was told that it would take a while for my body to recover from the mitochondrial toxicity caused by the Harvoni treatment. This is just one of the challenges of a DAA (direct acting anti-viral). Unfortunately I am now 9 months post treatment and some days are far worse than when I suffered with Chronic HCV. We are now in contact with post HARVONI patients from all over the world, and their medical history is very concerning as more and more people are reporting very serious lasting side effects at 12 months post treatment! As you can imagine my family and I are beyond concerned, suffering with chronic HCV is one thing, but facing a side effect from a drug that no one knows what the ending will look like is something I didn't sign up for…I truly understand the Harvoni side effects were NOT caused directly by the Hepatitis Claims center, but it is one more item NOT covered in the settlement agreement.

Dr. [redacted] and I will continue to push Gilead for answers and collect evidence from patients all over the world.
Here I go again just when I thought my life was about to return to normal after all these years of sickness.

Of course I am available to meet with either of you to advance further discussion.

Again I am sorry I missed the presented optional meeting dates as I think it would have been extremely beneficial for all of us.

[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: HEP C 1986-1990 AGREEMENT
Date: Wednesday, December 16, 2015 10:20:30
Attachments: image001.jpg
[redacted].pdf

BY EMAIL: kp@toughcounsel.com
December 15, 2015

Kathryn Podrebarac
Podrebarac BarristersProfessional Corp.
Suite 701, 151 Bloor St. West
Toronto, ON M5S 1S4

Dear Ms. Podrebarac:

I have received the information regarding the 1986-1990 Hep C Settlement Agreement. My mother was infected in [redacted] and died in [redacted]. We did make a claim (I was the executor of my father's claim and his wills) and he did receive compensation. My name and address has changed since then which is why it took me so long to hear about the new review.

As a result of my mother's death, my father died three and a half years later. While the settlement provided compensation for expenses prior to her death, no one could have anticipated the subsequent expenses afterwards. My father's mental health suffered greatly (they had been married for [redacted] years and he was [redacted] at the time of her death). I had to drive from Toronto to Collingwood almost every weekend, sometimes during the week, as he wasn't taking very good care of himself and his physical health was also deteriorating rapidly (this was a man who had never been seriously ill or hospitalized). It became so bad that one weekend I had to stay for two weeks. As result of this constant time off I was let go from my job. I am single/self-supporting so I could not be a full time caregiver. I begged my sister to fly out from Vancouver to help out. She took a leave of absence from her job and came in [redacted]. It ended up being [redacted] and our dad died in [redacted].

I realize our situation is not nearly as tragic as some others, especially those still living with the disease and small children who lost their parents. All I am asking is that our names be included in the list for whatever additional compensation may be offered.

Sincerely,

[redacted]

[redacted]

[redacted]

[redacted]

BY EMAIL: kp@toughcounsel.com

December 15, 2015

Kathryn Podrebarac
Podrebarac BarristersProfessional Corp.
Suite 701, 151 Bloor St. West
Toronto, ON M5S 1S4

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I realize our situation is not nearly as tragic as some others, especially those still living with the disease and small children who lost their parents. All I am asking is that our names be included in the list for whatever additional compensation may be offered.

Sincerely,

[redacted]

RECEIVED
DEC 18 2015

Person Infected:

[redacted]

Cause:

- Hepatitis C

Object:

- This letter is in regards to receiving Hepatitis C through a blood transfusion and the inability of have a full and balanced life.

Injustice:

In regards to my children at the time I was diagnosed, they didn't really have a mother involved in their every day activities. My two older daughters had to take on the responsibilities of cooking and cleaning and looking after their little sister who was only one year old at the time. They were dealing with a lot of emotional stress as well. Watching their mother not being able to be involved in their everyday lives like before. They themselves were only nine and ten years old. It was a lot of responsibility on such young girls. It was not easy for them to watch their mother in such a bad state.

We could not afford to put them in, out of school activities, due to the lack of funds because their mother could no longer work.

It was very hard on them emotionally. My children felt neglected. I was not the mom I could of been.

Injustice:

In regards to my husband. He was under a lot of emotional stress. He was basically raising our three daughters by himself. Trying to keep the house in order with the everyday tasks and taking me to my doctor appointments had its toll. I could not be the wife he had married due to the tiredness and the constant aching of my body.

He had to take time off work so that I could keep my appointments. It was not easy on him This was even before I I found out what my diagnoses was. Both my husband and myself misses time off work.

I could not be the sexual partner to him like I was before all this happened. Not easy on any man. When my husband would lose his job because of plant closures, it was really hard on the family. We never got compensated for loss time off work for him or myself.

Injustice:

My youngest daughter [redacted] was born after my transfusion but before I was diagnosed. She also has health problems. She has a blood disorder, has breathing problems and was having mild seizures. Were still not sure if this is due to my Hepatitis C. I was not a very good hands on mom for her growing up. She missed out on a lot of things in her young life.

Injustice:

My grandchildren didn't and don't get to have an energetic grandmother. My grandkids mean the world to me. I hope to see them grow up.

Injustice:

As for myself, the injustice never stops. It took a long time for some justice to even happen. As well as being diagnosed with Hepatitis C, I have also been diagnoses with Lupus, Fibromyalgia, Irritable Bowel, Osteoporosis and migraine headaches.

I don't smoke, I never took drugs and rarely drank alcohol. I was living a good clean life. My body aches so much that it hurts when people try to give me a hug. The stress in my life is overwhelming. I'm trying to keep a job to help out with all our bills. I have been trying to be a good wife, mom, and grandmother to my husband, daughters and grandchildren. Thank god my husband is understanding. It has not been easy on him at all. I am trying to deal with all my ailments and hold down my job. The medication is overwhelming as well. It would be so much easier on my body if I could get a disability pension. Because I don't have any money left from the Hepatitis C Foundation, except for the reimbursements for my medications. But even that I have to pay in advance.

So as I get older I am hoping that life gets a little easier. I am wanting to spend time with my grandchildren seeing I missed out on a lot with my own children growing up and some quality time with my husband as we get closer to retirement.

I wish to thank you for your time and attention during the deliberations.

[redacted]

Fax

To: Kathryn Podrebarac From: [redacted]

Fax: (416)-348-7505 Pages: 2 including coversheet

[redacted] Date: Dec. 18/15

Re: Hep C-class Action Lawsuit - Joint Committee member

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

- **Comments:**

Dear Kathryn Podrebarac:

I am sending this letter (with updated addresses of family members) to be included in the decision of the remaining funds for the Hep. C - Class Action Lawsuit. (which my family is part of.) This is on behalf of my late brother [redacted] [redacted] who succombed to Hep. C through tainted Blood between the period of 1986-1990. Here are our wishes.

* Please note: No immediate family members received the letter of notification on the decision as to what to do with remaining funds.

[redacted]

>>>[redacted] 12/17/2015 2:24 PM >>>
To; the Administrator of the Hep. C Settlement Agreement (1986 to 1990)
Dear Sir/Madam;
My name is [redacted] and I am writing you on behalf of my late brother [redacted] estate and the remaining of his family.)
[redacted] had received tainted blood between the years of 1996-1990 and subsequently died of Hepatitis C through tainted blood. (Which we discovered after trace back of packed cells given between this time.)
We as family members of the class action lawsuit are still suffering from the overwhelming loss of our brother, uncle, son that was taken from us.
Our mother and father suffered years of pain with the loss of this child, as well as the remaining family left behind. Our mother has since passed, but would want us to continue the fight for justice on her and my late brothers behalf.
As a group our family has decided that the remaining funds should be allocated to the survivors and the remaining families left behind. Including the deceased. My brother paid the ultimate loss with his life.
What price do you put on a life?? We will continue to mourn and suffer his loss for the rest of our lives.

[redacted]

[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: Hepatitis C settlement agreement
Date: Monday, December 28, 2015 16:55:04

I [redacted] believe that all the surplus in the hep C trust fund should be allocated in favour to class members and family class members.

Sent from my iPhone

From: [redacted]
To: jjcamp@cfmlawyers.ca; hepc@strosbergco.com; info@savonitto.com; Kathryn Podrebarac
Subject: 1986-1990 Hepatitis C settlement Agreement. (Phase 2 Sufficiency Schedule)
Date: Tuesday, December 29, 2015 15:36:34

To whom this may concern:

My name is [redacted]

I am writing on behalf of myself in relation to the 1986-1990 Hepatitis C settlement Agreement. (Phase 2 Sufficiency Schedule)

While still dealing with lost of my mother, combined with the stresses of life. In my current situation financially is not a favorable position due to the excising economic slowdown because of the change of government.
I am 58 years old and employment is very difficult here. In light all i just mention I would make an input on how what I think is fair for distribution of the funds. The monies paid out to families with numerous dependents did not meet the needs of theses families. Especially my family which is made up of a very large amount of dependents.
I strongly suggest that each family case should be looked at individually, base on the amount of dependents in that particular family. (e.g a family of 3 should not receive the same amount as a family of 10 persons.) The amount received by individuals of the larger family should be the same as smaller families and this I think is reasonably fair.

Please feel free to contact me for any additional information you would like.
[redacted]

Thank you
[redacted]

2704

1

RECEIVED
DEC 31 2015

Capreol Dec. 18th 2015 [redacted]

To
Kathryn Podrebarac

Dear Kathryn

I was very pleased to hear from the joint Committee, re the ongoing administration of the 1986-1990 Hepatitis C class action settlement for the Class members and the dependants.

Please accept this letter for the ongoing process, that is being reviewed, every three years.

As you have found that their is a surplus, I wish to make my submission as requested.

I had received a letter of cancellation on or about March, 2012, with the reasoning being That My Wife [redacted] had reached her life expectancy date. As of my letter dated Jan. 20th 2011 to the Hepatitis C Class action settlement to a Mr. David Roberts, and To Mr. Justice Winkler in Toronto. and in my letter of That date, I had stated that I would provide the information required under Section 3.05.

So Kathryn, no one can know how long a person can live, I am [redacted] years old. [redacted] mother on [redacted] lived a long life, her sister [redacted] passed away at [redacted] years of age.

re [redacted]

Kathryn

As you may well have all the documentation I have provided over the years, I expect that I do not have to forward any new documents, such as a new Gen 12 Renewal Form, or doctor's Reports, age requirement Forms Etc.

As I recall my Claim for the Loss Of Services in the home is required. I am [redacted] years old, my homemaker has left in march or april 2012 as I could no longer pay her for Services in the home, I had used all the money received to pay for these services, till mar 2012.

This is why my claim that was approved provided me with a stable life till that time.

Therefor I am thankful that the process for my claim will be considered in your future deliberations.

Thanking You

[redacted]

[redacted]

RECEIVED
JAN 12 2016

January 5, 2016

Dear Ms Podrebarac:

I am writing to express my recommendations for the surplus funding Which the 1986-1990 Hepatitis settlement trust fund now holds.

It is my opinion that some of the funding be allocated to those class Members who are currently ill with the Hepatitis C disease for Assistance with the costs and stress associated with the illness.

Additionally, I believe that portion of the funding be divided among Individuals whether cured or not, who are and were affected by the Disease, including all of its emotional, financial, and mental stress, as Well as the physical symptoms of the illness. These individuals have Been dealt an unjust hand through no cause of their own. The burden Of the illness has negatively affected their quality of life, and caused worry And strain on their family. Receiving a portion of the excess funding would Be a small gesture of recognition and atonement for the life altering Diagnosis me fellow Members and I have faced.

[redacted]

RECEIVED
JAN 06 2016

To The Joint Committee

I feel that the Family of [redacted] and her sisters should be offered the surplus to them.

[redacted] passed away in [redacted] [redacted]. after her open heart surgery. from the Tainted Blood she was given.

[redacted] has been very sadly missed by her Daughter & her Grand childeren,

Also by her sisters. [redacted]

[redacted]

RECEIVED
JAN 1 8 2016

The Joint Committee
January 7, 2016

To whom it may concern,

I'm writing in response to the letter I received in regards to the surplus of funds. You have asked for my opinion on what should be done with this surplus.

Here are my thoughts and feelings on the matter.

I have lost 3 brothers from this terrible disease and it doesn't get any easier to deal with now that they are gone. I had to watch them fight, suffer and in the end pass from this. They were very proud men and didn't want to be a bother to anyone so we did what we could and what they would allow. Watching my brothers suffer the way they did was heart breaking, especially because they had no way to fight it. They were given tainted blood and had to suffer because of someone else's mistakes, and because of that I think the family's deserve to have this surplus of money. If they were still here the money should rightfully go to them but they are gone, so the money should go to their families.

I miss my brother's everyday and would do anything to have them back, but the government made that impossible. So in the honour of my 3 brothers, [redacted], [redacted], I'm asking that the money be given to the families because that is what they would have wanted.

Sincerely,

[redacted]

RECEIVED
FEB 16 2016

The jaint committe
January 10 / 2016

To whom it may concern
In regards to the letter I received
I'm asking the money go to all
the familie's that watched loved
ones suffer from this terrible
disease. My brothers [redacted]
[redacted]

Sincerely [redacted]

ATTENTION
KATHRYN PODREBARAC

RECEIVED
FEB 16 2016

DATE
7 JAN 2016

I TURNED [redacted] IN [redacted] I WAS OPERATED ON ~~ON~~ JULY OF [redacted] TO FIX UP ~~[illegible]~~ REPAIR A BLEEDING UCLER, I GOT HEP C FROM A BLOOD DONATION THAT I REC'D, FROM A DONER WHO I BELEIVE DIDN'T KNOW (HE OR SHE). WAS INFECTED CARRING WITH HEP C, THE DONATION CAME FROM [redacted], MY [redacted]

FROM A VERY EARLY AGE (10) I WAS ALWAYS IN THE SELLING (RETAIL) (BUSSNESS), I SOLD PAPPERS THEN I WORKED IN A BULK STATION WE SOLD SUPPLIES FOR FARMERS. BULK SUPPLIES GAS, DIESEL, OIL, GREASE, TWINE, FARM MACHINE REPAIR ETC.

IN JULY OF [redacted] I TURNED [redacted] OFF I WENT TO [redacted] TO JOIN THE NAVY R.C.N.V.R. FROM [redacted] OFF TO [redacted] FOR 2 MONTHS, THEN TO [redacted] 2 MOS. THEN [redacted] FOR 6 MOS THEN BACK TO [redacted] FROM THERE TO [redacted] TO PICK UP A NEW SHIP ([redacted] I WAS AT SEA FOR ABOUT 15 MONTHS NEVER SICK A DAY.

WITH IN ABOUT 3 OR 4 DAYS AFTER THEY DROPPED THE BOMB ON [redacted] WE WERE ON OUR WAY HOME. AS SOON AS I GOT HOME I WAS OUT TO HELP FARMER'S THRESH THE CROP. AFTER THRESHING I WENT BACK TO SCHOOL IN MY HOME VILLAGE, FOR 3 MONTHS.

I THEN TOOK OVER MANAGING THE BULK STATION, STAYED THERE 15 YRS. THEN TOOK OVER A ~~MACH~~ MACH~~ING~~ERY CO-OP STATION WAS THERE 15 YRS AFTER THAT I GOT MY REAL ESTATE LICENSE SOLD HOUSES FOR 10 YRS IN MY RETIRMENT YRS ALL I WANTED TO DO WAS SELL FARM LAND, AS I KNEW FARMERS IN SUCH A LARGE AREA,

I AM [redacted] NOW, SOON [redacted] HEALTHY GOING TO MAKE 100 OR MORE. MY WIFE IS [redacted], SHE HAD A STROKE IN [redacted], HER MEMORY IS NOT GOOD. WE WILL BE MOVING FROM OUR CONDO, TO A CARE HOME IN THE SPRING. I THINK YOU SHOUD GIVE ALL OF US A GOOD BIG CHEQUE SO WE ENJOY THE REST OF TIME WE HAVE LEFT.

PLEASE EXUSE THE SPELLING) (THANK YOU FOR ALL YOUR WORK)

[redacted]

TO WHOM IT MAY CONCERN

NO ONE KNOWS, HOW MUCH WE HAVE SUFFERED ALL THESE YRS I HAVEND HAD A DRINK OF RUM IN 25 YRS.

THINK ABOUT IT.
IT'S HARD TO PUT A DOLLAR VALUE ON IT

[redacted]

2712

RECEIVED
JAN 18 2016

The Joint Committe
January 12 / 2016.

To Whom it may concern

I'm writing in response to the letter I received regarding my brothers [redacted]

In my opinon the families should be given the money.
All of these families had to sit back and watch their loved ones get sicker & sicker and not be able to do anything

Sincerely

[redacted]

We also had a young son who passed away from this terrible disease but thankfully he took the settlement and enjoyed the money while he was alive.
He was our only Child.

January 15th, 2016

RECEIVED
FEB 0[illegible] 2016
2

Kathryn Podrebarac
Podrebarac Barristers Professional Corporation
Suite 701, 151 Bloor Street West
Toronto, Ontario
M5S 1S4

Re: The Joint Committee/Surplus

Dear Ms. Podrebarac,

My husband [redacted] lost his struggle with Hepatitis C in [redacted]. From the time he contracted this disease from contaminated blood, to the time of his death, my husband's condition proved to be a considerable hardship for my family. This was due to the frequent Transient Ischemic Attacks that he suffered for years until his demise. When the TIA's began in earnest, I was working as a Court Deputy to the Judges at the Superior Court of Justice on University Ave. On many occasions after being sequestered with a jury, I would return home in the morning to find a message on my phone from my husband asking me to come over as soon as I got home as he needed help with his medications. He would become confused about the dosages and required organization with the meds. He always consulted me on these matters as I had worked for a medical doctor for twenty years. [redacted] quality of life was greatly diminished due to his disease. His life was only extended due to my children's devoted efforts to assist their father in his every day needs. We all did our part, to make his life more comfortable and it was this driving force that allowed him to live as long as he did. However, the TIA`s proved to be insurmountable, causing him to fall and injure himself sometimes as many as three times a day. He would show up at our family gatherings bruised and with multiple lacerations from these falls; it was difficult for the family to see this. The Red Cross failed to practice due diligence in its testing of the blood supply, and for that our family was forever changed.

I believe my husband would want the surplus money divided up amongst the Class Members and the Family Class Members as compensation for the hefty loss and the pain and suffering caused by undue negligence.

[redacted]

RECEIVED
FEB 0[illegible] 2016
2

January 15th, 2016

Kathryn Podrebarac
Podrebarac Barristers Professional Corporation
Suite 701, 151 Bloor Street West
Toronto, Ontario
M5S 1S4

Re: The Joint Committee/Surplus

Dear Ms. Podrebarac,

My name is [redacted] and I am [redacted] son. My father passed away on [redacted] [redacted] from Hepatitis C complications. I live in [redacted] and over the years, I had several calls from my mother and sisters about their growing concerns about my father`s health. I had many calls about how my dad was having seizures, falling, and having to use an assistive device for mobility. If you knew him, you would know that this would have had a devastating effect on his emotional state. He was always quite proud of himself for being confident and independent. He prided himself on looking and acting young; pushing himself every day at the gym and dressing his best. He also had a great sense of humour that everyone loved and he certainly made the world a better place. When I came home for a visit in January [redacted], I saw a completely different man than I remembered; he had grown thinner, used a cane and didn`t laugh as much. It was obvious his life had completely changed for the worst and it was terrible for our family to watch this tragedy unfold. My dad didn`t ask for this to happen to him, it was pure negligence on the part of The Red Cross and they should be held accountable; I believe my father would want the surplus to be divided up amongst the Class Members and the Family Class Members as the 6700.00 dollars we received, felt like a slap in the face. We have lost the love and guidance from a man who should still be with us. Nothing will bring my father back, but if there is an existing surplus of funds, it belongs to the infected individuals and their families for all their pain and suffering.

[redacted]

**Photo(s) submitted
but not included
for privacy reasons**

January 15th, 2016

RECEIVED
FEB 0[illegible] 2016
2

Kathryn Podrebarac
Podrebarac Barristers Professional Corporation
Suite 701, 151 Bloor Street West
Toronto, Ontario
M5S 1S4

Re: The Joint Committee/Surplus

Dear Ms. Podrebarac,

Hello, my name is [redacted] and I am the youngest daughter of [redacted]. My dad passed away on [redacted] from atherosclerosis, which is a Hepatitis C related illness. I was closest to my dad in proximity and therefore did a lot for and with my dad. We were active members of the YMCA; I took my father shopping, to appointments and ran errands for him. I did notice over time that he wasn't the same, he had episodes where he would become dizzy and he would have to stop what he was doing to sit down. I became very alarmed when this happened while we were out shopping; I would have to take him home right away. After a while, he had to quit the YMCA, he began to have seizures, walk with a cane /walker and I started to do a lot more for him. My father's mood changed drastically. He would get mad and depressed because he didn't know what was happening to him. It was very sad to watch my father go from a happy, active man, to a man that could hardly stand upright and whose love for life was taken from him.

I did receive some compensation in the amount of $6700.00, some of which I used to help pay for the funeral. As for the surplus, I feel the money should go to the Class Members and the Family Class Members. I love my father very much and miss him terribly. He was giving, generous, self sacrificing and kind. I know he would want his family to share in the surplus because that is exactly the type of man he was. I hope and pray the right decision is made with regards to this matter.

[redacted]

**Photo(s) submitted
but not included
for privacy reasons**

January 15th, 2016

RECEIVED
FEB 0[illegible] 2016
2

Kathryn Podrebarac
Podrebarac Barristers Professional Corporation
Suite 701, 151 Bloor Street West
Toronto, Ontario
M5S 1S4

Re: The Joint Committee/Surplus

Dear Ms. Podrebarac,

On [redacted], I lost my grandfather to Hepatitis C complications. I am the eldest grandchild and was very close to my gramps and I loved him very much. He was there for me when I had my daughter, [redacted] He used to babysit her on the days she was ill or if I had to go out. It was awful to see my grandfather fall apart as I only really knew him to be vibrant and full of life. It was devastating to watch him go from [redacted], to using a cane and then a walker. Although he tried to put on a brave face, we all knew he was suffering.

I think my grandfather would want the surplus money divided up amongst the Class Members and the Family Class Members because he simply loved to make us happy. I know he would be thrilled if he thought he could still do something for us.

[redacted]

January 15th, 2016

RECEIVED
FEB 0[illegible] 2016
2

Kathryn Podrebarac
Podrebarac Barristers Professional Corporation
Suite 701, 151 Bloor Street West
Toronto, Ontario
M5S 1S4

Re: The Joint Committee/Surplus

Dear Ms. Podrebarac,

Hi, my name is [redacted] and my grandfather [redacted] passed away on [redacted] I loved my grandfather because as a kid, he did so much for me. When my mother and father split up, he was a dominate father figure in my life. He took me to hockey games, basketball and we spent many hours on the ice rink at the [redacted]. He helped me purchase my first car and told me how to take care of it. He also got me my first job at the [redacted]. My grandfather was my rock; I could always count on him for phone calls and support. He was a great man that always hugged and kissed me each time he saw me; it didn`t matter that I was a grown man myself. It was shocking to see him go downhill physically and mentally. It was tough to see a man larger than life, become withdrawn, frail and weak. Even though he`s gone, he`ll never be forgotten as he has helped shape the person I have become.

I know my grandfather would want the surplus money divided up amongst the Class Members and the Family Class Members because it`s fair and just. We have all suffered along with the ones that have been compromised or who have lost their lives. My grandfather would believe we are all deserving of this extra money.

[redacted]

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FEB 0[illegible] 2016
2

January 15th, 2016

Kathryn Podrebarac
Podrebarac Barristers Professional Corporation
Suite 701, 151 Bloor Street West
Toronto, Ontario
M5S 1S4

Re: The Joint Committee/Surplus

Dear Ms. Podrebarac,

Hello, my name is [redacted] and I am the youngest grandchild of [redacted]. My grandfather passed away on [redacted] from Hepatitis C complications. I have nothing but great memories of my grandpa. He used to babysit me when I was a little kid; he would pack my lunch, brush my hair and walk me to school. I am starting [redacted] this year, and gramps would have loved to see me graduate from a post-secondary institution. My grandpa left us all too early.

My grandfather would want the surplus money to go to the victims and families. My grandfather gave when he could and this is no different. He would want the money to go to his family so they could have better lives.

[redacted]

The joint Committe

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JAN 2 2 2016

To whom it may concern.

I received a letter in the mail concerning my brother [redacted]. in regards to the surplus of funds.

Im hoping any money be given to all family members.

Sincerely [redacted]

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FEB 0 8 2016

[redacted]

Jan 29, 2016

Kathryn Podrebarac

Podrebarac Barristers Professional Corporation

701-151 Bloor Street W

Toronto, ON M5S 1S4

Dear Ms. Podrebarac,

Re: HepC 8690 Surplus

I am the son of [redacted] a person who was infected through transfusion and is now deceased and [redacted] is my daughter. As a Family Class Claimant, I would hereby like to go on record and state that it is my opinion that the surplus should be distributed among claimants, dependants and family members.

The compensation previously disbursed does not adequately compensate for the loss of one's grandmother. The Actuaries of the Joint Committee and Federal Government have found the fund is sufficient to meet the needs of Class Members and Family Class Members and that there is a surplus and it is only fair that any such excess/surplus be paid to the Claimants.

[redacted]

RECEIVED
FEB 0 8 2016

[redacted]

Jan 29, 2016

Kathryn Podrebarac

Podrebarac Barristers Professional Corporation

701-151 Bloor Street W

Toronto, ON M5S 1S4

Dear Ms. Podrebarac,

Re: HepC 8690 Surplus

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The compensation previously disbursed does not adequately compensate for the loss of one's mother. The Actuaries of the Joint Committee and Federal Government have found the fund is sufficient to meet the needs of Class Members and Family Class Members and that there is a surplus and it is only fair that any such excess/surplus be paid to the Claimants.

[redacted]

RECEIVED
FEB 0 8 2016

[redacted]

Jan 29, 2016

Kathryn Podrebarac

Podrebarac Barristers Professional Corporation

701-151 Bloor Street W

Toronto, ON M5S 1S4

Dear Ms. Podrebarac,

<u>Re: HepC 8690 Surplus</u>

I am the daughter of [redacted] and one of the Trustees of her estate, she was infected through transfusion in 1989 and is now deceased.

As trustee of her estate, I would hereby like to go on record and state that it is my opinion that the surplus should be distributed among claimants, dependants and family members.

The compensation previously disbursed does not adequately compensate for the loss of one's mother, grandmother or sibling, especially when the deceased was the mother of thirteen children.

The *Actuaries of the Joint Committee and Federal Government have found the fund is sufficient to meet* the needs of Class Members and Family Class Members and that there is a surplus and it is only fair that any such excess/surplus be paid to the Claimants.

[redacted]

RECEIVED
FEB 0 8 2016

[redacted]

Jan 29, 2016

Kathryn Podrebarac

Podrebarac Barristers Professional Corporation

701-151 Bloor Street W

Toronto, ON M5S 1S4

Dear Ms. Podrebarac,

Re: HepC 8690 Surplus

I am the daughter of [redacted], a person infected through transfusion and is now deceased.

As a Family Class Claimant, I would hereby like to go on record and state that it is my opinion that the surplus should be distributed among claimants, dependants and family members.

The compensation previously disbursed does not adequately compensate for the loss of one's mother. The Actuaries of the Joint Committee and Federal Government have found the fund is sufficient to meet the needs of Class Members and Family Class Members and that there is a surplus and it is only fair that any such excess/surplus be paid to the Claimants.

[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: Fwd: Hep C Settlement
Date: Friday, February 19, 2016 21:47:55

Joint Committee members,

Re: Hepatitis C Settlement Agreement Trust Fund
Family Class Member Action

My [redacted] brothers [redacted] were both affected by the tainted blood fiasco and had Hep C. They suffered immensely as did my parents, my siblings and myself. Watching them try to deal with the health issues, their medication regime and the toll it took on their relationships was very difficult. It was very depressing. My parents were profoundly heartbroken when the boys succumbed to the disease of Hep C and HIV/AIDS. My father's heart condition worsened and my mother developed depression. They tried to maintain a normal life but I believe the sadness of watching their sons lives slip away contributed to my father's heart failure and my mother's onset of dementia. She just seemed to shut down, and my dad's heart gave out and he died also. I have been grieving the loss of my brothers, they were both so funny, friendly and talented and brought so much joy to our lives. Living without them has definitely been hard. When my own children were young they spent hours with their uncles, then grieved their loss too. What a shame [redacted] had to experience such effects from a blood product that used to help them treat their haemophilia, then ultimately was a death trap. A slow, painful humiliating disease ravaged their bodies.

I have experience such grief over their passing that I have needed medication and counselling therapy myself over the years that have followed. Hep C is a cruel disease. HIV/AIDS is a cruel disease. And they both came from blood products that were allowed into the system.

I believe it would be right, justified and proper to receive, and I would welcome any funds from the Trust as compensation for their tragedy and my pain and suffering in their memory as well.

I hope for a fair distribution of the settlement from the Joint Committee and the Trust Fund to all the victims and families of this extraordinary health matter.

Sincerely,

[redacted]

From: [redacted]
To: Kathryn Podrebarac
Cc: Fred V; Grace VanderVelde
Subject: update
Date: Sunday, February 21, 2016 22:33:20

Hi Kathryn,

I have just reviewed the material posted on the hepc8690 web site as to the discussion surrounding the surplus.

With disgust I read that our government is trying to prevent the claimants from accessing more of the funds. I believe the JC did a great job in providing a framework of a better, updated compensation model, one that reflects the reality of the situation more clearly than was possible in the 1990's.

While the motion does not meet all of our concerns, it goes a long way to addressing some of the shortfalls that have become evident over the years. I am in agreement with most, if not all of the recommendations.

A lot of the submissions by the claimants show how lost most of them are in the process. I feel a good number of them were able to articulate their experiences quite well, a lot of them are in need of focus as to how devastating it was for them or their family member in unwittingly receiving the Hep C virus through no fault of their own. How sad some of the stories were! They are in need of a spokesperson more than ever.

If there is anything we as claimants can do at this time, could you please give us some direction? Perhaps contact our MP? Write another letter? I don't read a lot about this in the papers?

Some points I wish to raise:

-original plan was to conservative because the numbers were not known, people were very worried that even what was made available would not be enough.

-looking at the compensation schedule through the lens of what other settlements are, you have to say the amounts are insultingly low.

-the plan was hammered out so that there would be no acknowledgement of negligence on anyone's part. We all know that to be a crock. Just read Andre Picards book, "The Gift of Death". It chronicles the journey how the AIDS and Hep C virus got into our blood supply.

-If any of the monies go back to the government, perhaps a lawsuit should be launched to get those responsible for this travesty to face the claimants in a court of law. Maybe threaten the government with that!! Maybe some of the names involved need to be publicized and face scrutiny.

The last point our family wishes to make is this, the compensation received **NEVER EVEN CAME CLOSE** to properly recognizing the pain in people and their families that had a member infected with Hep C. It was and is an insult.

Please keep up the pressure on the government to agree with the JC's recommendation. Let us know what we can do from our side. And how can we stay abreast of any new developments?

Kind Regards,

[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: Response to Joint Commitee
Date: Sunday, February 28, 2016 19:53:06

Good Evening,

In response to your request for input regarding the Joint Committee Application to the courts, I feel that all of the surplus monies should be allocated to all of the Class Members and Family Members. I would also like to add that in respect for all of those who have lost family members, I feel that the compensation should be allocated to all Class members while we are living. I only ask this because I live with the worry everyday that my Hepatitis C can and will return and I fell that the funds will be beneficial for treatment.

Sincerely,
[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: Joint Committee Input
Date: Tuesday, March 1, 2016 14:35:02
Attachments: [redacted]

Good afternoon Kathryn,

Please accept the attached letter as my written submission to the Joint Committee that is reviewing the financial status of the Trust Fund. To date, I have been very private about my diagnosis of Hepatitis C but I feel strongly that I contribute input to this process. This is an opportunity for the Government of Canada to do the right thing and make sure that: all infected individuals have access to new and successful treatments; people experiencing financial hardship in their daily lives are assisted; and that people who have had to endure emotional and mental suffering are compensated.

Please don't hesitate to contact me if you have any additional questions. I would appreciate my response being kept as private as possible although I would like it to be shared with the rest of the Committee.

Thank you again for giving me this opportunity to provide input.

[redacted]

2016.03.01
Letter to the Joint Committee.

Please indulge me with hearing some of my "story". [redacted] years ago, I was infected with Hepatitis C during a blood transfusion during the delivery of my second child. Fortunately, I have not developed cirrhosis of the liver like so many of the other people infected during the 86-90 time frame. However, the discovery in [redacted] that I was infected by this disease resulted in much emotional "pain and suffering" for my family and me. The irresponsible actions of The Red Cross and the federal government in failing to keep our blood supply safe is inexcusable and through the Class Action Suit the government has an obligation to ensure adequate compensation is available to all individuals affected.

The following is a brief list of the various aspects of my life that have been affected:
1. Throughout the last [redacted] years I have had to endure numerous doctor appointments, referrals to specials, and undergo countless tests (blood, biopsy, scans, etc.). The constant worry and stress waiting for results and dealing with fluctuations in results is excruciating and has had an enormous impact on my emotional state.

2. I have aging parents who have endured much stress and worry about my health situation.

3. Even though I have tried to keep much of my health issues to myself and not make them the focus of our family life, my daughter (who was born at the time of the transfusion) has developed a generalized anxiety disorder and undergoes ongoing counseling. She somehow feels a sense of responsibility for me contracting the disease. Obviously, I have tried to dissuade her of this opinion or guilt. I have another daughter who also experienced health related anxiety that may or may not have arisen from my situation.

4. My husband has been wonderful in supporting me emotionally throughout this entire journey. He definitely has played a big role in digging me out the deepest, darkest holes of despair at times and I am grateful everyday for his love and support. However, I would be lying if I did not acknowledge that this has been a challenge to our relationship. The "fun loving, carefree" wife he married [redacted] years ago is now serious and often plagued with fear, worry, obsession and anxiety.

5. I have experienced additional emotional hardship as for [redacted] years I was not eligible for treatment. I was not "sick enough" and the treatments available were not thought to be successful enough to warrant putting me through them. Thankfully my liver has not deteriorated in spite of raised enzymes levels, etc. Last year when a new treatment (Sof/Sim) was available for my Genotype (1b) Treatment Naive and No Fibrosis, I was not approved by health plans. I approached the administrators of this fund to help and was denied. Had I chosen

to undertake this treatment it would have been a great financial hardship if I had tried to pay for it myself. My specialist encouraged me to wait another year, as she was sure a better cure would be available. That is what I did. In February, [redacted], I was fortunate to be approved for the Harvoni treatment by both my primary and secondary insurers. Finally, there was an opportunity for a cure with minimal known side effects. I started a 12 week treatment regime [redacted]. The viral load is no longer detected; a cure for me for which I am extremely grateful!

During the post treatment phase, an inexcusable turn of events occurred. My primary insurer reneged on paying the pharmacy for the medication dispensed. The insurer refused to pay over $20 000 stating that the health plan I subscribed to had changed (during treatment phase) and that they would pay no more than $20000 per year for all health benefits. No notice was given to me and as the treatment had been started it couldn't be interrupted. I felt this was extremely unethical and needed them to cover the cost as promised. Treatment cost was approximately $80 000. Fortunately, my husband’s “secondary” benefit plan agreed to pay the balance of $60 000. As a small business owner, I am sure the premiums to his company will increase as a result. I am grateful they honored their “approval” commitment. This was an extremely stressful time.

I want this Committee to understand that, there are not just terrible physical consequences to this disease; there are extreme emotional/mental hardships that individuals have had to endure. For me, these hardships are as a result of a "tainted" blood transfusion given to me during childbirth not because I engaged in some kind of "risky" behaviour such as drug use, etc.

My priority for the remaining funds is:
1.Ensure every person in Canada infected between "86-90" has the financial resources to access new and better treatments. Please make sure all people have access to treatment regardless of their liver function. Better cure rates are cited for those treated earlier in disease progression!
2. Provide financial support to ease the burden for those living with debilitating health and unable to work.
3. Give individuals and their families, who haven't successfully claimed in the past, compensation for "pain and suffering" irrespective of their liver functioning.

Thank you for inviting my input.
I look forward to hearing the outcome of the meetings.

[redacted]

From: [redacted]
To: jjcamp@cfmlawyers.ca; hepc@strosbergco.com; info@savonitto.com; Kathryn Podrebarac
Subject: Fwd: Hep C Joint Committee Letter - Ouellette Family
Date: Sunday, March 6, 2016 14:07:20
Attachments: [redacted]

See attached letter from family of [redacted]. Thank you for the opportunity. Respectfully,
[redacted]

Sent from my iPhone

Begin forwarded message:

> **From:** [redacted]
> **Date:** March 6, 2016 at 1:59:13 PM EST
> **To:** [redacted]
> **Subject: Hep C Joint Committee Letter -** [redacted]
>
> [redacted]

March 6, 2016

To: Joint Committee – 1986-1900 Hepatitis C Settlement Agreement

RE: Fund surplus feedback – [redacted]

Dear Committee members,

Thank you for the opportunity for me to share my family's thoughts regarding the fund surplus as outlined in the communication received by you last fall. My name is [redacted], son of the now deceased [redacted], who passed away over [redacted] years ago in [redacted], Ontario. I am writing on behalf of his survivors, including my mother [redacted], sister [redacted] and grandchildren, [redacted].

First off, I would like to express our gratitude for the years of compensation that my mother and father received; while it could never replace the many lost years that Dad spent ill and Mom, taking care of him, the financial assistance certainly helped alleviate some of the burden and stress. Dad for most of his last 15 years or so, was unable to contribute to the household, eventually requiring full time care in an institution in which he eventually died. His last years at home were quite difficult as he struggled with many health issues not to mention severe dementia. I was lucky enough at the time, to be self-employed and able to travel from Vancouver monthly on my own dime to help Mom when Dad was still at home and difficult to manage. His dementia was especially worrisome since he became violent and I feared, a danger to my Mom; a big motivation for my constant cross-country travel. But we were eventually, after lots of advocacy, successful in getting him in a facility close by and allowed Mom to be safe yet close to visit him and assist at the home on a daily basis. She never drove and had to pay for transportation and services in the home for many years..

What we would like to see happen with the surplus, is to continue and increase the annual payments for loss of services for the remainder of my mother's life, as these are due to end eventually. We also find it disconcerting that the lump sum payment given to the surviving children and especially grandchildren was so low – while no amount of money will ever make up for the years lost with our father and grandfather (and the pain of not being recognized etc), we believe that this should be re-examined moving forward. While I am sure that all stories are different, in my case, the constant travel back and forth practically every month from Vancouver, was certainly financially taxing. Nevertheless, I will never regret that decision or that time spent being there for my parents. I do regret that Dad spent the last 15 years of his life in terrible health and unable to travel to visit me and share in my life and live his life to the fullest. Finally, while we do not going begrudge the payments that were made to my Dad's siblings; it was in our judgment, not just that they each received the same payout as my sister and I and way more than the pittance that the grandchildren received. The sad and frustrating thing is – Dad's brothers and sisters they were not really factors in my parent's lives despite living nearby and did not show much interest in spending time with him nor helping Mom and Dad. I don't assume to understand nor judge their motivation or lack thereof, but we feel that this was one of the injustices of the initial compensation package.

In closing, please accept my family's deepest thanks for all the assistance provided over the years, and this opportunity to provide you with our thoughts and feelings as you move forward in your work and eventual decision. We look forward to hearing from you in the near future.

Kindest regards,

[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: Hep C-Claims and Settlements
Date: Tuesday, March 15, 2016 3:17:20

Dear Sharon and all,

Hello, I saw you speak at the conference last August, 2015 in Vancouver,BC.

I wanted to touch base with you regarding the 1986-1990 Hep C Settlements. Has anything changed since that last meeting. Is the government moving forward to better compensate victims and their families, extended families, and siblings who have also been suffering as well.

My mother passed away on December [redacted]. We fought as hard as we could when we found out that she had stage 4 terminal liver cancer. We had no more than 3 months left with her. This is the most devastating experience for my sisters and I.

Ottawa claim center have been working with us, however, I am still feeling there is more we can do to fight for the lost of my parents. Both parents were affected because of this. I am left feeling so robbed, my parents should have lived for another 20 years or so, but because of the tainted blood in the 80's, we are left with no parents. It's rather sickening to the stomach.

I wanted to gain more insight into what my options are. I feel as being the youngest daughter, 6,728.00 is unacceptable for all the heartache and pain I have suffered. I lost my job and no longer able to receive the same income at a similar organization. My future children, and my 2 nieces, and 2 nephews will not have grandparents around to see them graduate. It's quite saddening all around.

What are our options? T

The government is providing $6,728.00 for each child, where is this allotted money coming from when there is a surplus of 236 to 256 million dollars for the existing claims of 8,665? How is each child only given $6,728.00 for family member claims? If the government has this surplus, each family should be receiving much more for all the pain and suffering, and life long emotional and physical damage they have endured. If you take the surplus and divide the claims, it simply does not make sense.

Moving forward, it would be great to hear from a representative and more insight would be greatly appreciated.

Best regards,

[redacted]

[redacted]

March 19, 2016

Podrebarac Barristers Professional Corporation
Suite 701, 151 Bloor Street West
Toronto, Ontario M5S 1S4

rec'd March 22/16

Attention: Ms. Kathryn Podrebarac

Dear Madam;

Re: Surplus Funds of the 1986-1990 Hepatitis C Settlement Agreement

I am writing to offer my feedback on the suggested usage of the HepC Surplus Funds.

I am inclined to suggest that any surplus funds be shared equally amongst all fellow claimants.

Yours truly,

[redacted]

PARSONS et al. KREPPNER et al.	vs. THE CANADIAN RED CROSS SOCIETY et al.	Court File No. 98-CV-141369 CP00 98-CV-146405
Plaintiffs	Defendants	

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDINGS COMMENCED AT TORONTO

AFFIDAVIT OF JULIE-LYNN DAVIS

Podrebarac Barristers Professional Corporation
701 – 151 Bloor Street West
Toronto, ON M5S 1S4

Kathryn Podrebarac LSUC# 35640P
Tel: 416.348.7502
Fax: 416.348.7505

Sutts, Strosberg LLP
Lawyers
600 Westcourt Place
251 Goyeau Street
Windsor, ON N9A 6V4

Heather Rumble Peterson LSUC#: 24671V

Tel: 1.519.561.6216
Fax: 1.519.561.6203

Lawyers representing the Joint Committee in Ontario

Court File No. 98-CV-141369 CP00

ONTARIO
SUPERIOR COURT OF JUSTICE

BETWEEN:

DIANNA LOUISE PARSONS, MICHAEL HERBERT CRUICKSHANKS, DAVID TULL,
MARTIN HENRY GRIFFEN, ANNA KARDISH, ELSIE KOTYK, Executrix of the Estate of Harry Kotyk,
deceased and ELSIE KOTYK, personally

Plaintiffs

and

THE CANADIAN RED CROSS SOCIETY, HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO and
THE ATTORNEY GENERAL OF CANADA

Defendants

and

HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF ALBERTA
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF SASKATCHEWAN,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF MANITOBA,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NEW BRUNSWICK
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF PRINCE EDWARD ISLAND,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NOVA SCOTIA
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NEWFOUNDLAND,
THE GOVERNMENT OF THE NORTHWEST TERRITORIES,
THE GOVERNMENT OF NUNAVUT and THE GOVERNMENT OF THE YUKON TERRITORY

Intervenors

Proceeding under the *Class Proceedings Act, 1992*

Court File No. 98-CV-146405

BETWEEN:

JAMES KREPPNER, BARRY ISAAC, NORMAN LANDRY, as Executor of the Estate of the late
SERGE LANDRY, PETER FELSING, DONALD MILLIGAN, ALLAN GRUHLKE, JIM LOVE and
PAULINE FOURNIER as Executrix of the Estate of the late PIERRE FOURNIER

Plaintiffs

and

THE CANADIAN RED CROSS SOCIETY, THE ATTORNEY GENERAL OF CANADA and
HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO

Defendants

and

HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF ALBERTA,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF SASKATCHEWAN,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF MANITOBA,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NEW BRUNSWICK,
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF PRINCE EDWARD ISLAND
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NOVA SCOTIA
HER MAJESTY THE QUEEN IN THE RIGHT OF THE PROVINCE OF NEWFOUNDLAND,
THE GOVERNMENT OF THE NORTHWEST TERRITORIES,
THE GOVERNMENT OF NUNAVUT AND THE GOVERNMENT OF THE YUKON TERRITORY

Intervenors

Proceeding under the *Class Proceedings Act, 1992*

This is the 3rd Affidavit
of Shelley Woodrich in this case
and was made on 16/June/2016

No. C965349
Vancouver Registry

In the Supreme Court of British Columbia

Between:

Anita Endean, as representative plaintiff

Plaintiff

and:

The Canadian Red Cross Society
Her Majesty the Queen in Right of the Province of
British Columbia, and The Attorney General of Canada

Defendants

and:

Prince George Regional Hospital, Dr. William Galliford,
Dr. Robert Hart Dykes, Dr. Peter Houghton, Dr. John Doe,
Her Majesty the Queen in Right of Canada, and
Her Majesty the Queen in Right of the Province of British Columbia

Third Parties

Proceeding under the Class Proceedings Act, R.S.B.C. 1996, C. 50

CANADA

PROVINCE OF QUÉBEC **S UPERIOR COURT**

DISTRICT OF MONTRÉAL **Class action**

NO : 500-06-000016-960

DOMINIQUE HONHON

Plaintiff

-vs-

THE ATTORNEY GENERAL OF CANADA
THE ATTORNEY GENERAL OF QUÉBEC
THE CANADIAN RED CROSS SOCIETY

Defendants

-and-

MICHEL SAVONITTO, in the capacity of the Joint Committee member for the province of Québec

PETITIONER

-and-

FONDS D'AIDE AUX RECOURS COLLECTIFS

-and-

LE CURATEUR PUBLIC DU QUÉBEC

Mis-en-cause

CANADA

PROVINCE OF QUÉBEC **SUPERIOR COURT**

DISTRICT OF MONTRÉAL **Class action**

NO : 500-06-000068-987

DAVID PAGE

Plaintiff

-vs-

THE ATTORNEY GENERAL OF CANADA
THE ATTORNEY GENERAL OF QUÉBEC
THE CANADIAN RED CROSS SOCIETY

Defendants

-and-

FONDS D'AIDE AUX RECOURS COLLECTIFS

-and-

LE CURATEUR PUBLIC DU QUÉBEC

Mis-en-cause

AFFIDAVIT OF SHELLEY WOODRICH
(affirmed June 16, 2016)

I, SHELLEY WOODRICH, of the City of Windsor, in the Province of Ontario, legal assistant, AFFIRM:

1. I am employed at Sutts, Strosberg LLP as a file administrator. I am the person at our office with the primary responsibility for the day to day handling of the 1986-1990 Hepatitis C class action settlement file. I have personal knowledge of the facts to which I depose in this affidavit, except where I state them to be on information and belief, and where so stated I believe them to be true.

2. I have provided affidavits in this matter dated October 16, 2015 and April 1, 2016, appending written submissions received by Sutts, Strosberg LLP from class and family class members pertaining to the allocation of the actuarially unallocated funds.

3. I am advised by Heather Rumble Peterson that the Administration website has continued to encourage class and family class members to provide written submissions concerning their circumstances to the Joint Committee members.

4. Since April 1, 2016, Sutts, Strosberg LLP has continued to receive calls and written submissions from class and family class members across Canada. I am advised by Julie Davis, Lise Carmichael and Martine Trudeau from the other law firms which comprise the Joint Committee that they have too.

5. Subject to the qualifications discussed below, the Joint Committee has gathered and assembled the additional written submissions received since April 1, 2016 pertaining to the allocation of the actuarially unallocated funds as follows:

a) copies of those received by Sutts, Strosberg LLP are annexed as **Exhibit “A”**;

b) copies of those received by Camp, Fiorante, Matthew, Mogerman are annexed as **Exhibit “B”**;

c) copies of those received by Podrebarac Barristers Professional Corporation are annexed as **Exhibit “C”**; and

d) copies of those submissions received by Savonitto & Ass. Inc. are annexed as **Exhibit “D”**.

6. To the extent possible, written submissions that we have identified as having been received by more than one Joint Committee member have been included only once in the Exhibits.

7. The copies of the additional written submissions appended as Exhibits have been redacted to remove identifying information to protect the privacy of the class and family class members.

8. And those written submissions received that were purely administrative (eg: change of address) or did not provide relevant information, commentary or allocation suggestions have not been included in the Exhibits.

AFFIRMED BEFORE ME at the City of)
Windsor, in the County of Essex, this)
16th day of June, 2016.)
)
)
)
Commissioner for taking affidavits

SHELLEY WOODRICH

THE ATTACHED IS EXHIBIT "A" TO THE

AFFIDAVIT OF SHELLEY WOODRICH AFFIRMED

BEFORE ME THIS 16th DAY OF JUNE, 2016

COMMISSIONER FOR TAKING AFFIDAVITS

It has come to my attention that you are reviewing the Hep C Class action settlement again this month. As a survivor and beneficiary from my late husband's claim, I have a few issues that I think should be addressed, whether or not they can be, I suppose is another matter.

Keeping in mind that this is a Class action settlement and not a government program, as well as the developments in treatment for the contracted Hep C in recent years, I have a few points. I would like considered.

1. **The cost of living factor and salary increases from 1997** (when we found out my husband had Hep C)**, has not kept up adequately with today's salaries**. His post income at the time was about $56,000. Today had he been alive and working at the same job (and the autopsy minus the Hep C complications showed he might have been) he would be making closer to $85,000-$90,000). However, yearly settlement support amounts are only based on the 1997 - $56,000 post- income value.
2. I also take offence **that children of the deceased are not adequately compensated and cut off after their 25th birthday. They have lost a father (or mother) which is as traumatic as the loss of a spouse**. I cannot tell you in words how much damage it has done to my son and I. It is only in the last few years that we have sorted out the trauma of losing my husband. The emotional and financial support is a life-long necessity. Who hasn't had a time to rely on family to give additional support for that new baby, or first house, or many of the other family supports needed throughout our lifetimes.
3. There **are no supports for health care, such as psychological appointments or prescription costs for the deceased family.**
4. We know that children are leaving the home later in life and sometimes return to the home for financial support. We also know that the **educational processes are a lifelong cost** to keep up with employment requirements. **To my knowledge there is no provision for educational support for members of the deceased family in this plan**. Spouses should also be supported through an educational process as it allows them to become more self-sufficient.
5. **Most importantly,** I am disappointed that the fund **claws back support payments** and **forces individuals to apply only for services and caps that amount**, when my husband would have reached 65. **It means a $20,000 shortfall of yearly income, which puts me living at a poverty level**. This is a most important time to have a supportive partner's income and services. More seniors are working into their 70's or more, so I believe this factor is also severely out of date and needs to be reviewed.

I hope that these deficiencies can be addressed and I would appreciate a reply to my letter and a response of the outcomes from this year's review meetings. If you would like to call or email your response, I can be reached at this email and Good luck in your deliberations and thank you for your consideration of these issues.

Sincerely,

CC: **Harvey Strosberg Q. C.** ,600 - 251 Goyeau Street, P.O. Box 670, Station A, Windsor, Ontario N9A 6V4
Telephone: 1-877-318-HEPC (4372)

Shelley L. Woodrich

From:
Sent: Saturday, April 09, 2016 12:11 PM
To: Hepatitis C Class Action
Subject: Re: 1986-1990 Hepatitis C Settlement Surplus

My name is . I'm the son of who passed away on September 9, 2004 as a result of hepatitis C, via blood transfusion.

I'm very sorry for being late in communicating with you. I filed the documents away and forgot to enter pertinent dates on my calendar - a matter of out-of-sight-out-of-mind.

If I'm not too late, I do believe that I should be entitled to possible financial consideration relative to my father's untimely death. Please let me know if I still may qualify in this regard. Many thanks.

Regards,

Shelley L. Woodrich

From:	
Sent:	Saturday, April 16, 2016 10:00 PM
To:	Harvey T. Strosberg Q.C.
Cc:	
Subject:	Hepatitus C Fund Surplus

Mr. Strosberg,

I am writing in regards to the current status of the Hepatitus C Class Action fund surplus and to provide my comments for consideration in this regard.

I contracted Hepatitus C in 1989 as a result of blood transfusions after giving birth to my daughter and being treated for a condition know as Thrombotic Thombocytopenic Purpura (TTP). The lengthy donor blood traceback identified my donor as an inmate during prison stay who had since passed away. I have always feared knowing this information and that there was a strong likelihood that I would pass away at a young age since the level of viral load in my liver was quite high. Knowing and living with this virus and information is quite disturbing and to this day I still wonder how long my life will last.

I spent many years getting repeated blood-work done with my GP and liver specialist, going to follow-up appointments, discussing interferon treatment, and going home realizing that the treatment would pose a high risk to my TTP (platelet) condition for which I was previously being treated. It was during the treatment of my TTP that I contracted Hepatitus C. My specialist and I decided to wait to see if newer and improved medication would be developed that might pose a lessor risk to me. As I waited for this news, liver scans and biopsies identified fibrous tissues in my liver and signs of poor liver function – deterioration was beginning.

When the new Harvoni treatment finally became available, my specialist and I felt this was the best time for me to undergo drug therapy with the hope that I could be cured. In February/2015 I started the 12 week treatment, which I completed in May/2015. Follow-up blood-work seems to indicate that the virus is no longer present. I will be doing another liver scan in the future with my specialist to find out the current state of the fibrosis and liver function.

For many years, I feared the possibility of spreading this virus to my immediate family (husband, daughter, etc). Living with this condition for so many years was debilitating. Many days I did not have the energy to carry out my daily functions. This had a direct impact on my family members and my employment (lots of sick days). Although the Harvoni treatment seems to have cured my Hepatitus C at this time, the medication is so new that nobody can say for certain whether this virus could rear it's dreary head again and come back. In my opinion, there is not enough evidence to support the new medication as a lifelong cure at this time.

For all these reasons (and many more) I would like to say that if the Hepatitus C Class Action fund is currently sitting in a surplus position, that it consider each and every member as entitled to future compensation above and beyond the current compensation levels that were established many, many years ago. All individuals living with this terrible virus have been affected either before, during or after treatment both physically and mentally as well as their family and friends. For some, their family members are mourning the loss of their loved one(s). The mental anguish that follows knowing you have contracted such a terrible disease and have to live with it for the rest of your life is unbearable. The pain and suffering does not stop after treatment – the fear of knowing what you have been through and how much it has affected your life is always there.

It is my hope and recommendation as a victim of this wrongdoing, that the Courts take all the many factors presented to them into consideration and award further significant top-up compensation amounts at each and every Claimant Level of the Compensation Schedule from the available surplus funds. The persons infected with this virus (and their families) deserve further commitment to compensate the present and past victims within this class action lawsuit. I would like this information to be shared with the team who are presenting the information before the Courts regarding the surplus funds. Can you please ensure that this gets actioned on my behalf.

Thank you,

JAVA

To whom it may concern
I am a sister of [redacted].
That the Surplus money Should be
divided to all The Victims family
for the suffering; They suffered watching
our loved one dying of a disease caused
by Red Cross. "It was not [redacted] fault
She died of a Horrible Death of Hep. C.
It was on October 9th 2009

Case 9016

Please Reply as
Soon as Possible
Love [redacted]

Home Phone
[redacted]

CAPPUCCINO

CAFE AU LAIT

DECAF

Shelley L. Woodrich

From:
Sent: Saturday, June 11, 2016 4:46 PM
To: Hepatitis C Class Action
Subject: Following up re Loss of Income Supplement vs. Loss of Services

Hello Heather;

I just took a look at what the Joint Committee is recommending to the Courts in the upcoming June 20 - 22nd hearing.

From what I can see, I am not seeing anything that directly relates to a continuation of Loss of Income past the age of 65, which is one of my biggest concerns. As I am now 67, still have Hepatitis C and cannot at this point in my life find a viable way to match the claims income, I would like to know what consideration was given to us who are still alive and need a way to have appropriate income.

Please advise. I am happy to speak to the courts regarding this issue, if that is still a possibility.

My phone number is:

Thank you!

Peace Always,

Shelley L. Woodrich

From:
Sent: Monday, June 13, 2016 7:54 AM
To: Hepatitis C Class Action
Subject: 1986-1990 Hepatitis C compensation

Dear Mr. Strosberg,
My name is and I am a Family Class Member in the 1986-1990 Hepatitis C Class Action lawsuit. Speaking on the behalf of those of us who get loss of services for the death of our spouse I feel that it is not fair that only those who get loss of support and loss of income will get a 10 % increase. That is not fair to those of us who get loss of services. They get the increase in their loss of support and loss of income and we get nothing. That's not right and needs to be relooked at. It should be fair for all of us.

Thank you.

Sent from my iPad

Shelley L. Woodrich

From:
Sent: Tuesday, June 14, 2016 12:22 PM
To: Hepatitis C Class Action
Subject: Re: Claim 1179

Dear Strosberg Folks
I beg you please fight for us and don't let the Federal Government destroy the rest of my life by taking away the Hep C surplus
After years off work life and marriage destroyed by Hep C I need every dollar
This attempt isn't fair especially as Feds throw away money on old subs and other nonsense
deepest thanks

Shelley L. Woodrich

From:
Sent: Wednesday, June 15, 2016 8:28 AM
To: Hepatitis C Class Action
Subject: Joint hearing regarding surplus

To Whom It May Concern

My name is and I reside in North Bay , Ontario since 1988.

In 2004 I was diagnosed with HepC and after searching my medical records I had gotten tainted blood in Toronto from a back operation.

My surgery had required I get blood transfusions and it was one of these I got HepC from. I had the surgery done at St. Michaels Hospital (Toronto) in October 1986.

When I was diagnosed with HepC in 2004, I told my husband to get himself checked out and our daughter (born in 1992).

Thank God our daughter didn't have it but my husband did,

Before 2004, I had heard about HepC and them trying to get a claims group so people with HepC would get some kind of reimbursement.

I had no idea I would be one of these people. or my husband for that matter.

As time went by I decided to look into how to get compensation which I filed. Then my husband filed, too.

Next you had to get treatment(needle poke in leg once a week for 6 months and pills to take everyday that made you so sick but you had to have it with something fat like peanut butter, etc.

My husband had done treatment first in Oct. 2008 and then I did mine in 2009. You could only have one person at a time as the other person was to look after you and drive you to get blood work weekly.

I was so glad that the fund was there. His symptoms after treatment were that he was severely infected and not being able to do much around the home. In 2012 my husband found that he had lung cancer (don't know if related to HepC). He was given 9 months which he did make.

After my husband passed away, I contacted the HepC fund to see if I could get some help. They did help financially.

I believe with the surplus every living relative should get a sum to make ends meet. I was lucky but there were others that lost their lives to this horrible disease.

As usual the government has to be involved. Where were they when I found out that I had HepC mand I didn't know for how long.

I found through reading that the disease can stay in your body a long time before being noticed.

Because of having HepC and getting treatment I still can't give blood which I would have wanted to.

The average person doesn't know what its like to have HepC. Your friends just start shying away, not getting together anymore with you, telling your dentist because the staff could get it.

I had to tell hospital staff about my bout with HepC, doctors, etc. only people that had to know.

That is why I think that the survivors of these class members should all get an equal amount for compensation. This amount will not bring loved ones back but it will help the families as they had to go through taking care of the individual or in bad circumstances making sure about burial needs.

Again this was a bad disease and still is. Some people have symptoms and others do not.

The fund has helped myself as well as my husband . I know my husband passed away from lung cancer but he first got HepC (we were both treated).

Please do the right thing and help out the survivors of this bad disease. No one needs to live life badly.

Again thank you for taking the time to read this. Also, I believe the right thing to do is make sure each living survivor would receive an equal amount so they can live their lives as best as possible.

Thank You

THE ATTACHED IS EXHIBIT "B" TO THE

AFFIDAVIT OF SHELLEY WOODRICH AFFIRMED

BEFORE ME THIS 16TH DAY OF JUNE, 2016

COMMISSIONER FOR TAKING AFFIDAVITS

[redacted]

April 7, 2016

J.J Camp QC.
Camp Fiorante Matthews Mogerman
400 - 856 Homer St
Vancouver, BC. V6B-2W5

re: 1986-90 Hepatitis C Settlement Agreement
Phase 2 Sufficiency Schedule

I apologize for not replying earlier to your notice re the above.

My husband - [redacted] formerly of [redacted], [redacted] passed away in December 2007.

Regarding the distribution of the surplus may I suggest on behalf of my husband there should be sufficient funds retained in the Trust Fund to meet all possible needs for the Class members and Family Class members but with such a huge surplus of an estimated 236 million to 256 million these residual funds should be directed towards Canada's health care system. This should be carefully distributed so that it is equalized across the country remembering the many small communities that lack proper medical care. a portion could also go towards the training of new doctors.

I would appreciate any reply to be directed to me at the above address.

Sincerely

[redacted]

RECEIVED
APR 25 2016

To whom it may concern:-

My husband [redacted] (Claim # [redacted]) was one of the unfortunate ones that had several blood transfusions in 1986 because of a accident that had happened. Consiquently contacted Hepititis C from carelessness & no common sense on behalf of the blood services. This has been going on since 2012. He was getting real sick from the hep C just waiting for the medication, which took over 2 yrs to get. He fought real hard for the real good medication that had a higher cure and less side effects. So he didn't have to suffer anymore then he had. But he was getting so sick he couldn't wait any longer, that he had to settle for the worst which was (Peginterferon alfa-2a & Ribavirin).

[redacted] was so sick with it, with several allergies My husband now is suffering with the side effects that go along with this. Can't work anymore, has now

over →

lost his license to ~~dive~~ drive which was motorcycle, car & air brakes. [redacted] is 67 years old, to you The Specialists has diagnosed him with demenshia which is one of the side effects he is suffering now.

So bacically he has been handed a early death sentence that has cut his life down considerably and ruined his family. Which something he has no control over. So try putting yourself in his shoes and see how it would feel. It is so unfair, we shouldn't have to fight for so long for something that should be a cut & dry case. The government should take care of him so he doesn't have to worry who's going to be able to take care of him, in the future.

Yours Truly [redacted] ([redacted])

[redacted]

please reply
Thank You!

vancouver
island health
authority

Excellent care - for everyone, everywhere, every time.

Seniors Outpatient Clinic

April 19, 2016

To Whom it May Concern:

Re: [redacted]

DOB: [redacted]

Address: [redacted]

This man has been followed in the Geriatric Clinic at the Royal Jubilee Hospital since October 2015 for a cognitive syndrome which has likely progressed to mild dementia. His cognitive test scores range from 18-23/30 for the Folstein MMSE; he scored 12/30 on the MOCA with his family physician. A CT scan of his head done in July 2015 was read as normal for age.

Both he and his wife report that his cognitive symptoms began during treatment for hepatitis C. We do not have details of this treatment but interferon is well known to produce cognitive and psychological effects which generally subside after stopping the drug. I cannot state with certainty whether this treatment is related to his current symptoms, but this possible.

Yours sincerely; [redacted]

[redacted]

[redacted]
Claim number
[redacted]

May 7, 2016

Rec'd
May 12/16

J.J. Camp Q.C.
Camp Fiorante Matthews Mogerman
400-856 Homer Street
Vancouver, British Columbia
V6B 2W5

Dear Sirs:

Please find attached victim impact statements from myself, my family and closest friends. I thought this would be the best way to express what this disease has done to me and those closest to me, and also show our desire for the fund ~~to b~~ surplus to be divided amongst the original group of victims, then the secondary group.

This disease is far reaching. I had no idea myself until I read how ~~my~~ family and friends were affected. I thought I had hid the worst parts from them, but I was wrong.

This has been one of the most difficult things I have ever done. This exercise has brought up the worst memories, nightmares. Having to dredge them up for strangers is difficult, even humiliating. I have already been a victim.

Please take this under consideration when you make your decision. The administration and lawyes have already benefited. It's time we, who the fund was set up for, get a share. Pay us a reasonable lump sum.

You litterally have the lives of me and my family in the palms of your hands. Do the right thing.

Sincerely

[redacted]

Dear Sir or Madam,
My name is [redacted] My claim number [redacted] am a 53 year old Caucasian female. On February[redacted], 1987, I was involved in a motor vehicle accident near Kelowna, British Columbia. I sustained multiple injuries requiring 2 lifesaving operations and involving transfusions of a total of 58 units of blood at Kelowna General Hospital. There is no doubt the transfusions saved my life.

I gradually recovered from my injuries, and having lost half of my liver, I was constantly tired. I began feeling worse and worse until I could no longer get out of bed. Fortunately for myself, my physician [redacted] was well-read and had recently discovered an article about a new type of hepatitis. I was subsequently tested, and was diagnosed with non A/non B hepatitis, now known as Hepatitis C.

At that time, Doctors were baffled as to how to treat me. Doctor after Doctor, Specialist after Specialist, no one had any answers. I was even sent to a psychiatrist, being thought by doctors that this all might just be in my head. Finally in frustration, I was forced to rely on myself to get better. After a great deal of research, trial and error, and many, many thousands of dollars out of pocket, I came upon a herbal regimen that allowed me to at least function, if not actually engaging fully with the real world.

Over the years my symptoms subsided, and I now only occasionally have what my husband refers to as "hep days" that last from several days to several weeks. Additionally, my immune system has been compromised by this disease and I pick up almost every viral and bacterial infection that I am exposed to. I have constant colds. I get tired easily. I have missed out on so many experiences because I am simply not healthy enough.

A trace back was later done on my transfused blood.
I am not certain how many of those units were tested during the traceback, but I was later told that the technicians stopped after they found not one, but three tainted units of blood.
I am a victim. I am also a survivor.

When admission and compensation was offered, we applauded. We believed the government would step up and compensate us for both our illness and our out of pocket expenses. We were sorely disappointed. We had to fight tooth and nail to receive any monies. We were constantly denied and made to jump through seemingly impossible hoops to receive any reimbursements or any cash payouts. I was treated so badly every time I spoke with an administrator, I would end up in tears. My husband had to take over dealing with the administrators of the trust, the very one set up for us. We felt like beggars. We were made to feel like thieves. We were denied. We were even told we had to go back to the doctors treating us in the past to get letters that indicated that they would have subscribed to the herbal treatments I myself developed. Doctors' letter cost money, and the time and effort seemed insurmountable. We gave up.
We gave up. It seemed to us that the administration was in the business of keeping the trust to administrate for themselves assuring them all lifetime jobs. The trust failed. It did not do the job it was

set up to do. We were all screwed, and now there is a surplus. No surprise there to any of us who are now even bigger victims.

What should we do with the surplus in the fund? Simply put, give it to the people who deserve it. The victims. The survivors of this terrible tragedy.

Keep a reserve for scholarships for our kids. Increase the amount. You know how many people were infected. Do the calculations. Take care of us when we get sicker. From there, it seems a simple matter of dividing the money up to each victim. Write me a check. In most countries, compensation was $250,000, not $25,000,

Stop making me feel like a victim. Pay me. As a single become family as I cannot work, help us out. This illness has affected not only me, but my entire family. We live with it every day.
We are not asking for a hand out. We are asking for just and real compensation. Pare down the administration, and spend the money on us, the victims. The survivors.

With all due respect,
[redacted]

To the HepC 8690,

I am writing this letter in support of the women I have loved for over 33 years.
I met and fell in love with one of the most vibrant, fun and loving people you could ever meet.

[redacted] is my wife of 30 years and my best friend of 33.

We were planning our wedding and our future together in the fall of 1986.
[redacted] was attending college adding to her education with a diploma in business.
I was working as a sales representative supporting her education and preparing to work hard and live our dreams.

Tragically [redacted] was involved in a single vehicle accident and the failure of a seatbelt added to her serious injuries.
I nearly lost the love of my life twice on the operating table in Kelowna general but an amazing team of doctors and emergency medical staff saved her life.

She is a tenacious women and she fought hard to over come her injuries and we had to deal with the facts that her injuries would slow her down for a long time.
But we had a wedding to plan and we worked hard to make her feel well.
However even then her recovery should have been faster.

Eventually 7 months in to our marriage [redacted] collapsed within herself. Our Doctor was stymied and she put both [redacted] and I through a series of both physical and emotional tests to see what was causing the pain and fatigue.

Our Doctor eventually referenced an article on the rise of a non A/B Hepatitis.

I think your aware of the rest of the stories.

The failure of the blood management system in Canada had failed its citizens for one mans greed to make his bonus.

Eventually the Creever Commission came forward and we found the truth.
That was very long fight.
We had to deal with stigma that Hepatitis C of being a sexually and needle (Drug user) transmitted disease.

But eventually the truth came out, but to late for a lot of lost friends. People who didn't want their kids over at our house

There was to be a proper settlement.
I read with dismay what our lawyers (who made a fortune and were paid out in full) had steered us into.

No up front compensation , that in any other western jurisdiction would have paid the victims at least $500,000 each and then the , how sick you are scale would have applied.

I won't go into how hard it was to deal with the bureaucratic nightmare that was dealing with the Hep C Administrators.
Eventually my wife was to tired and to angry to talk with them and I took up the struggle.
I'm a very good sales person and when I set my mind to something I make it happen.
Lets just say I gave up with the administrators who continually had to have proof that we were not ripping off the system.
Ever wonder why there is all that extra money?
I will one day write a book about it.

So what did you take from us.

Dual income for one,[redacted]did her best but there is no way she can work a fulltime job let alone achieve the potential she had.
Try the current economic situation on a single income.
Try living with the pressure of being totally responsible for our family.

Adventures, we paddled, we hiked we road our bikes, we skied hard before she was poisoned.
Oh she shouldered on but we couldn't ski or ride with our friends they were to fast and fit for[redacted]to keep up.
Eventually we jus enjoyed these pursuits together.

The tough times when [redacted] had all but given up.

A stress on our relationship that if it wasn't for our deep love would have failed.
Ask how many failed marriages there are among the victims.

You ask what you should do with the excess funds.
Pay us for the damage that was caused and do a total review of the administration of the fund.

Allow us some respite and give us back some of what we lost.
My wife deserves that at the least.
Do the right thing by these people and their families.

It wasn't all bad,[redacted] and I to everyone's surprise had three great children.

Safe journeys,

[redacted]roud husband of an amazing women and survivor.

To whom it may concern,

My name is [redacted], I'm currently 21 years of age, thrice recipient of the national endowment bursary as a business student at Thompson Rivers University, and all my life I've watched a disease that the healthcare system inflicted upon my mother not only cripple a saint of a woman's health and spirit but also severely damage our entire family's and many other's financial and mental well being. A disease that was distributed out of pure incompetence and negligence.

By inflicting Hepatitis C through tainted blood transfusions and the medical treatments thereafter on my mother the Canadian government and healthcare system unjustly robbed my mother of a life she deserved to live. A life without numerous prescription drugs day in and day out and all the side effects those entailed, a life without having to go through the hell that is chemotherapy, a life without the pain I see, hear and feel emanating from her everyday. This great country of ours, has betrayed a woman who just needed blood to survive the tragedy of a vehicle collision.

I've also watched my father struggle as the sole income provider for our family of 5, and I've watched the unjust burden that this disease has forced upon him as well knowing that if my mother were to be healthy enough, that she would be able to have provided income to the household as well, which could have alleviated many financial burdens and the psychological struggles inherent . This I believe is an injustice in and amongst itself, not only did this disease rob my mother of her health, but it also robbed her of any semblance of a normal life, and forced undue burden on the rest of our family.

The long reaching effects of this illness and the medications have not been lost on myself or my siblings either. Watching your mother in constant pain day in and day out, often being in medicated stupors from the prescription drugs or using alcohol to self medicate through the apparent severe pain is extremely difficult on the psyche of three children and I believe that not having the beautiful goddess of a mother I could see behind the pain with me and my siblings, having to see her struggle through the still amazing job she did raising us, undoubtedly attributed to the depression I've been personally diagnosed with and I can see lingering behind the eyes of both my 19 year old brother and 16 year old sister.

To my understanding there is a great surplus in the fund set aside to make this tainted blood tragedy right, by some means anyways, and that the distributors are reaching out for ways to use this surplus of an excess of from what I've been told is 200+ million dollars. If that figure is true then I believe that you owe the people that were affected more, much more.

If the above figure is truly correct and there is in excess of 200+ million dollars in the fund then I believe that you as the distributors owe it to the families like mine to distribute at least a large sum of that amongst the 30,000 Hepatitis C patients and the rest should be used to make sure that our healthcare system and government never allow something as truly devastatingly unjust as the tainted blood tragedy to happen again. Even giving each affected patient an additional $250,000 would be a drop in the ocean of that surplus and would help families like mine that have been so wronged by this exponentially.

Though compensation from the fund would be a step in the right direction to lessen this tragedy. There is nothing you could do to replace the healthy mother my family so rightly deserved.

Yours,

[redacted]

[redacted]

Gmail [redacted] @gmail.com>

Logan letter final

1 message

[redacted] @gmail.com> Mon, May 9, 2016 at 10:19 AM
To [redacted]@gmail.com

To the Hepatitis C committee

Dear Sir or Madam:

My name is [redacted] is my Mum. She was made sick by some blood transfusions in 1987, before I was born.

She is a great Mum, but it's hard. I have never had a Mum who is healthy. She would always be there, but sometimes just watched on the sidelines or only played for a little while.

I grew up quite oblivious to the disease my mom had. I remember way back in the day when I saw her scar and asked what had happened. She had been in a car accident involving black ice and had her stomach sliced open. having lost so much blood she needed transfusions. It wasn't until later in my life that I understood what hepititus C was and how absolutely insane it was that my mum contracted this disease in a place where you're supposed to have your life in good hands. I grew up playing with my brother and sister on my Mums bed on the days she was too sick to get up. I remember how hard it was to build Lego on the bed. I remember her having to sit down after playing ball for 15 minutes. I remember my Mum having someone else teach me to ride my bike, because she could'nt run that fast or far. I remember seeing the pain on her face. Her disappointment at not being able to do more for us. I've grown up with my beautiful mother going through prescription drugs, chemotherapy and pain all due to a doctors mistake. I wasn't old enough to fully understand the effects of the chemo or drugs so I always thought that my mom would sometimes be very angry or depressed for know reason.

I remember her getting even sicker when she went on the chemotherapy treatment. I remember always being scared that my Mum would not be there when I got home from school. Thinking she washing to be in the hospital, or worse. I remember how scared my Dad was.

We didn't get to go to a lot of places when I was younger, as there usually wasn't enough money for fancy holidays. Mostly we went camping at the lake. That was ok too, as we always laughed, but we never got to see exciting places together.

Why not share the money equally among the victims? It would sure be nice no to have my family worry about money all the time especially now that both my brother and I are in University. It makes me sick that something like this could ever happen and that my mom who never did anything towards these people has to pay for it. I would wish nothing more than to have my Mum and Dad live even for a short time, like this terrible disease never happened to my family.

Yours Truly,

[redacted]

Dear Members of The Joint Committee,

My name is [redacted] s, I am Sixteen Years Old and I am a Second hand Victim of Hepatitis C. Before I was born my Mother got into a Car accident and needed blood from the blood bank, She recieved blood containing Hepatitis C in it, Something that has affected my families life Since then. You could Say my two brothers and I are miracles because of our blood lacking this illness and alongside my O- blood making me a universal donor. Growing up my Mother was very sick, She was an amazing Mom regardles but I Still had to wath my mother go through Chemo therapy and see her get more and more Sick while being told it would make her better; creating a very understandable fear of doctors and an understandable anger. My Mother did nothing to deserve what happened and my family Shouldn't these ridiculour hoops, I understand you are a company but to my understanding you have many Victims who deserve more than what you've given them; I beleve in a fair law system and that most companies arent evil. Please prove me right, do the right thing, fix your mistakes and understand the severity of what you've done and the lifelong issues you've caused.

Thank you

[redacted]

[redacted]

My Impact Statement for [redacted] from [redacted], May 9, 2016

I have known [redacted] most of her adult life. I met her as a young woman prior her engagement to be married to my younger brother [redacted]
Beautiful, healthy and vibrant it was not hard to see why my brother fell in love with her. She complemented his outdoor life and sense of adventure. She was up for anything, and kept up too. They lived in the country and her passion for natural health was reflected in her love for growing most anything. She is one of the most creative people I know always trying out new methods of sustainable gardening and following an artist's lifestyle, long before it was gentrified. When her accident happened it frightened us all and devastated my brother who never left her side for weeks during her multiple surgeries. We were so grateful she survived and lived to be the most beautiful bride ever. Little did we know of the horrors to come as a result of of the multiple blood transfusions during her hospitalization.
[redacted] assumed the doctors were correct when they told her she would never have children due to the multiple surgeries or her subsequent diagnosis It was a truly sad situation to see a young couple, who could have made great parents, deprived of that life experience. But something was terribly wrong, she lost weight and could not maintain a healthy weight to keep up with her active lifestyle. Even though she tried to keep positive we could all sense there was something draining her physically and mentally. Then came the awful truth about Hepatitis C. She was diligent in following Doctors prescribed regime. However, when she become pregnant she was advised against the pregnancy and followed the advise not to have the child. That is when she came to me and she sought out my thoughts on some ideas she had. She wanted my opinion about her pregnancy, she thought that someone with an RN, BSN, and MSC might shed some light on her situation. She said that during the short time she was pregnant she felt the best she has felt since before the accident and could it be that having a child might actually help her. Both her and my bother decided, that even though it was risky according to medical opinion, they would have one child and my brother would always have her through the child. My answer was simple. Your body, your decision.
Three beautiful children later she proved the medical experts wrong. Although mothering small children exhausted her, she gave me two nephews and a niece I would be proud to call my own and are a central focus of my life,
[redacted] Is no ordinary person as you can tell. Her courage and positive outlook while going through invasive treatments was and remains inspirational. She is a wonderful partner to my brother supporting him in his business and life pursuits. Never, never did I hear her complain, she just persevered and endured it all. It was painful for us to watch.
She has always contributed to her community and supported her friends and family through their challenges in life and I am a better person for having known her and laid witness to the continuous struggle she has had.
Who knows the missed opportunities she gave up due to her disease contracted from being given tainted blood. I only know that not only did the health system let her down, there was not one bit of curiosity or respect from health care personnel to document her amazing story and share it with others afflicted so they may have a choice in influencing the progress of their own disease. If she had been compliant we would never have shared with her the joys and pains of parenthood and life. From my perspective there was nothing safe or caring about her medical experience. She got her courage from her family and friends and a strong drive for self-determination. A role model for us all.

[redacted]

Gmail [redacted]@gmail.com>

Impact letter.
2 messages

[redacted]@gmail.com> Sun, May 8, 2016 at 11:49 AM
To: [redacted]@gmail.com>

Dear ,

I am writing this impact-letter to you, to help you understand how I feel. February [redacted] 1987 was a day that changed the life of my little sister [redacted] On that night she suffered a horrific accident of which she bares the emotional and physical scars of that dreaded night today. She almost lost her life as a result of that accident and that accident certainly changed her life and the lives of her husband and their 3 children.

I don't think anyone thinks of how others feel when negligence get the best of you. Even the attitude today

is a perfect example of disregard. DO you know how I felt when I called only to learn of my sister potentially dying. Do you know of the emotions involved at the potential of losing someone so important to me and so important to others? I instantly got a nervous pit in my stomach because I did not know if she would make it. Adding to this was my worry after learning how many units of blood she needed to live and as a result of this accident, she contracted hepatitis C. I was always scared, always nervous, always sad that her life was so close to being lost. Things are this way due to an accident. Countless hours worrying about [redacted] were spent.

It is NOT a normal life that [redacted] has, as she is in constant pain and she has somehow managed her pain to the extent that she has a family of her own now who she cares for deeply, but they are NOT fooled. They know of her pain, they know of her anguish and they know of her suffering, all the while she puts on a brave face for her children. I am impacted by this as I have been powerless to help her and this is my opportunity to express how much she is loved. You see, [redacted] and I met by mail when I was 14 years old. I lived in England and she lives in Canada. We are very close. We first met in Edmonton in 1983 and we have seen each other on and off since. She intimately knows about my life and I hers. In this regard we are family, she is my sister and I am her brother. I love her dearly and all those years of suffering and pain and pain management I have endured with her. She is my precious sister, who I nearly lost over an accident that could have been prevented. I know it has been very painful for her family as well, and if I could do anything in the world I would wave a magic wand...and my [redacted] would be HAPPY and living life the way any mother would in a loving caring family without hepatitis C and without constant pain and without being scarred for life emotionally and physically. She would have the life she deserves. You have a chance to make this right. She has so much to offer. I have come to the realization that her life has forever being changed because of that night on February [redacted] 1987. I can only tell how this have affected me and affected [redacted]. I am so very sorry that some of the changes in her life have given her a bad deal, but there are so many good deals to come

Times have been a little rough. It is my hope that this can be corrected for the future. A mistake of this magnitude is inhumane. It is inhumane, to put others in risk of danger when this could have been avoided. Do you need to experience such a tragedy to do right?

I am aching that [redacted] ias had and continue to have such a hard time, I hope this letter made somewhat of an impact, as to my feelings and I hope that this impact letter will help in making this wrong, right.

[redacted] @gmail.com> Sun, May 8, 2016 at 12:08 PM
To: [redacted] @gmail.com>

Brilliant!

Sent from my iPad
[Quoted text hidden]

Gmail [redacted]@gmail.com>

Fwd: letter of support

2 messages

[redacted]@gmail.com> Fri, May 6, 2016 at 11:04 AM

To: [redacted]@gmail.com>

To whom it may concern,

I am writing on behalf of my friend [redacted] who I have known for approximately 9 years. I lived and worked in Revelstoke where I taught all three of [redacted] children and over the years we became good friends. I have known about [redacted] condition for most of our friendship. While she is devoted to both her children and her husband, I know that she has struggled over the years. Her illness has affected her health, ability to work, and her ability to manage a sustainable lifestyle. [redacted] s a wonderful parent and very much loved by her children; however, her illness is also a part of their lives. The pressures of raising children and providing for a family are difficult on their own, and I know that [redacted] ontinued struggles with her health have been very frustrating for her as a parent. That being said, she has always put the needs of her children before her own, despite the difficulty of her circumstance.

When I first met [redacted] she was always in her garden. Over the past few years I see her there less and less as her health does not support her passion.

[redacted] is loved by her husband, family, friends, and community. She is a giving and loving person who does the best with what she has. Any further support would be well deserved and improve the quality of the lives of both her and her family.

Sincerely,

[redacted]

[redacted]

[redacted]@gmail.com> Fri, May 6, 2016 at 12:23 PM

To: [redacted]

Sent from my iPad

Begin forwarded message:

> **From:** [redacted]@gmail.com>
> **Date:** May 6, 2016 at 11:04:59 AM PDT
> **To:** [redacted]@gmail.com>
> **Subject: Fwd: letter of support**

Gmail [redacted]@gmail.com>

Letter
1 message

[redacted]@hotmail.com> Mon, May 9, 2016 at 10:13 AM
To:[redacted]@gmail.com

To whom it may concern

Hi my name is [redacted] and I was asked by [redacted] to compose a letter on how I saw hepatitis C affect her life. I first met [redacted] and [redacted] when I was just was young teenager, I started off as the baby sitter for their young son, at the time, [redacted]. As time went on I became part of the family and they gave me the responsibly and the trust to watch over their most precious assets, their three lovely children. [redacted] became my other mom, the person who I could talk to with out the fear of being judged and also give me the perspective of another adult, who wasn't my parent.

Some of my first memories of knowing that something tragic had happened to [redacted] was when I saw the scars that she had on her arm and her abdomen. As time went on I became more curious of what had caused these. I would soon come to learn about her accident and the massive amounts of blood that she had needed and how she had contracted hepatitis C from it. I spent many afternoons, summer mornings and weekends at the [redacted] family's house helping with the kids, and at the time I didn't know the extent of how illness affecte[redacted] and the exhaustion that came along with it. I'm sure she missed out on many things because of how she was feeling or wasn't able to spend as much time in her garden or even spending those precious moments with her family and friends because of the toll hepatitis C took on her body. The most vivid memory I have of how much this terrible disease took its toll on [redacted] and her family was when she made the decision to do a drug therapy to help treat the hepatitis C. I don't recall how old I was, but I do recall how much more exhausted, and how thin she had become. I also remember her having constant aches and pain and how she wasn't able to enjoy some of the most important things in her life because of her exhaustion. No matter how awful or exhausted [redacted] was feeling, she was always able to put on a smile for love her family and her friends.

Sent from my iPhone

[redacted]

[redacted] [redacted]NL Canada [redacted]

May 07, 2016

To Whom It May Concern;

I am writing on behalf of my very good friend [redacted]; whose life was altered drastically after her automobile accident in 1987. I have known [redacted]since the late 80's when I moved to Vancouver and her and her husband we amongst my first circle of friends. They have remained so ever since and they are a big part of my life and my time in BC. Since her accident I have seen this woman, who was usually the life of the party and the quintessential social butterfly gradually begin to deteriorate into a totally different person who at times I didn't recognize. A mum with a family of three children was now struggling with simple day to day tasks. A simple enjoyment of a simple day seemed to be a task just in itself. The actions that contributed to[redacted] decline really has affected this person and here daily existence.

As a result of her accident and her contracting the Hep C virus through blood transfusions, [redacted] life changed. It was extremely painfully for me to watch such a good friend go through what she was going through and not be affected. I watched the colour go from her face and the joy from her eyes as she struggled to make it through a day. And I was helpless to do anything that could alleviate the discomfort and the pain. This impacted on me as we were always there for each other. They were/are my west coast family

When I would drive up from Vancouver to Squamish to visit them I would be unsure if it would be a good day or a bad for her. And then as always try and figure a way to make things better. A woman who took joy in all the simplist things was now being faced with a future that was foreign to here. [redacted] has been involved an accident that was totally beyond here control and the fact that she has had to wait so long to acquire this settlement is, I imagine, a stress in itself.

This unfortunate turn of events in [redacted]life changed not only her life experience but it has had an affect all those around her. She has been lucky to have a strong and loving family but the fact is she has had a tough up and down coastal ride. And I hope that the ruling will award her the maximum amount possible for her trial and ordeal

I thank you for allowing me to submit this statement.

Sincerely submitted

[redacted]

V/

[redacted]

Gmail [redacted]@gmail.com>

Hep C letter

2 messages

[redacted] Mon, May 9, 2016 at 8:53 AM

To: [redacted]@gmail.com>

Hi [redacted]

I hope this reads ok - please adjust where it may not.... Thinking of you xo

> May 10, 2016
>
> To whom it may concern:
>
> Re[redacted]-Hepatitis C Testimonial
>
> Our family has been very close to the [redacted] family for over 8 years, living 3 blocks apart in Revelstoke, BC
>
> I have had the opportunity to get to know and love [redacted] as a dear friend and companion in motherhood and parenting. Soon into our relationship I learnt of [redacted] accident and resulting diagnosis of Hepatitis C. What struck me the most was the stark difference between [redacted] life before her diagnosis and after.
>
> [redacted] is amazingly positive and driven. She manages raising three wonderful children and supporting her husband in his business. [redacted] has not returned to her professional life as she led prior to her accident and it is clear that she is held back with health concerns.
>
> Although [redacted] maintains her energy for managing her home and children, it is clear knowing [redacted] that her expectations of what she could do and would do if her health were not at issue, are very high and reasonable but limited as a result of her diagnosis.
>
> [redacted] and her family have lived with the issues caused by Hepatitis C and [redacted] contraction of the disease and have persevered. Emotionally, physically and financially, it is apparent that they have struggled with the situation and it's with praise and admiration that I support [redacted], and the [redacted] amily in pursuing all avenues in compensation and cure for her disease.
>
> Sincerely,

[redacted]

[redacted]

[redacted]

[redacted]@gmail.com> Mon, May 9, 2016 at 9:07 AM

To: [redacted]

[redacted]

To the Hepatitis C Committee

I have known [redacted] since 1990. We have been work colleges at two different organizations and have become good friends. We have children of similar ages and our children have played together. When I first met [redacted] she had already contracted Hepatitis C as the result of a blood transfusion. She was feeling the affects of the disease and was often fatigued at work. As time moved forward the symptoms of the disease grew more sever and she was no longer able to work. The disease also stole precious time away from her family as she did not always have her full energy. I believe that Hepatitis C has robbed [redacted] of the full life she would have enjoyed had she not contracted the disease.

Sincerely

[redacted]

Gmail

[redacted]mail.com>

[redacted] letter

1 message

[redacted]:@gmail.com> Mon, May 9, 2016 at 10:07 AM

To: [redacted]@gmail.com

Dear Committee members

I am writing to show support to May friend [redacted] She is a victim of the Red Cross tainted blood scandal.

I have known [redacted] for 29 years, shortly. After she got married. We lived across the street from each other and as we both had dogs, we walked them together. We became life long friends.

I noticed over the years that our walks became shorter and shorter. At first I thought it was because our dogs were getting older. That wasn't it. [redacted]as getting more and more tired. She couldn't do it. She always had a cold or flu. She caught everything. Sometimes I would go over and find her in bed in the middle of the afternoon. She was that sick.

The cure she took almost killed her.

[redacted] deserves to be properly compensated for her being poisoned with bad blood. Blood that should have been screened. Please pay her what she deserves.

Thank you,

[redacted]

North Vancouver, BC

Sent from my iPad

May 4, 2016

Dear Joint Committee

My name is [redacted] My mother is the shaman for the [redacted] First Nations band. I am writing to stand with [redacted], who received bad blood from the Red Cross and gave her hepatitis C. [redacted] and I met in 1986. We were casual friends but became as close as family when her journey through this disease began. I was the manager of [redacted] in [redacted] BC., and became close as [redacted] searched for alternative treatments to battle this disease. There was a lot of trail and error. We finally came up with a combination of herbal supplements, tonics, aromatherapy and juicing that helped to keep her symptoms at bay. She spent thousands of dollars, of which she did not get reimbursed.

I watched her try. I watched her struggle. I watched her suffer. I watched her fail. I saw her pain. I saw her fear, and the fear on the faces of her family. I saw her almost give up. I saw the disease winning.

We prayed over her. We smudged her. We blessed every sip of water she had, every bite of food. We called upon the ancestors for help. We called upon the spirits. After a very long and difficult journey, they listened. Our entire band had prayed, and the entire band rejoiced. But not for long. A cure had been found. [redacted] tried it, hoping it would give her back her life. Instead we watched, day by day, the life draining out of her. We held drum circles, prayer circles, laying of hands. We tried everything.

I now see that [redacted] has through very hard work, learned to live with this disease. It is not easy. Not for her, her husband or her kids. She is very lucky to have such a supportive family. They deserve justice. They deserve peace. They deserve compensation. Please use the fund surplus to make my friend, her family, and all the other victims of the tainted blood tragedy feel like they are no longer victims.

Sincerely,

[redacted]

Sent from my iPad

[redacted]

May 1, 2016

To whom it may concern:

Re: [redacted] (nee [redacted] – Hepatitis C testimonial

[redacted] and I developed a friendship in 1980 when we both became swimming instructors and lifeguards. This marked the beginning of our journey working to put ourselves through post-secondary education – young, healthy, fit and full of potential. What I admired about [redacted] was her creative and entrepreneurial spirit. The accident, subsequent blood transfusions and the ultimate diagnosis were difficult hurdles to overcome but nothing as hard as living with the condition for the rest of her life.

I respect [redacted] positive approach to her disease focusing on living a full and productive life within the constraints of the constant battle with Hepatitis C. This disease has taken its toll both physically and emotionally o[redacted] and her family. Her and her husband [redacted] had to live through the devastation of multiple miscarriages and the overwhelming fear of passing the virus on to the baby. They are blessed with three amazing children, but [redacted] would be the first to state that her disease has impacted her ability to care for her family in the manner she would expect of herself. Many days she is plagued by fatigue and pain which leaves her bedridden – unable to work and unable to complete simple daily tasks. [redacted] and her family have dealt with the resulting depression and anxiety - questioning her self-worth and fearful of the potential of a family without her.

[redacted] has fought this disease with a passion and availed herself of every treatment option accessible to her including interferon. It was with great hope that [redacted] underwent this physically challenging treatment. Learning, once again, that a promising treatment did not work was devastating. It was a long journey through both the physical and emotional effects of this unsuccessful miracle cure.

[redacted] and her beautiful family put on a brave face. The challenges that they have undergone could have and in many cases would have destroyed most families. I admire her and [redacted] for their commitment to facing her disease together.

Sincerely,

[redacted]
[redacted]@gmail.com
[redacted]

Gmail [redacted]@gmail.com>

[redacted]

1 message

[redacted]@me.com> Thu, May 5, 2016 at 10:20 AM
To: [redacted]@gmail.com

May 1, 2016

To whom it may concern:

My name is [redacted] . I am writing with regards to my friend, [redacted] whom I have known since 1987. She was infected with Hepatitis C when she received many blood transfusions following a car accident in Kelowna BC in the winter of 1987. I did not know her prior to her transfusion.

[redacted] had always been known as an energetic, enthusiastic person , always up for the next adventure. This was not the woman I met. While she was always enthusiastic, often she would leave functions early or not show up at all. She became increasingly more reclusive. She became thinner, more gaunt. She showed increasingly less enthusiasm for life. She was, in short, sick.

It is very hard to watch a friends health deteriorate. It is hard to see them lose interest in life. This is what this disease did to my friend.

To add insult to injury, the drug therapy program they eventually put [redacted] on made things even worse. I watched my friend drop down to less than 100 pounds, and she looked and probably felt like a walking corpse. And it did not work.

I am very glad that [redacted] has the determination to live with this terrible disease. Not many of us could. Please compensate her and her family so she may live the rest of her days without financial fear.

Yours truly,

[redacted]

Vancouver, BC

[redacted]

Gmail [redacted]@gmail.com>

[redacted]

1 message

[redacted]@gmail.com> Thu, May 5, 2016 at 3:48 PM
To: [redacted]@gmail.com

[redacted]

Victoria BC [redacted]

May 2, 2016

To whom it may concern:

Re: [redacted] Hepatitis C Testimonial

[redacted] and I became acquainted as newcomers and neighbors in the Deep Cove community of North Vancouver in 1986. We quickly developed a deeper friendship and shared many common interests and goals. As our friendship developed. I witnessed the physical and emotional limitations placed by her accident and ultimate diagnosis of Hepatitis C. [redacted] was constantly faced with the frustration of uncertain health and was limited in her ability to enjoy a regular routine. There were regular occurrences where simple plans had to be forgone due to her ill health and waning energy levels. Employment opportunities were also limited due to health confines.

[redacted] positivity and passion for life has contributed greatly to her achievements over the years. What most of us take for granted, [redacted] has had to fight for doubly hard to achieve. The struggles that encompass this disease have taken a toll on both [redacted] and her loving family. Although we have only managed periodic contact since moving apart, it is evident that her diagnosis of Hepatitis C has been a constant factor that has driven difficult decisions for her and her family. I greatly admire [redacted] and her family's commitment in an attempt to live a healthy full life, despite the challenges faced with this disease.

Sincerely,

[redacted]

Sent from my iPad

[redacted]

Cell: [redacted]

[redacted] Hepatitis.pdf>

On May 5, 2016, at 11:16 AM, [redacted] wrote:

To who it may concern

This letter is written in support of [redacted], a hepatitis C victim from the tainted blood crisis. She was infected in 1987 from improperly screed blood sent by the Red Cross to the Kelowna General hospital, where [redacted] was a patient following a motor vehicle accident.

I first met [redacted] when we were 16 years old at a summer camp. We quickly became steadfast friends, and began spending a great deal of time together doing all sorts of activities such as skiing, car rallies, days at the lake, concerts and lots of dancing. We always had fun, and [redacted] was up for most endeavours.

That changed when she had her accident and consequent infection with this disease. I first noticed it preparing for her wedding, 6 months after the accident. She was tired, more so than usual.

As the years went by, we all began noticing differences in [redacted] behaviour such as tiredness, lethargy, irritability and pain. We saw erratic behaviour, unexplainable to us at the time. We saw a woman who had everything start to fall apart. [redacted] activities began to slow down, and we had no idea why. We saw her self medicate with alcohol in order to make herself feel better.

In 2003, [redacted]ndertook the interferon treatment offered. It did not work, it only made her worse. She lost weight,had no energy, and spent most of her time sleeping. She relied on us to look after her children when she could not. I have memories of her sitting at the kitchen table crying as she tried to choke down one piece of toast. I saw her get better on Fridays, only to have to take another shot of interferon, again spiralling her into the abyss of illness yet again.

She was very good at trying to hide her illness from us all. She was brave, but we saw through it and saw the pain of[redacted]and her family.

Please do the right thing, and divide the surplus in the compensation fund amongst the remaining victims. They deserve it.

Thank you,

Sent from my iPad

May 09/2016

Dear Joint Committee,

I am responding to the letter that was sent out regarding the 1986-1990 Hepatitis C Settlement.

My mother [redacted] suffered terribly with Hepatitis C for many years before her passing.

The stress and worry of watching your loved ones suffer with this disease is heart breaking.

I believe the Surplus should be divided amongst the families involved in this settlement.

Thank you,

[redacted]

[redacted]

June 5, 2016

J. J. Camp, Q.C.
Camp Fiorante Matthews Mogerman
400, 856 Homer St
Vancouver, BC V6B 2W5

To Whom It May Concern:

Re: HCV Claim Settlement Surplus.

I would like to provide some input for the Joint Hearing that will take place June 22, 2016.

I contracted Hep C in 1987 through a blood transfusion There was no diagnostic test for this at the time & for 16 years lived with increasing weakness, lethargy & arthralgia without knowing why. Time was lost from work as unable to maintain an adequate energy level resulting in major financial loss. The extreme undiagnosed fatigue also adversely affected my personal life as well

It was not until 2003, that an official diagnosis of Hepatitis C, stage 3, genotype 1a liver disease was made at this point it was impossible for me to maintain my full time hours as an RN, resulting in a severe loss of earning potential.

As I was still working part time I could only claim "Loss of Services in the Home" which was completely inadequate to compensate for the significant financial loss over the years. Going part-time I lost my health & dental benefits & my sick time amounted to more than allowed & took days off without pay.

From a personal perspective, I had difficulty establishing relationships due to the fear & stigma associated with Hep C & have had periods of depression due to the social isolation over the past 29 years.

Basically the losses I've coped with since 1987 amount to so much more than the compensation I have received & quite frankly NO COMPENSATION for the 16 years before being diagnosed.

All these years have been filled with uncertainty of the future, fear, anxiety, loneliness, increasing physical limitations & profound financial loss.

I realize "Quality of Life" issues are difficult to equate, but the life losses, and financial losses are very real & debilitating.

I am hoping the Committee might find justification in granting additional compensation for the heavy physical, emotional & financial toll this disease has taken.

Thankyou for reading this letter.

Sincerely

[redacted]

[redacted]

[redacted]
Calgary AB
[redacted]

[redacted]

From: [redacted]@hotmail.com>
Sent: Saturday, June 11, 2016 3:39 PM
To: J.J. Camp
Subject: June 20 Court Proceedings

My name is [redacted], claim number, [redacted] I spoke to Christopher at the claim centre in Ottawa, Friday, he suggested I contact you. There is a piece that has not been addressed during any of the proceedings since 1999! During this Hep C journey, no one has addressed the issue of mental health! I am hoping to change this major oversight! If possible, I would like to address the court on this issue! Unfortunately some background info is required for clarity. I was infected at 19 while battling cancer (diagnosed at 17, cancer free by 20). As a survivor I was told I was sterilized, thankfully that was not the case! I did go on to have 2 daughters. When my youngest was a year old I got the letter requesting my blood be checked due to possible infection! When it came back positive I was a single parent by then, was on my own, with my 2 girls. This is where my life took a tail spin! And the stigma of infectious blood and the blatant discrimination that sends people into hiding for fear of being infected became my reality! As well as the nightmare of fear of anyone finding out, began for me. When the topic of infectious blood comes up, everyone immediately gravitates to HIV/AIDS and the fear of catching it. My experience at 18, as a cancer victim, I was fired from a sandwich shop job because I had cancer and had to alter shift to accomidate radiation therapy! I couldn't imagine what would happen if it was found out, I had Hep C! I'm certainly not a drug addict, that's what people think, I've lived it! People are intolerant. mean, and unkind with things they are ignorant of! I wasn't going to kill anyone with infectious blood! Instead, I isolated myself out of fear, protected my babies (and everyone else) from my blood at all cost! In doing so fear over my blood was established! Not having enough tools in our tool box as a young, little family, we did our best to hold it together! As my disease level worsened, my girls mental health and fear of their only parent dying, became an entity of itself! They stood by helplessly and watched me live their childhood from the couch. When the pegatron treatment was made available, my eldest[redacted] was a teenager,[redacted] had been presenting with BPD/ Autism spectrum issues and we all were dealing at this point, looking back, with PTSD. My viral count was so high by then, the treatment didn't even scratch the surface or make a dent in my viral load! I was made to wait too long on the wait list in my opinion as there was a hiccup in my care. There was a change in doctors, one was retiring from the local Hep C Clinic, another was taking on the Clinic. My GP had to re refer me to the Clinic at that point. As a family we needed supports that was not available and we suffered mentally for it. I was so sick, I had every reaction to that medication but kidney and heart failure! Unsuccessful, it was discontinued, with no hope! I was going through this alone and I was dying from this silent illness. My girls mental health and PTSD, & my own and recovery from it, overwhelming! It took a couple of years to come back from pegatron! To say we should have had mental health intervention at that juncture is an understatement! Being on social services disability, it was not possible or affordable! So we were forced to carry on with life on our terms. Muddled through our issues, unsuccessfully as I look back now. But I wouldn't make the mental health connections from the behaviours until just a few years ago. It's one thing to know there's a proverbial elephant in the room until you have a name for that elephant! I finally realized 2 years ago I had PTSD when I was sitting in the hospital when my eldest tried to commit suicide! Sitting beside her hospital bed sent me right back when I was battling cancer in the hospital back when I was infected, fighting for my own life ...when my baby girl was in so much mental pain, she felt that swallowing all of her antidepressants, was her only option! Today she is 24 almost 25, married, has Anxiety Disorder, PTSD, Depression, (agoraphobia, I understand through her sister), is no longer performing as a Celtic Harpist with so much talent, and is so traumatized by my lack of health, she no longer has contact with her only mother. (Slight disclaimer, I don't support her choice of husband) My youngest was certified last year with BPD, PTSD, Anxiety Disorder and Depression! She lives unmedicated due to heart issues that are exacerbated by antidepressants. Everything in her life is my fault, so she claims! She is on Disability and is really struggling at 19 years old! I only share this to gain a snap shot example of how my being infected with Hep C has affected my immediate family! They are so fragile mentally, they are not capable of writing their own impact statements. This is why I hope to appeal to the courts, for my family's sake! So that what ever happens, they will at least not have to worry about financial provision on top of losing their only parent in the world! In closing, my 82 year old Father[redacted] requested I

mention to you that I was infected as a youth, never having the opportunity to establish a career or realize my earning potential before infection. He feels that should be a consideration in my case. He also retired from work and his responsibliities to move to the Okanagan from the Lowermainland where he lived for 59 years, to care for me. I was in liver failure, on the transplant list and could no longer be with out responsible care, here. He was my great nephew, [redacted]guardian on and off down there. So I'm finding myself responsible for [redacted] as well. We are all now co-existing togetner here in the Okanagan with my daughter, [redacted] I hope to hear back in regards to addressing the court as soon as possible, so I can make the necessary travel arrangements to Toronto or Vancouver to do so. Thank-you, [redacted]
[redacted]

Sent from my iPhone

June 12, 2016

Re: Mrs. [redacted]

As a family member I am writing in response to the letter I received from the Joint Committee regarding the1986-1990 Hepatitis C Trust Fund which has sufficient funds to meet the expected needs of Class Members and Family Class Members but there is a surplus and your question is "What should be done with this surplus?"

First I want to tell you who my mom [redacted] was and what she meant to our family. She was a loving, compassionate, caring woman who loved her family with her entire being. Her family always came first. She was a Mother, Grandmother, Aunt and MY BEST FRIEND. Her love was unconditional and her children were her pride and joy. She provided advice, direction, lots of love and most of all showed us the spirit of being a family and what it meant. We were a close knit family going on family trips, camping and every Sunday to her house as a family for supper. My 2 sons had the privilege of knowing their grandmother spending holidays, birthdays and special occasions as a family. The love she showed them will never be forgotten.

My Mom was a brave determined woman who fought very hard to be a survivor. My mom was diagnosed with Leukemia in 1989 and spent many months in the hospital. During her illness she received numerous transfusions. With amazing care and my mom's strength, determination and the love and support of her family she survived the Leukemia only later to receive a letter advising that she possibly had received tainted blood and required a blood test. The results confirmed positive for Hepatitis C from a tainted transfusion she received. How could this happen were there no procedures to ensure blood donors are not infected?

I worked in the Health Care Profession for many years trusting the Health Care System to practice safe and reliable assessments and medical care. Following guidelines, protocol and due diligence when providing care, diagnosis and testing was essential to the well being of our clients. The Health Care services failed my mother. The Canadian Red Cross provided tainted blood to my mom and as a result she was prematurely taken from her family. WHY WAS THIS NOT DETECTED THROUGH ROUTINE SCREENING OF BLOOD DONORS?? Was anyone found culpable for this "CRITICAL INCEDENT"? We trusted the Canadian Red Cross to do their job efficiently and safely for their clients.

Our family and my mother were in turmoil again. My mom fought hard with the love and care of her family. It was very difficult to watch her health fail but she fought a courageous battle with her positive attitude and her faith despite the knowledge of her inevitable death. That was who my mom she was. Dignified, gracious, loving, accepting, believing in her faith and really never blamed anyone. Yes she was sad and her time with family was too short but each day was a precious gift. We were blessed to have my mom in her home where she wanted to be providing her care and our love. She died peacefully in her sleep with family by her side.

As family we have lost a Wife, Mother, Grandmother and my closest friend leaving a huge void in our lives. My mom never saw her grandson marry or the birth of her first great grandchild. I think of her every day, I loved her with my whole heart and miss her always but my wonderful memories will always be with me. NO ONE can take that away from me.

The surplus money is there because of my Mom and the many others that lost their battle to Hepatitis C despite all the hope, care, love and support. The surplus money should be shared equally amongst all the Class Members and Family Class Members of these courageous people who lost their lives prematurely. No amount of money can replace what our family has lost but acknowledge the reason for their tragic deaths is the negligence of Canadian Red Cross to ensure that the blood products are safe and infection free.

[redacted]

THE ATTACHED IS EXHIBIT "C" TO THE

AFFIDAVIT OF SHELLEY WOODRICH AFFIRMED

BEFORE ME THIS 16TH DAY OF JUNE, 2016

COMMISSIONER FOR TAKING AFFIDAVITS

RECEIVED
APR 13 2016

April, 2016

To Whom it Concerns

I met [redacted] when we were 20. He was an art student at Nova Scotia College of Art and Design, fresh in from Toronto. We fell in love, had a baby and on a quick trip to NB, fell in love again with a derelict, dilapidated house, and we took the plunge. We moved there with no jobs, no money, a wee baby and plenty of chutzpah mixed with trepidation. The house was a huge (29 rooms, 4 levels), historic building constructed in 1877. It had been empty for 11 years and was slated for demolition. It needed a TON of work. We were 21.

[redacted] worked on that place like I have seen no other. Ten, 12, 18 hour-days, doing anything that was required……and I do mean, EVERYTHING. He constructed windows from scratch with salvaged wood and glass. He got books on masonry, plumbing, roofing, electrical and studied, every chance he got. He brought truckloads of sand from a beach, mixed his own mortar and did all the brickwork on our historic home himself, on homemade scaffolding. He swung a pick axe for a week and dug out the dirt-floor cellar.

He befriended an electrician who guided him through the complete re-wiring of the entire 3000 square foot building. Same with the plumbing. He scrounged most of the materials from demolition sites, the dump and neighboring reno job sites. He sanded all the hardwood floors – some by hand. And drywalled, plastered and painted every single room mostly alone or with me. He built the kitchens and landscaped the yard. He planted trees along the street and built an elaborate, huge fire escape system and decks for three buildings by himself. And he did so much more.

For a year we had only cold water, one tap and no plumbing – it drained into a five-gallon bucket which was then emptied into a small rivulet that ran through the basement. A bucket was our toilet and our shower was at the local YMCA.

[redacted] couldn't get a bank to take him seriously, even though he was super serious about his plans for this building. He eventually found a friend in one branch manager who agreed to fund him only a few thousand dollars at a time until he was convinced [redacted] was not one of those 22 year old hippies who would blow the money on a backpacking trip or a new van. In a few short months he proved himself worthy and that bank supported him faithfully over the next 20 years. He won a number of heritage awards along the way, as well.

Over the course of the next 15 or so years, [redacted] worked tirelessly, a visionary for his street, neighborhood and his beloved city, Saint John. He was always on one planning committee or other, including Neighborhood Policing. He was a Scout leader and he sponsored a local girls' softball team. He started a neighborhood committee that planted trees and flowers throughout the area and planned community events for poor kids. Twice he ran for city council and once for the Liberal Party. He bought and renovated seven other properties, five on the same street and worked passionately, day, night, weekends and holidays, building a life for himself and us, his family. He acquired a reputation in our community as an amazing man – a true visionary who was happy, engaged, committed, extremely hard-working and caring. I have a giant box full of newspaper articles about him. To this day people come up to me on the street to talk to me about his legacy. A local high school teacher brings his Entrepreneur class every semester, to see our street and talk about how one person, no matter how young or broke, can make a huge impact and build a business.

We never made a lot of money. For the majority of our time together I was either working beside him renovating or going to university part-time. I always had a waitressing job or two and we made ends meet, but every extra cent went into renovating and maintaining the buildings, and until he died, he did 95% of the labor himself. At the time of his death we owned five apartment buildings, all in beautiful, historic buildings in the Trinity Preservation area of the city and he had become a full-time property developer, manager and landlord.

The long and short of our story is this:

While he was alive, [redacted] work was not about money, but he toiled ceaselessly, paving the way to a well-deserved comfortable living and early retirement, which, although he was on the brink of reaping some of those rewards, he never experienced any of them due to tainted blood he received after a minor car accident (prophylactic treatment for his non-severe hemophilia). Upon his death at the excruciatingly young and vibrant age of 42, a T-4 of his net earnings reflected a meager $20,000.00 or so.

The Hep-C Fund provides me, my son and grandchildren 'loss of services in the home' money in the amount of around $17,000.00 per year. When he died I quit my teaching job and stepped into [redacted] huge shoes, overseeing the business he had spent 20 years establishing. It became clear to me, however, very quickly, that me running everything was not nearly as economical or profitable as it was when he was doing it: every time a toilet dripped I had to call on a plumber; when a roof leaked, I needed a roofing company; when I needed to re-side a wall, I required a mason and an electrician to move exterior wires; when a tenant moved I hire someone to do repairs, etc, etc. What used to be done for 'free' was now costing me and the business upwards of $50,000.00 - $60,000.00 every year. And as I age, the figure increases, obviously.

As I sit writing this letter, I take a break every few minutes to cry. [redacted] and I were best friends and were only a few months shy of our 24th anniversary. I miss him profoundly every day and would give anything and all of it to have him back by my side. The sadness of watching this amazing man become ill, incapacitated and bed-ridden is beyond words. I spent his last three years helping him navigate a complicated health care system and terrifying treatments; holding his hand through spinal taps, chemo and drainage tubes and doing whatever I could to allay his fears and make his body feel comfortable. The whole thing was an entirely preventable and completely horrific experience, for me, his son, his family, friends, peers, and most especially, for him.

It's taken me a long time to get around to this letter. I tried for a few years to keep up my own career as a teacher AND run his business, but it was impossible. I now manage five apartment buildings and 26 tenants. The buildings, as I mentioned, are all old – all built in 1877, all brick and all in the Saint John Heritage Preservation Area which means they require specific and usually expensive maintenance. AND, most of the original (to [redacted] renovations are now 20-25 years old so the work load increases incrementally. And I am not getting younger. The smaller tasks that I have done myself over the years (cleaning the common areas, painting apartments, etc) are becoming more onerous and taxing on my body.

I just spent 30,000.00 doing brickwork on two buildings which would have, had [redacted] been here, cost a quarter of that. He owned his own scaffolding and did all his own work. It would have taken him all summer, but that's how he did it. Last week I needed a plumber to come in the middle of the night to deal with a broken pipe (which affected three apartments because it took so long to stop the water). He cam the next morning and spent all day repairing the problem. You can imagine what it all cost in the end. Had [redacted] been here, the valves would have been turned off within minutes and he would have fixed everything the next day, for free. Where he used to plow our parking area himself, I now need to hire someone. Soon I need a number of new windows. The city has demanded I pave my parking area. More brickwork is required at the rear of the buildings. The copper plumbing everywhere will soon need to be replaced. The list goes on and on and honestly, I don't know how I will afford it.

Since [redacted] died I have spent anywhere from 50,000.00-75,000.00 every year paying for labour and services that he otherwise would have done himself. His approach to this business is what made it feasible. I net between 15,000.00 and 35,000.00 a year, less than what I made as a teacher and certainly less than what [redacted] would have netted from this business had he continued to all the work himself. When I calculate what our (my) lives would have looked like had he not been given tainted blood and he was still here working beside me, us working together for a common future, I feel anger and pain.

I am compensated $17,000.00 a year for [redacted] life. This covers about 70% of the property taxes due at the end of each May. When the fund was first being administered I was informed that since we couldn't calculate an 'accurate' income for him (on paper he only made about 20,0000.00, but of course that was BECAUSE he did all the work himself!) I should file a claim under 'Loss of Support in the Home'. I don't know if I did the right thing, but in any case, I DO KNOW that losing [redacted] has cost me far, FAR more than that every single year. And I DO KNOW, that he was 'worth' a hell of a lot MORE to me, to our marriage, our family and my life/future, than a meager &17,000.00. And when I consider the staggering amount of physical/psychological pain and suffering endured by our family and him, no dollar figure comes close to compensating for that.

If something can be done to somehow make [redacted] death less difficult and painful to me and to his family, and to help us ensure the continuation of his legacy here in Saint John, please do it.

I thank you for your time.

Sincerely

[redacted]

[redacted]

Photo(s) submitted but not included

RECEIVED
APR 0 6 2016

To whom it may concern,

My father is not the same man that I remember. The man I remember used to take me fishing and speak gibberish in the middle of the lake just to make me laugh. The man I remember used to dig for worms at 5 am. That man used to let me play with dirty car parts in an attempt to "let me help". That man was fun, that man saw me.

That man is gone. Hep C took him from me and my children. The man who has taken my father's place is different. He is bitter and angry and has no drive for life. This man doesn't see me. He hasn't for a long time.

I remember the pajamas he was wearing in the hospital. I remember bringing him a pink monkey with a heart on its stomach. I was just a child then. I remember my dad coming home with a hilariously large amount of loonies when they first came out. He brought us all to the basement living room and dumped them on the floor. We laughed at all the possibilities of how we could spend them.

I remember our yearly Father Daughter fishing trips that we would take on Father's Day. I remember looking at him with admiration in my eyes. I remember loving every moment of those days wishing they would never end. Now, when I reminisce about those days, they always lead me to think of the man that I call Dad now. The man that now seems irritated by a request that would take him away from the very thing that occupies his attention now, TV. I believe this offers a distraction for him. He needs to be diverted so he doesn't bask in the misery that has engulfed him and his life.

He is depressed, anxious, angry and bitter now. He is not the same man I once adored and wanted to be seen by. I don't want this man to see me. If he sees me now, he will see disappointment. I would rather he remember the adoring eyes that used to look at him. Maybe those memories give him some solace as he struggles to win the battle he has been fighting for so many years of my life.

I know there isn't anything that will bring this man back to me, my mother, my brother or our children. I know this man is gone and I will hold on to him in my heart and cherish him in my memories always. I just hope that something can be done to give him a little peace. I hope that he can find his way back to himself and rediscover his thirst for adventure. I miss my dad.

[redacted]

RECEIVED

APR 06 2016

To anyone who will listen,

I didn't ask for this. I didn't ask to be retired and disabled before I was of retirement age. I didn't ask to lose my career as a Journeyman Iron Worker and the comfortable salary that came with it. I didn't ask for pain, so unbearable, that I wouldn't be able to take my kids fishing. I didn't ask my bones to deteriorate, my appetite to disappear or my body to feel an extreme measure of anxiety. I didn't ask to be depressed, no one does. I didn't ask to be assaulted by a disease that would not only diminish my quality of life but would put an end to my health, wellbeing and happiness for the remainder of my existence. I didn't ask for the bitterness and anger that has plagued my life and my marriage.

I did ask for one thing. I asked for forgiveness. I asked my family to forgive me for letting the pain change who I was. But they give me the same answer each and every time I ask, they tell me it's not me that needs forgiving, because I didn't ask for this. My life was taken from me without my consent, they're right.

When we sit back and reflect on what we've done with our lives, the purpose is to remind us of all the things we've done and all that is left to do, but I can't. I can't because I feel like the only thing I have done in my life is feel pain, fear and loss.

I feel Hep C eating my body from the inside out, it hurts. I fear for the loss of my presence in my Grandchildren's lives. Hep C has already taken me from them, just as it took me from my children. Hep C has taken so much from me and as the days go by, it takes more and more. It has taken me from my wife who has stood by her vows to love and cherish me in sickness and health, it has taken my children and grandchildren, my wallet along with any financial security I would have had, it has taken my home and it has forced me to live in poverty. This is not the life I wanted nor is it the life I was working toward when this monster began killing me. I was infected with Hepatitis C in an attempt to save my life, instead that was the day I started to die.

There are little services in the small, rural, northern city that I call home. I am treated like an addict when I reach out for help. I am no longer seen as a person, I am the disease that has overtaken my past and my future. I am only existing. I am not living and I haven't for nearly a generation. I am forced to let the symptoms destroy me now. I have nowhere else to turn. I must cope as my teeth fall out by the root because my bones continue to deteriorate. I must deal with exhaustion from not being able to sleep. I must sit by while low levels of testosterone effect my mental and physical capacity. I am obligated to look in to the eyes of my wife, children and grandchildren to see their disappointment when I, again, tell them that I can't. I am powerless to fight this beast alone.

I need help from the people who let this happen to me. I need them to take accountability for my life and the tarnished dreams of those I love. Help the families that did not ask for this. Help the families that have suffered as a result of a lack of best practices. Help the families with some relief from the burdens that have been inflicted on them. Help the families who are suffering.

[redacted]

April 10, 2016

[redacted]

RECEIVED
APR 15 2016

Kathryn Podrebarac
Podrebarac Barristers Professional Corporation
Suite 701, 151 Bloor Street West
TORONTO Ontario M5S 1S4

Dear Members of the Joint Committee:

I would ask that the surplus of the fund remain with the fund for the purpose of addressing the outstanding applications (such as mine) as well as providing additional support to families.

My letter to you is late for some of the same reasons that my application for funding was late. I remain emotionally impacted by my late husband's death and that impact results in significant procrastination on my part. Given that I am a professional with both a post-graduate degree and a responsible position, procrastination is seldom an issue in my life.

If you would indulge me, please let me share my story. My husband suffered several lengthy hospitalizations over the 20 years that we had together; on [redacted], he had what we expected would be a brief hospitalization – instead, there wasn't even time to say goodbye. I was suddenly a single working parent of an [redacted] year-old daughter who was devastated by her father's passing. She had been the light of his life; he was her everything.

I was told by a member of hemophilia treatment team that I was not likely eligible for funding from the Hepatitis C Settlement Agreement. When I read the brochure we had, there was nothing to suggest that my daughter or I were eligible. The "program person" at the Canadian Hemophilia Society agreed to look into any possibility for me, and then left the organization without getting back to me. In the meantime, I had a child to care for, a home to maintain and a job to attend to each day – life had to go on, and that was my sole responsibility and priority.

Several years later, I received a letter on behalf of my late husband [redacted] requesting the names of anyone who may have been excluded accidentally from the settlement. After a few weeks of thinking about it, I called the number to see if it would apply to my daughter or me. The response I received was that it did not, but that based on my late husband's disease progression, both of us were eligible for funds from the settlement. We were the only remaining relatives, so it was just the two of us who were left to receive any amount from the settlement.

The first step was to call the Infectious Disease Clinic at the hospital; again, after procrastination, I called and requested the information that was required and scheduled a time to attend the Clinic. I had a panic attack in the hospital but managed to pick up the necessary information from a very compassionate and competent nurse. Dr. [redacted] was his usual dedicated and supportive professional. These people meant a lot in our lives!

My daughter's settlement was straightforward and it has been used over the years judiciously, with her father's belief in her artistic ability in mind. Between the RESP we had established for her and her Hep C settlement, she was able to attend design school without requiring a student loan.

I had to fill out forms that I found absolutely overwhelming. I would sit at my dining room table for hours staring at the forms. I finally acknowledged my procrastination to a very surprised friend who supported, nagged and cajoled me until I completed the forms. In spite of her support, my application was received late. I don't know if I am eligible for assistance or not, as my claim has not been adjudicated, but I would sincerely like the opportunity to have it reviewed.

Until one has experienced the insidious nature of loss and grief of a loved one who leaves too soon, no one can predict the impact. Until one has experienced the anger about a public system (in this case the Canadian blood system) that was compromised due to lack of diligence, no one can predict the impact. Money does not bring back a loved one, or re-establish complete trust in public systems, but it does help one close the book and move on. I am requesting that the court act compassionately towards those of us who have been left behind, as well as towards those who remain living with Hepatitis C every day.

Thank you for the opportunity to speak.

Yours truly,

[redacted]

From: [redacted]
Sent: Sunday, May 1, 2016 18:46
To: ;
Subject: Hep. C patience

To Whom it may concern:
My name is [redacted] I was born on July [redacted]
in Halifax Nova Scotia.

I received a letter informing me of a surplus of benefit $$$$$ for Hep. C patience who
contracted the disease from blood transfusions, of which I am one, I did receive a small
compensation from the Nova Scotia Gov. when I was 19 the sum being $27,000.
I was diagnosed with Hep. C in 1988 from blood transfusion I received at I.W.K. children's hospital in Halifax Nova Scotia
I receive $604.00 a month Canada Pension disability . At the age of 2 years I was diagnosed with Juvenile Rheumatoid Arthritis
At the time it was believed I was the worst case in North America
In this letter I will try to explain my situation at present,I am between a rock and a hard place,
treatment for my arthritis is at a stand still as a lot of the Medications that could help there
could be complications to my Hep.C there may be Medications for the Hep. C but same thing
could complicate the arthritis. My situation at the present time is direr , I have no place to live,I am
in a house that belongs to housing which I was living in with friends they moved out so I am here for now
but I am sure I will be told to get out they do not provide housing for single people. I have a dog who
is not a registered medical dog but believe me he is. they do not allow dogs in their housing(n.s. housing)
I can not work, I was on social assistance they were giving me a small amount less than $200.00 a month As well I was on pharmacare

which paid for my medication now they have cut me off because I have no
permenant address as a result some of my medications
I have to do without as I can not afford all of them. I do have a perscription drug
problem as a result I have been in trouble
with the law, for theft of small things from grocery stores dept. stores so I can sell
them for street drugs. I want despertley
to change my life, Some money at this time would really help, if I could get enough
to buy a mobile home and a lot
as I would not be able to pay lot rent it would be the gift that could turn my life
around and I want that very much. I know if I continue on this
path I will die, in the very near future I will be living on the street, It seems no one
cares about what happens to a disabled
single man.I do have family who have helped me in the past it is time I helped my
self.I do not have a telephone or internet so I
am using my Grandmother,s computer She can be reached at her email
[redacted] or by phone [redacted]
and I give permission for her to speak, answer questions, whatever, on my behalf
.Thanking you so much for reading any questions
please contact my Grandmother, [redacted]

From: [redacted]
Sent: Thursday, May 5, 2016 13:35
To: Kathryn Podrebarac
Subject: Questions regarding the administration of the Settlement Agreement.

My name is [redacted] and my brother [redacted] passed away Oct. [redacted] from Hepatitis C which he contacted from a blood transfusion he received with tainted blood in 1986 during a triple bypass operation. My brother was still a young man in his early [redacted] and had to spend the rest of his life under a death sentence. Along with this was the constant fear of perhaps infecting his family or friends with this deadly disease.

During the period between 1986 and 1990 more than 30,000 Canadians were infected with Hepatitis C and HIV from this tainted blood, most of which could have been prevented. In 1997 the Krever Commission exposed gross mismanagement of the blood system and the people who ran it. Blood from paid US donor clinics with blood being collected from skid row and prisons was used in transfusions given to Canadians. No names of any of the people responsible for this were ever made public. Do you think you or I would have ever received such consideration?

We lost our father from accidental drowning when my sister and I were 3 and 4 and although [redacted] was only a couple years older, he was much more than just our big brother. He was our protector and male role model, and we loved him dearly. There are many thousands of stories of other victims like our brother infected with this tainted blood. The Krever Commission fought for these people and finally received compensation. Now the government wants to take this money that so many people died terrible deaths for, and pay down the National Deficit. This is beyond belief!!! It would take far too long to detail the governments mismanagement of our taxes which has incurred such a huge amount of this deficit. I would suggest the government clean it's house and leave these funds with the families and people who paid such a high price.

I could go into detail of how we watched a proud man , over a few months, lose his ability to control all his body functions, even his ability to feed himself, but this is about the funds designated for these victims and their families. Finding a cost efficient cure could be one thing to think about.

[redacted]

RECEIVED
MAY 0 6 2016

April 2016

Attention:

Ms. Kathryn Podrebarac

Podrebarac Barristers Professional Corporation

Suite 701, 151 Bloor Street West

Toronto, Ontario

M5S 1S4

Dear Madame:

My name is [redacted] and I am an approved claimant in the Hepatitis C 8690 class action settlement.

In October 2015 I completed a HCV Drug Therapy using Harvoni which is a combination of Ledipesiur and Solfbosuvir. In anticipation of completing the program I contacted the Administrator via email requesting the appropriate form to claim compensation under 4.05 of the settlement.

The administrator relied stating that only treatment including Interferon or Ribavirin qualified for compensation. Further to this we had a telephone conversation at which time she advised that the administrator could not alter the section 4.05 to include any other treatments and suggested I contact the Joint Committee members in my Province (Ontario).

"Compensable HCV therapy" means interferon or ribavirin used alone or in a combination, or any "other treatment" " that has a propensity to cause adverse side effects and that has been approved by the courts for compensation"

Havoni was my fourth HCC Drug Therapy treatment and unfortunately it also failed. While I can only speak for myself I can advise that I ;most certainly suffered from adverse side effects. I had numerous long lasting headaches and was forced to avoid bright lights which essentially meant I spent most of the summer and fall indoors (treatment was for 6 months due to the fact the previous three treatments had failed). I also suffered from fatigue both mentally and physically and had to take frequent naps. When you look at the reason given for this compensation it is as much for the families as it is for the class member. My family simply had lost the services of their spouse and father for six months. There is a mental side to doing a HCV treatment that is not often addressed and I also felt frequently stressed and unmotivated.

As I stated earlier this was my fourth failed treatment. Although compensations of $1,000.00 a month might not be alot of money, considering I am on a CCP disability pension, this money would go a long ways to compensate my family for their support and patience.

When we look ahead at the June meetings to discuss the surplus I believe it exemplifies that need to adjust this section to include other treatment. Harvoni has a 98% success rate and will undoubtedly contribute to a further surplus in the future. Out of 500 patients my doctor told me that 498 were cured and would most likely not be coming back for future treatment. This position of a further surplus is being argued by the Federal side in their argument to access the surplus. In my opinion all the monies in the fund including the surplus belongs to the class members they were allocated for The effects that HCV has had on myself and my family since I was first diagnosed in 2001 had been both physically and mentally severe.

When the settlement was reached I am certain it was the intention of the courts that class members should be the priority and returning "our" money to the Federal Government would not satisfy the courts intentions.

Looking again at 4.05 I believe it was written in such a manner to allow for progress and it already allows for including other treatments and I ask you Madam to take the actions to do just that.

I look forward to your reply and input

Thank you in advance

Sincerely,

[redacted]

From: [redacted]
To: Kathryn Podrebarac
Subject: Questions regarding the administration of the Settlement Agreement
Date: Tuesday, May 10, 2016 14:32:45

Dear Kathryn Podrebarac,

I received your email address from my sister [redacted], who sent you an email on May 5th regarding the administration of the settlement agreement. I thought I would pass on my comments, in hopes that it may help persuade the government to do the right thing and use the funds for it intended purpose to help the compensate those affected by the tainted blood and their families. I hope you will read my letter below.

To whom it may concern:

My name is [redacted] and my brother [redacted] passed away [redacted] from Hepatitis C which he contracted from a blood transfusions when he had a triple by-pass. I am writing to share my experience watching my brother suffer and die from tainted blood and to express my concerns regarding the Hepatitis C Trust Fund surplus.

My brother, [redacted] was in line for a liver transplant, but unfortunately this was denied. The reasoning behind this was because his heart supposedly was not strong enough to survive the operation. This appeared not to be the case, as his heart was fine until his death. I cannot help but feel, the quality of my brother's life and his family's life would have been greatly improved if he had received the liver transplant that he deserved. As my brother's decline in health progressed he lost all of his body functions in short period of time. This was very difficult on his family, and on my family. To watch a very active man, someone who traveled and was active in camping, fishing, organizing events at the campground where he spent most of his summer, to become so dependent upon others, to not be able to feed, or look after himself is a very difficult thing to do. This is not something I would wish upon anyone! The last time I was able to see my brother he was lying in a hospital bed, dying a slow painful death. I watched his wife, his son, his daughter and grandchildren suffer while [redacted] died. I watched my mother suffer and worry every day about [redacted]. Wondering and waiting to see if he would be able to call her, as he called every day. When he passed, she was devastated, I was not sure she at the age of 90 would survive. She did and she was fortunate enough to have a message left on her phone from him. She saved this message and continues to find some comfort listening to his voice from time to time.

I have heard recently that the Federal government is considering taking the extra funds that were set aside to help people suffering and to compensate the families of those who suffered, and use the funds to lower the national debt. I feel that an attempt by the federal government to claw back or reallocate the surplus in this manner or any manner is a heartless cash grab and an insult compounding Canada's worst public health disaster. I have read, it is estimated that Twenty Thousand people in Canada were infected with hepatitis C after receiving tainted blood transfusions many of those infections were due to bureaucratic bungling and foot-dragging, and the failure to take the threat of contaminated blood seriously. Monies that were set aside to compensate people affected and their families should not be shifted around. The compensation programs allows people to live their lives with some dignity. It was set up to meet the needs of infected people and their families.

I do not know why [redacted] was not given a liver transplant, with a transplant there was a chance, a chance he was willing to try, without the transplant there was no chance. It is my belief that the government is responsible for him receiving the tainted blood that killed him. I believe the government is responsible, and in essence they allowed my brother to die. It seems to me this was done in order to save money and nothing was done to try and rectify this. [redacted] life was worth more than money could buy, it was worth saving. He was my brother, but he also was a son, husband, father, grandfather and good friend. He was a good man and can never be replaced. There are a lot of people who have gone through what my family has gone through. I am sure most family members feel as I do. There is no amount of money that can ever be enough but I feel that this money belongs to all the people who suffered, and, because there are probably few still living, this money belongs to all their surviving family members.

[redacted]

From: [redacted]
Sent: Thursday, May 12, 2016 9:04
To: Kathryn Podrebarac
Subject: FW: Questions regarding the administration of the Settlement Agreement

[redacted]

From [redacted]
To: info@hepc8690.ca
Subject: Questions regarding the administration of the Settlement Agreement
Date: Tue, 10 May 2016 21:50:21 -0200

May 10, 2016

To whom it may concern:

My name is [redacted] and I am writing in regards to my son [redacted] He had heart surgery in 1986 and was given a blood transfusion with tainted blood. (in other words the gift of death!) This caused him to have Hepatitis C. This changed his life from being a healthy young man to become sicker and sicker as the years went by. My son suffered so much before he finally passed away. I had to watch my son suffer and there was nothing I could do to help him. This was incredibly difficult to do. [redacted] was always such a good son and I depended on for so many things. At 93 I did not expect to out live my son.

I am writing in regards to the surplus of the trust fund. I've heard the government wants to take this money to pay on the National Debt. Really! Does this sound fair?? Was it not the government that caused all this suffering to thousand of innocent people by refusing to test this blood? I don't think one cent of this money should go to pay on the National Debt. That will not help the ones who still have and suffer with Hepatitis C. That was what this money was for. I have heard that they have found a cure for Hepatitis C. I have also heard that the cost for this is so expensive that very few people will be able to afford it. I think that some of the surplus should go towards working on the cure and making it more affordable. The balance of the funds should go to those who continue to suffer and to the families that had to watch their love one suffer and bury them.

Thank you for taking the time to read my letter and allowing me to express my opinion.

[redacted]

RECEIVED
MAY 1 1 2016

To Whom It May Concern:

I am writing to let you know that the Plan falls short for Spouses. Like me alot of women were totally dependent on our husbands, especially older ones like me. If a person was working the spouse gets 70% of their income. That is not the case with all of us. I Think more should have been done for Spouses

Sincerely. [redacted]

[redacted]

From: [redacted]
Sent: Thursday, May 12, 2016 14:36
To: Kathryn Podrebarac; hts@strosbergco.com
Cc: [redacted]
Subject: Questions regarding the administration of the Settlement Agreement
Attachments: My letter to the Hep C.docx

Dear Kathryn Podrebarac and Harvey Strosberg,

I am forwarding you a copy of a letter (attached) typed by sister, [redacted] She has asked me to forward it on to the correct people, who will be presenting the administration of the settlement agreement to the Court in June. We both hope these letters will help persuade the government to use the funds as intended, to help those affected by the tainted blood and their families.

Thank you for reading our letters. If you have any problems opening the attached file, please let me or Jacqueline know.

Kindest regards,

[redacted]

May 11, 2016

[redacted]

To whom it may concern,

My name is [redacted]. On [redacted] my brother [redacted] after suffering for many years passed away from Hepatitis C; in which he contacted from a blood transfusion that he received when he had a triple by-pass many years earlier.

This was the worst thing that our family had to endure; watching him die a slow and extremely painful death. I watched my brother go from a young healthy outgoing man to a person who could not even feed himself; he lost all his bodily functions in just a short period of time.

I remember the last time I saw him alive. My sisters, Mom and I flew up to see him, after a week I had to return home and it broke my heart to have to leave knowing very well that the next time I would see him it would be at his funeral. I remember that I just wanted to hug him so tight and not let go but I could not, as it hurt him to much. I did not want to take my eyes off him; I did not want to take a chance that I might forget what he looked like. It took all my strength to get back on that airplane.

My mother who was in her 90s (now 93) had to do the same, she had to kiss her loving, living son good bye, knowing also that the next time she would see him it would be at his funeral. That is so wrong in so many ways....a Mother should never have to bury her son. My mother talked to [redacted] every single night on the phone, sometimes he was too weak to talk, so my mother would do all the talking, trying to comfort him, making sure that he knew how much we all loved him. At other times she had to listen to him just cry and he would tell her that he just wanted it to be over.....this went on for months. I don't know how she ever survived it.

My brother was poisoned to death! A slow and painful death sentence! He and thousands of others are victims. He was given blood that was tainted with Hepatitis C that the Government knew about. It is the fault of the Government that he received that contaminated blood, there for they killed my brother and so many others.

I am writing in regards to the surplus that is in the Hepatitis C Trust Fund. The Government, which was responsible for the death of my brother, now wants to take this money that was set up for the victims and their families and put it towards the National Debt. How is that going to help the victims and their families that are still suffering? IT WON'T!

I know that money will not bring back my brother and all the other Brothers, Sisters, Moms, and Dads, that have died over the years from this horrid disease. They can never be replaced. I do believe that the Trust Fund does belong to those infected and their families.

I cannot believe that our Prime Minister; Prime Minister Trudeau wants to take that money that so many innocent people died such a terrible death for and use it for anything other than what it was meant for.

I ask you to please do not let this happen.

Sincerely,

[redacted]

[redacted]

Friday 13, 2016

Kathryn Podrebarac
Suite 701, 151 Bloor St. West
Toronto, Ontario M5S 1S4

RECEIVED
MAY 20 2016

To whom it may concern:

This letter is in reference to a letter I received regarding my sister [redacted] [redacted] death in [redacted] in [redacted] from receiving tainted blood from the Red Cross. She died a painful death and this was traumatizing to watch for our whole family. We are still struggling to deal with the way she passed away.

I personally feel that the $6000.00 I received as her surviving sibling was not fair. Here is a list of all my siblings who suffered from watching our sister die.

Brother [redacted] Sister
[redacted]

In my opinion the 286 million surplus should be divided for all who died from tainted blood.

[redacted]

[redacted] [redacted]

2814

RECEIVED
JUN 13 2016

1

June 9th 2016

TO The Hepatitus C Classaction Settlement
& Justice Winkler
C/O The Administrator :-

Dear Sir;

This letter is in reply to your request for my input as to the surplus allocated by the Courts to meet the claims of Class Members and Family Class Members affected by the Hepatitus C Virous. My dear wife received contaminated blood on or about [redacted] and died on [redacted]

I had entered a claim for loss of services in the house, that was approved by the courts on or about [redacted]

On or about [redacted] payments to me were stalled, account, as you have attested, that my dear wife had reached her life expectancy date. No one can know when someone is going to die, [redacted] dear wife had a sister [redacted] who lived till she was [redacted] of age, so the family had a, history of a long life span in [redacted] [redacted] was only [redacted] years old when she died. to page 2

As you state, ~~Their~~ there is a review every three (3) years to meet Family members and Family Class Members as to their Claims for Compensation.
This agreement was to remain in effect until the courts have declared that this agreement be terminated, and our (my) circumstances have changed.

Well, I am still without services in the home, I am now 84 years old, my homemaker has left in Mar. 2012 as I was unable to retain her services, account you have stoped payment to me ~~as for~~ on the agreement approved by the courts.
I have used all the money I received from you to pay for these services. I paid 12000.00 per year for this homemaker. She was a very capable person, well accepted.
I now request that you re-instate the payments from the date they were stalled, with interest at the provincial rate not compounded, but yearly.

To page 3

I would appreciate that the surplus would also be sufficient, to help other Class Family Members.

[redacted] My son [redacted] had contacted Spondylitis Ankylosis, a condition that made him very fragile. Dear [redacted] died from a fall in his home and died from a broken neck. This dear girl has severe medical problems, she lives alone. Her son [redacted] Visits her daily and helps her in all ways possible. As [redacted] died on [redacted], I expect that he has only over a year in compensation available from the Hepatitis C compensation Plan. But however the amount [redacted] could sure use this amount: Probably around [redacted]

I would be pleased if you contact her at her home. [redacted] [redacted], that's what I call her is not well, so please consider this when you call

[redacted]

Ms Kathryn Podrebarac
Suite 701, 151 Bloor St West.
Toronto Ontario M5S 1S4

ph- 416-348-7502
Fax 416-348-7505

Thanking you for
your consideration

[redacted]

Photo(s) submitted
but not included
for privacy reasons

[redacted]

RECEIVED
JUN 1 3 2016

I am writing this letter to let the Joint Committee know how I feel about the surplus funds in the Hepatitis C Settlement Fund. Of course these funds should be dispersed among all the families who lost a family member due to receiving tainted blood from 1986-1990.

I lost my [redacted] At that time I was [redacted] and didn't understand how she could have received tainted blood. This year I am [redacted] and still don't understand how this was allowed to happen. I thought Canadian Blood Services was smart enough to know they should be screening blood donations, not just for Hep C, but for any other diseases that can be transmitted through blood donations and thus transfusions. This is pure and simple negligence on the part of Canadian Blood Services and we the surviving family members should receive compensation.

No amount of money will make up for the loss of my gramma, but I want you to know the impact her death has had on me. She was not at my high school graduation nor my graduation from university. She will not be here to see any other successes I will have in the future. She will not see me get married nor will she ever see my children, and that will be a huge loss. When gramma was still alive my family went to [redacted] every Sunday for gramma's [redacted]. I sure miss those! I miss the family vacations that gramma always organized as it was a time when EVERYONE got together. Family gettogethers are just not the same without her laughter, smiling face, hugs, kisses and praises. She was a stickler for good manners and etiquette but got away with it because she was gramma and we children listened to her. She always gave us good advice, whether solicited or not and I miss that.

Gramma was taken from us way too soon. She did not die as a result of something she did, but rather from something not done - that being the fact Canadian Blood Services did not screen blood between 1986-1990. The negligence of Canadian Blood Services caused her death and I feel I as well as all other families who lost someone during the Hep C fiasco should be duly compensated.

Just out of curiosity, was anyone actually held accountable for this devastating fiasco? I sure hope so. I am sure the person responsible for this did not lose a family member due to Hep C.

Justice needs to be done.

[redacted]

[redacted]

RECEIVED
JUN 13 2016

This submission is in response to the Joint Committee regarding the 1986-1990 Hepatitis C Settlement Agreement.

Although no amount of money will make the loss of my mom, [redacted] any easier, I feel the surplus funds should be divided among the families who lost a loved one due to the negligence of The Canadian Blood Services by not screening for Hepatitis C. Afterall, it is a "disease" that has been around for a number of years and should have been screened for. Canadian Blood Services should have been pro-active and by not doing so were negligent and therefore, responsible for my mom's death.

The loss of [redacted] my mom, not only affected me but my entire family - [redacted]

Mom was diagnosed with a rare form of leukemia in the mid 80's but managed to beat it - that is until the day the letter arrived to say she needed to get her blood tested as there was a possibility she had received tainted blood during one of her transfusions. This prognosis was compounded when the results came back positive for Hepatitis C. Our hearts were broken knowing what the outcome would be.

Mom was a vibrant, fun loving lady, the organizer, the event planner, the matriarch of this family, the glue that held the family together. Every Sunday I would take my wife and children to [redacted] for mom's Sunday dinner of [redacted] This was a ritual we all looked forward to. We did family vacations that included everyone, not just some of the family, as well as Christmas, Easter, birthdays, anniversaries and anything else worth celebrating.

Once mom passed away everything changed. My children were [redacted] [redacted] at the time. Mom didn't get to see them graduate from high school, my son from university, or my daughter [redacted] [redacted] When the children get married they will not have their Gramma there to gush how wonderful they are and how proud she is of their accomplishments. They will not have the opportunity to make her a great-gramma as she will not be here to see our children's children.

We all have lost the person we went to when we needed advice, no matter what the issue.

The world lost a shining star on [redacted] and words will never be able to communicate the effect of this loss, the heartache, the bitterness or the hurt. We lost mom not because of something she had done but because of negligence by Canadian Blood Services, and for this we should be compensated. I would also question whether people lost their jobs over this negligence, how/why was this ever allowed to happen in the first place, and was anyone found/held accountable? I doubt we will ever get answers to these questions.

Not a day goes by that I don't think of my mom, pick up the phone to call her before realizing she will never again be here to answer. Every Mother's Day, Birthday, Easter and Christmas I make the trip to visit her resting place and put her favourite flowers on her grave and let her know how much I miss her! Life is not the same without mom.

[redacted]

THE ATTACHED IS EXHIBIT "D" TO THE

AFFIDAVIT OF SHELLEY WOODRICH AFFIRMED

BEFORE ME THIS 16TH DAY OF JUNE, 2016

COMMISSIONER FOR TAKING AFFIDAVITS

4

[redacted]

Centre des réclamations relatives à l'hépatite C
B.P. 2370, Station D
Ottawa (Ontario) K1P 5W5
Canada

Attention : Mme Pat Beeckey

Sujet : Réclamation après 65 ans
Retraite des Enseignants

Je m'adresse à vous puisque vous aviez déjà pris connaissance de mon dossier lors de ma réclamation.

Aujourd'hui je vous écris pour vous faire part de mon inquiétude concernant le montant attribué après 65 ans. Ce montant de $17, 096.64 additionné à mes rentes de $564.987 et $383.53 par mois me donne un revenu de $28,380.80 (un manque à gagner de plus de $43,000.00 depuis deux ans) ce qui est nettement insuffisant pour rester dans ma maison. J'avais cru comprendre que l'indemnisation à laquelle j'avais droit après mes 65 ans me donnerait un revenu équivalent à ce que je recevais, c'est à dire cinquante mille dollars net par année.

Si je n'avais pas été contaminée, j'aurais pu enseigner jusqu'à l'âge de la retraite, m'assurer ainsi d'un revenu convenable qui m'aurait procuré une sécurité financière. Aujourd'hui, je n'ai pas cette quiétude d'esprit, cette situation est très angoissante. Il y a de cela plusieurs mois maintenant que je pense à vous écrire cette lettre en pensant que des changements pourraient être apportés.

Récemment j'ai pris connaissance du document adressé à la Cour Supérieure référence Recours Collectifs, sous la mention des sources et recommandations pour l'attribution des actifs excédentaires j'y ai fait la lecture des problèmes concernant l'obligation d'opter entre perte de revenu/perte de services, la perte de régime de retraite et la fin de l'indemnisation pour perte de revenu à 65 ans. Je garde espoir pour que de nouvelles dispositions soient prises afin d'améliorer ma situation.

Sincèrement vôtre,

[redacted]

att.

Beauceville, le 30 avril 2016

M. Michel Savonitto
Savonitto & ass. Inc.
468, rue St-Jean, suite 400
Montréal, H2Y 2S1

Objet : Ma recommandation concernant la disposition de l'excédent des fonds pour la Convention de règlement relatif à l'Hépatite C 1986-1990

Bonjour M. Savonitto,

La présente est pour vous signifier mon appui au comité conjoint à l'effet que l'excédent soit distribué aux membres des recours et aux membres de la famille et ce, en totalité. De plus, en ce qui a trait à l'indemnisation, le concept de famille devrait être élargi de manière à inclure les frères et sœurs des individus touchés.

Je suis la sœur de [redacted] qui est décédé le 21 avril 2006 des complications de l'hépatite C. Je me suis beaucoup impliquée auprès de lui. Lorsqu'il a été orienté en CHSLD durant ces deux dernières années de vie, je le visitais en moyenne deux fois par semaine, les mercredis et les samedis, à raison de 2 à 3 heures par visite, dans le souci de lui apporter du support tout en tentant de lui rendre la vie plus agréable à travers l'épreuve. D'être ainsi présente auprès de mon frère était important pour moi, car le lien entre nous a toujours été très significatif. J'étais également consciente que son épouse et leur fille unique ne pouvaient à elles seules lui apporter tout le support dont il avait besoin. Pour ce qui est du reste de la famille, plusieurs membres étant décédés ou avaient des ennuis de santé, cela limitait le réseau de soutien.

La maladie de mon frère m'a beaucoup affectée. J'ai toujours eu du mal à accepter le fait que cette maladie aurait pu être évitée et que la vie de [redacted] aurait pu évoluer d'une toute autre façon. Je réalise qu'il est beaucoup plus difficile d'accepter la mort d'un proche dans de telles circonstances, que s'il était décédé d'une cause naturelle.

Bien que je sois consciente qu'un dédommagement financier ne me ramènera jamais mon frère et que cela ne corrigera pas non plus le préjudice causé, cela serait toutefois apprécié.

Recevez en terminant, mes sincères salutations.

[redacted]

12

[redacted]

12 mai 2016

Règlement relatif à l'hépatite C 1986-1990

Demande de la succession de [redacted]

Madame, Monsieur

Moi [redacted] je vous donne mes commentaires concernant mon beau frère [redacted]

Mon mari [redacted] était très près de son unique frère qu'il côtoyait à toutes les semaines Nous discutions souvent autour de la table pendant de copieux repas Il était de bon aloi, son aide et ses conseils étaient très appréciés Ce fut donc un choc quand il nous a appris qu'il avait un diagnostic d'Hépatite C. Mon mari et moi étions profondément peinés de cette nouvelle [redacted] avait perdu sa joie de vivre, sa spontanéité et son sens de l'humour en apprenant qu'il avait l'Hépatite C.

Par la suite son état de santé précaire, notamment occasionné par son hépatite C, a necessité son hospitalisation permanente dans le CHSLD de [redacted] Suite à ce déménagement nous rendions visite à mon beau frère 2 fois par semaines et allions parfois le reconduire à ses examens médicaux lorsque cela l'exigeait Pendant ces visites nous tentions de le réconforter et le divertir, mais cela était très difficile à faire puisque nous reconnaissions de moins en moins [redacted] dû à sa maladie qui s'aggravait.

[redacted] avait perdu son enthousiasme, son autonomie ainsi que sa joie de vivre qui l'avaient habité toute sa vie et fait de lui l'homme que nous aimions tant. Nous regrettions énormément de le voir dans un état si malade et démunie

Ainsi, pour la perte de jouissance de la relation privilégiée que nous avions avec mon beau frère [redacted] et la perte de qualité de vie en découlant pour nous nous vous demandons de réviser la compensation attribuée à notre famille en 2006.

Dans l'attente d'une réponse favorable veuillez agréer Madame Monsieur,mes salutations distinguées.

[redacted]

13

2016-05-26

Re.: Convention du Règlement relatif a l'hépatite C 1986-1990

[redacted]

Bonjour M. Dagenais,

Faisant suite a une communication écrite reçue le 31 juillet 2015 et a notre conversation suite a cette correspondance, nous avons été informé que nous devions fournir une communication écrite donnant notre opinion concernant la distribution du fonds en fiducie pour les membres de la famille face au Règlement relatif a l'hépatite C 1986-1990.

Nous sommes d'avis que cet argent devrait être répartie entre les membres du groupe ainsi que les membres de leurs familles.

Si vous avez besoin de la liste des membres de la famille, n'hésitez surtout pas a le demander.

Veuillez agréer, M. Dagenais, l'expression de nos salutations les meilleurs.

[redacted]

14

Arnaud Sauve Dagenais

De: Martine Trudeau
Envoyé: 31 mai 2016 14:29
À: Arnaud Sauve Dagenais
Objet: TR: VHC

Importance: Haute

[redacted]
Envoyé : 23 mai 2016 14:11
À : Martine Trudeau
Objet : VHC

A qui de
droit,

J ai été contaminé par mon conjoint de l`époque [redacted] qui lui le fut en 1986 lors de transfusion . A ce jours j ai fais le traitement Harvoni sans succes et je suis en attente de prochain examen dans le but de faire un autre traitement. Nul besoin de vous dire que ce n est pas de tout repos, j aurais bientot 57 ans , et une qualité de vie plutot ennuyante a cause de ce foutu virus recu a cause d erreur médicale , j ose croire que justice sera rendue de facon juste et équitable envers les victimes du recours. Bien a vous

[redacted]

,

[redacted]

1986-1990 Hepatitis C Settlement Agreement

This is my story

My name is [redacted] and I have been a Kidney dialysis patient at a young age. During my treatments I would receive many blood transfusions. It was only later that I found out from my doctor that I had Hepatitis B and C due to one of the blood transfusions that I had received.

Since then I had to start taking medication and I am still taking medication until this day for the Hepatitis. I was compensation about $10,000.00 from the class action settlement but it does not even start to pay for all the physical and mental strain it has caused me and is still causing me. Can you image that I always had to protect myself every time I wanted to be intimate with a woman. I had to tell the person I wanted to be intimate with that I had Hepatitis and I was never sure how that person would feel and if she would want to continue to be with me. I am still not working and receiving a small amount of money from the Social Welfare and disability. I never felt that I would be able to support being married and with children. I have been living with my parents until they passed away.

My father passed away in 1996 and my mother passed away in January of 2009. My parent's house now belongs to my sister, brother and I. I am lucky enough that my sister and brother agreed for me to keep living in this house. Otherwise I would not be able to afford to buy or rent an apartment because of my low income.

It was only after my mother passed away that I felt a little more comfortable and married a woman that I had been seeing since February of 2008. She is a little older than me and is retired from Panama. My wife had thyroid cancer and is doing much better but she still has regular checkups to make sure that she is fine. The hepatitis situation has not been easy on us both. We are afraid to be intimate and it is affecting us because we can't lead a normal, worry free intimate life.

Now I ask you, how can $10,00.00 compensate for all the years that have passed and the years to come???

Kind regards,

[redacted]

EXTRACTS OF WRITTEN SUBMISSIONS FROM CLASS MEMBERS AND FAMILY CLASS MEMBERS
(FUND SUFFICIENCY 2013 - ALLOCATION APPLICATIONS)

1. Extracts of a small portion of the submissions made by class members and family class members that informed and support the Joint Committee's recommendations are set out below.

Late claims

2. An infected mother described how she did not learn of the Settlement Agreement until she was at a Hep C clinic:

> I discovered that I had Hepatitis C when my family doctor referred me to a liver specialist, Dr. Florence Wong in Toronto in 2003. I saw her again in 2004 and we discussed the possibility of treatment. Treatment was not an option at that time because of my family circumstances. I was the mother of a three year old child who required my day to day attention. I could not be incapacitated for a year of treatment that would make me very sick and unable to care for him. Since, I live on an Ontario Disability Pension, travel to and from Toronto was difficult and my family doctor became my main contact during the following years. I was never informed that I was eligible for any financial compensation so I also didn't know about a June 30, 2010 deadline. I was just struggling to stay alive and live one day at a time. I know I didn't appreciate just how sick I was and how much sicker I would become. To date I have not received any financial compensation from any source. (…)
>
> My condition worsened and in 2011, I was referred to a new Hep C Clinic for an assessment. It was around this time that I learned that people who had been infected via blood transfusion might be eligible for financial compensation from the government.[3]

3. A hemophiliac class member supporting this recommendation wrote:

> (…) I offer the following suggestions:
>
> allow late but eligible applicants acceptance into the Fund. A number of people were infected with tainted blood in the 86-90 time frame but were ruled out due to an application deadline of June 30, 2010. All persons (who meet the criteria for acceptance) should be included regardless of deadlines.[4]

4. Amongst his suggestions, one family member wrote as follows:

> 2) De façon générale, nous croyons que l'excédent doit être entièrement redistribué aux membres. Les cas de réclamations tardives ou de manque d'information au moment où les réclamations sont effectuées devraient être

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[3] Affidavit of Heather Rumble Peterson #9 made November 22, 2013, Exhibit B, JR Vol.18, Tab 39B, p.6626

[4] Dagenais Affidavit #1, Exhibit ASD-2, JR Vol. 4, Tab 17, p. 1741

> traitées en premier, lorsqu'il est possible de retrouver les informations pertinentes.[5]

5. An infected hemophiliac wrote:

> Allow late applicants to enter the fund. The surplus removes the argument that the fund may not be sufficient to sustain the needs of the class.[6]

Fixed Payments for non-pecuniary losses

6. A class member described the inadequacy of the compensation received to date and the effects of HCV on their life:

> Briefly put, the little financial compensation I've received over the last two and a half decades of having this disease has not helped with improving my quality of life. I am certain that everyone else in my position would agree. I would ask the court representatives that will be deciding on how to administer the surplus amount the following: "What amount of money which you accept as compensation in return for living with hepatitis C for the next 25 years?"--and have them consider some of the life altering changes that would be required of them:
>
> - The uncertainty of whether you will live another few months, or few years. Not knowing if you will see her children grow and succeed, or have their own children is a stress that we live with all of the time.
>
> - Constantly needing to see specialists not getting clear indication of the state of your liver, and needing to inconvenience family and friends to transport you to appointments.
>
> - Lifestyle changes to diet, and exercise. I must walk for several hours a week to stay fit, and keep from eating unhealthy meals in order to avoid getting fatty liver, which would be a death sentence. Additionally, it gets more difficult to keep up with exercising as I'm older now. I have been unable to enjoy a glass of wine or any form of alcohol for over 25 years now.
>
> - I always live in fear of accidentally infecting my loved ones with the disease, when preparing meals, etc. If I get a scratch or cut myself, I feel I need to avoid contact with anyone until the wound has healed.

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[5] Dagenais Affidavit #1, Exhibit ASD-2, JR Vol. 4, Tab 17, p. 1808

[6] Affidavit #1 of Alan Melamud sworn sworn October 15, 2015 [**Melamud Affidavit**], Exhibit A, JR Vol 3, Tab 15, p. 817

> - Even with the advancements in medicine and treatments, there is no evidence of how many years of our lives have been taken from us by this disease.
>
> -Above all else, the points listed above leave you emotionally and physically exhausted at all times.[7]

7. A class member who was infected at birth wrote about a life time with HCV:

> I first discovered that I had Hep C when I was 7 years old. I learned that I contracted Hep C through a blood transfusion at birth and have had Hepatitis my entire life. I can remember crying as I ran home from school one day in grade 5, because a Hepatitis vaccination nurse showed the class an educational video that used a cartoon monster to represent Hep B, and an uglier monster to represent Hep C. That monster depiction was how I understood the virus that I had as a 10-year old, and the thought manifested as a great burden of fear in me. My anxiety over the matter persisted throughout my youth.[8]

8. A widow of a class member infected with HCV by a transfusion shared the following:

> My husband Y was infected with Hepatitis C by one bag of tainted blood transfused at the Anna Laberge Hospital, Châteauguay Quebec on August of 1989. From the age of 50 until his death at 65 (April 18, 2014), he suffered greatly as a result of this one bag of tainted, untested blood. Y underwent two extreme treatments. The first with Interferon, and then the second 5 years later, Interferon coupled with Ribavirin, which proved futile both times. Later we discovered that he had unfortunately acquired the most virulent form of the virus. The last two years of Y life involved a continual round of doctors appointments, tests, increased medications, medical procedures, hospitals stays, decreased liver function and ongoing suffering and agony. (…)
>
> My recommendation is for more money to be given at each level of the disease.[9]

9. A single mother described how she contracted HCV during cancer treatment when she was a child and was only diagnosed years later, after the birth of her second child.:

> My little family started to suffer the more symptomatic I became… My girls struggled as I got sicker and less able to run after them. They got older and more stressed the sicker I became. (…)
>
> Last winter, I almost bled out and died of liver failure and it was too much for my girls to endure. They both moved out with in 6 months of each other. (…)

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[7] Melamud Affidavit, Exhibit A, JR Vol 3, Tab 15, p. 925

[8] Mogerman Affidavit #1, Exhibit A, JR Vol 2, Tab 14, pp. 148-150 (148)569, 575, 580-581

[9] Dagenais Affidavit #1, Exhibit ASD-2, JR Vol. 4, Tab 17, p. 1599.

> The Hep C has damaged the relationships with my daughters and any potential for a companion for myself. The damage done to me and my family, no financial compensation is great enough to repair what I have lost in this battle w/ Hep C. It has cost me self esteem, relationships, health to be more than I am now! It has damaged not only my physical body, but my heart, mind and spirit. It has rooted me into 17 years of isolation, and fear of my blood![10]

10. The widow of a man who developed non-Hodgkin's lymphoma wrote about what he went through over 11 years from his diagnosis to his passing:

> Within a very short period of time [after diagnosis and treatment with Interferon and Ribavirin] he fell quite ill, and was very lethargic.
>
> I can no longer remember the length of time that all of the different symptoms and effects went on for. He was terminal for months and in palliative care. Eventually, he went into remission and his health improved somewhat.
>
> In the years to follow we had to deal with his constant pain, mainly in his feet and legs, and after effect from chemo. He became dependant on prescription pain medication: Demerol, Fentanyl patches, oxycodone … to name a few. (…) He had overdosed a few times and also broke bones from falls and brittle bones due to the medication.
>
> [HCV Infected Person] passed away June 30, 2007 after a month on life support at Royal Columbian's ICU. I was a widow at 42"[11]

11. A co-infected hemophiliac recommended enhanced compensation based on disease level:

> I believe that the surplus of funds should be paid out as an enhanced compensation payout based on the level of disease that the in affected individual was diagnosed.
>
> This is been an incredible hard thing to go through. Fatigue, joint pain and appointment after appointment. Worrying about transmitting it to my family and friends. Victims are subjected to undue hardship's and always worrying about cancers which are associated with hep C infection.
>
> I was diagnosed at level V and diagnosed with cirrhosis. I am a co-infected hemophiliac which has gone through a tremendous amount of pain both physically and mentally. My ability to have an enjoyable prosperous career was taken away. My physician put me on disability because of my illness. I am unable to get insurance because of my diagnosis.

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[10] Mogerman Affidavit #1, Exhibit A, JR Vol 2, Tab 14, pp. 569, 575, 580-581.

[11] Mogerman Affidavit #1, Exhibit A,, JR Vol 2, Tab 14, pp. 558-559.

> This money was intended for members and their families and should remain that way. The only people who should get the surplus as a class members and their families and enhanced compensation would be the way to do it.[12]

12. An infected hemophiliac describes how his hepatitis C infection contributed to his marriage ending:

> One of the ways the illness affected me was my lack of sexual desire. Due to Hep C, my sexual desire dropped off precipitously. This had consequences within my marriage. My wife and I had a healthy sex life until I got sick. We were unable to continue this. This was a disappointment for both of us. Also, she became terrified that she might contract my disease herself.
>
> Eventually with my being sick all the time, unable to earn income and unable to participate well in my marriage, my wife ended our marriage. I feel that this would never have happened if it were not for contracting Hep C.
>
> Another way the Hep C impacted my life was the stigma. It is always in the back of one's mind, especially after my marriage ended and I wanted to be with other women. It made getting into a relationship very difficult. Who wants a new partner with Hep C?[13]

13. A class member described the toll of their infection as follows:

> After diagnosis I lived with the knowledge that I was going to die, every day waking up wondering if this was my last day. Every time I took ill, I worried "this is it". This most certainly takes a toll after a while. Trying to raise a family as your health deteriorates and you've lost your career you worked so hard to attain, also takes a toll, not just on me but on my immediate and extended family as well.
>
> My health declined to the point that I started treatment for hep C. 6 weeks into the program I had to cease treatment as the side effects were both debilitating and life-threatening, some of the side effects I experienced were never heard of before. Again this takes a tremendous toll on myself and my family, some of which you never really get over. I may no longer have the virus my body but I will always have it in my head.[14]

Fixed payments - Family Members Payments

14. An infected class member described the effects of her infection on her family:

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[12] Melamud Affidavit, Exhibit A, JR Vol 3, Tab 15, p. 819
[13] Melamud Affidavit, Exhibit A, JR Vol 3, Tab 15, p. 903
[14] Melamud Affidavit, Exhibit A, JR Vol 3, Tab 15, p. 940

> During the crisis of a ‘septic attack’ a few years ago, (caused by an infection that my immune suppressed body couldn’t fight) laying on the Emergency Department gurney I whispered to my only child, “be strong, it’ll be okay and I love you”. I witnessed her tears rolling down her cheek with my loving husband at her side, both holding onto each other out of despair, in prayer and each with their own thoughts. I fell unconscious not knowing my outcome with the last lot thoughts of seeing them again. I spent nine days in the ICU just from that one complication and it took me nearly a year to get back on my feet. This is but ONE example of what my family has had to deal with. I’m the one who carries the hepatitis C virus but they all suffer along with me. There’s not no monetary amount large enough to repay them for their love, support, fear, worry… But as I endure this disease, this kill-joy, this hardship and not of my making, I strongly feel that my family and I should be recompensed as much as the courts and the law will allow.
>
> I ask that each Committee member, Barrister and Judge to put themselves in my shoes and think of their family members witnessing and feeling the pain and worry over 30 years of complications, surgeries and lack of a healthy life. Truly feel it, so they can feel empathy and understand an iota of what our lives have been like.[15]

15. The adult child who helped nurse her HCV infected father until the time of his death wrote about the payment made to children over the age of 21:

> This loss has left a great hole in all of our lives. I know that no amount can bring him back, or adequately compensate for his loss, but at the time, it almost seemed that the amount given was an insult, rather than a gesture of compensation.[16]

16. One adult child wrote concerning compensation for the death of her infected father at age 63:

> The cost of my father’s life? For his children $5,000 and his grandchildren $500. I think that was very unfair. There is no price on a life, no amount of money that can bring him back, but $5,000 and $500 respectively is a slap in the face. . . .”[17]

17. The adult daughter of one infected mother who died before 1999 denounces the significant discrepancies in the compensation for this group of class members but also specifies:

> Une compensation de 5 000$ pour soulager la perte d’une mère est un affront et inacceptable. Les assurances privées octroi 5 000$ pour un doigt amputé; moi et ma famille ont reçu un coup de poignard au coeur. Pour moi et ma famille cette compensation de pitance ne suffit pas pour alléger la douleur et la souffrance

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[15] Melamud Affidavit, Exhibit A, JR Vol 3,Tab 15, p. 815

[16] Mogerman Affidavit #1, Exhibit A, JR Vol. 2, Tab 14, p. 689.

[17] Woodrich Affidavit #1, Exhibit A, JR Vol. 4, Tab 16, p. 1490.

> d'avoir vu ma mère détériorée sous mes yeux tout en étant impuissante d'adoucir son supplice.
>
> Injustice: pourquoi est-ce que la cour a-t-elle choisi de donner 15 000$ aux enfants de moins de 21 ans et seulement 5 000$ pour ceux de plus de 21 ans. Le rôle d'une mère est souvent plus important aux 21 ans et plus qui commence à former une famille et ont besoin du soutien de leur mère durant et après la grossesse, la présence de leur mère à leur graduation, à leur mariage, à leur anniversaire, etc. J'ai perdu non seulement une mère mais une confidente, une conseillère et une amie intime.[18]

18. A nurse, mother of a co-infected haemophiliac child who died in 2013 at 36 described how their lives as parents were impacted by their child's HCV infection:

> Une cirrhose du foie s'est développée alors qu'il avait 20-21 ans. Sa vie était déjà très handicapée. Il a arrêté ses études en secondaire III et n'a jamais été capable de travailler. En 2003, le virus de la leuco encephalopathie multi-focale progressive (LMP) s'est développé dans son cerveau. Il vivait à Montréal et nous l'avons ramené à la maison (…). Il avait alors des pertes de mémoires, pertes d'équilibre, manque de coordination dans ses mouvements, devait marcher avec une marchette et être en fauteuil roulant pour de plus longues distances. (…)
>
> j'ai dû prendre un congé de maladie [de mon travail] de 10 mois car je n'avais plus d'énergie ni de moral. Suis retournée au travail par la suite à raison d'une journée par semaine et plus tard, 2 jours par semaine. Ai pris ma retraite à l'âge de 56 ans plus tôt que prévu car X n'était pas bien et nécessitait beaucoup de soins à la maison: gavages, médication, rendez-vous chez le médecin,.. la lourdeur de la tâche était devenue trop importante pour moi j'ai donc subi une énorme perte de salaire. Au lieu de prendre une retraite avec un revenu d'environ 65% de mon salaire, j'ai bénéficié d'à peu près 54% ce qui représente une perte approximative de 15 000$ par année pour un total de 150 000$.
>
> Mon mari, travailleur autonome à la maison en comptabilité a dû refuser plusieurs clients car il n'avait ni l'énergie, ni le moral pour entreprendre plus de travail. Il s'occupait beaucoup des soins de X et prenait la relève quand je m'absentais. Le manque à gagner représente la perte de plusieurs qui clients ce qui se chiffre à environ 20 000$ par année pour un total de 200 000$.
>
> Notre fils a commencé à faire de l'ascite en 2006 et souffrait de crampes abdominales sans fin. Il a souvent parlé de suicide, ce qui nous jetait par terre. Nous avons fait notre possible pour adoucir ses souffrances physiques et psychologiques.

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[18] Dagenais Affidavit #1, Exhibit ASD-2, JR Vol. 4, Tab 17, p. 1650.

> Suite au décès de X nous avons eu tous les deux besoin d'une aide psychologique et n'avons pas d'assurances. [Mon mari] est obligé de travailler même à l'âge de 68 ans vu la perte de salaire subie par le passé.[19]

19. One hemophiliac class member who had a co-infected brother who passed away asserts that the amount for the parents of deceased class members is insufficient:

> On s'attend tous, un jour, à perdre des grands-parents, un parent, un frère, une sœur, mais pas un enfant. Lorsque mon frère aîné, qui était co-infecté, a décidé de s'enlever la vie, j'ai vu mes parents terrassés. Encore aujourd'hui, il porte la trace de ce terrassement. Pour cette raison, je crois que le règlement devrait être plus généreux pour les parents des victimes décédées. Le règlement devrait offrir un montant plus élevé, soit au minimum $10 000 à $15 000 au lieu du mince $5 000 pour les parents d'enfants décédés.[20]

20. Concerning the different amounts payable to children under the age of 21 and children over the age of 21, the adult child of a deceased transfused class member wrote :

> Third, $5000 is **not even close to being enough to compensate for the loss of a Mother** and neither is $500 for the loss of a Grand-mother. My family and I have been without our Matriarch for over 15 years and we miss her very much every Christmas, every Easter, every time there is a wedding, a baby shower, or any family get together. Furthermore, somehow it does not seem right that **a child that was older than twenty one was compensated $5000 while one that was younger would receive $15,000.** A mother is important at all stages of one's life. Although an infant requires more « care », loss of care and support was addressed otherwise in the settlement.[21]

21. The inadequacy of compensation to adult children upon the death of their parent was described a daughter in these terms:

> A compensation of $5000 to ease the loss of a mother is an affront and unacceptable. Private insurance grant of $5000 for an amputated finger. Me and my family have received a blow of dagger in the heart. For me and my family this pittance compensation is not enough to alleviate the pain and suffering of having my mother deteriorated under my eyes while being powerless to soften its torment
>
> Injustice: why has the Court chosen to give $15,000 to children 21 years of age and only $5000 for those over 21 years. The role of the mother is often more important to 21 and more begin to form a family and need the support from their mothers during and after pregnancy, the presence of their mother to their scale,

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[19] Dagenais Affidavit #2, Exhibit A, JR Vol. 5, Tab 25, p.2271-2273
[20] Dagenais Affidavit #1, Exhibit ASD-2, JR Vol. 4, Tab 17, p. 1785
[21] Melamud Affidavit, Exhibit A, JR Vol 3, Tab 15, p. 1146-1147

> their marriage, their birthday etc. I lost not only a mother but a confidante, a counselor and a close friend.[22]

Loss of income – Collateral Benefits, Pension and Employment Benefits

22. One co-infected class member writes:

> ...Let's not forget, that an initial award given to HIV infection class action members, was revoked from class action members who agreed to receive the Hep C class action award. I feel that this "renigeged" reward should be reimbursed to every individual who it was revoked from. After all, they were two individual and separate diseases. Just because the were tragically inflicted upon the same unfortunate individuals by the same offenders, doesn't mean that the awards should be considered one in the same. ... [23]

23. In his letter, one infected haemophiliac claimant wrote about the deduction of MPTAP benefits:

> 6. The way MPTAP benefits are currently used in the calculation [of] annual income, is unfair and needs to be changed.[24]

24. An infected hemophiliac, who is also co-infected with HIV, wrote the following about the unfairness of how MPTAP and EAP are treated under the settlement:

> If MPTAP is to be considered then that's fine but it should have been added to the three best years average to start with, or not considered as income at all! By using the calculation model in this matter I, and every other fee hemophiliac still alive, effectively lose her MP tap compensation altogether. MP tap was compensation for HIV and 86-90 is compensation for HCV, two very different but equally serious little bugs.[25]
>
> As I indicated before, a person to whom no MPTAP or EAP compensation (not for loss of income purposes as per the original agreement) would receive substantially higher loss of income supplementation than an individual for whom EAP or MPTAP was granted… The application of the current method for MPTAP and EAP calculation is and has always been, in my opinion, unethical and probably unlawful and most certainly discriminatory.[26]

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[22] Melamud Affidavit, JR Vol 3, Tab 15,p. 1230
[23] Woodrich Affidavit #1, Exhibit A, JR Vol. 4, Tab 16, p. 1362.
[24] Dagenais Affidavit #1, Exhibit ASD-2, JR Vol. 4, Tab 17, p. 1742
[25] Melamud Affidavit, Exhibit A, JR Vol 3, Tab 15, p. 792
[26] Melamud Affidavit, Exhibit A, JR Vol , tab 15, p. 798

25. A man who is one of a family of persons who suffer from von Willebrand's disease (a condition which is considered related to hemophilia) describes his own diagnosis at age 57 and his brother's death due to liver failure at age 69. He described a full year of unsuccessful treatment followed by a full year of successful treatment in 2003. He was disabled by the treatment and never regained his health, impacting his pension and retirement nest egg:

> I lost (1) 2 1/2 years of CPP and company pension plans which would have been 35,000-40,000 for my compay [sic] pension plan. (2) 140-200,000 in employment earnings before deductions (3) If I had worked to 65 and then applied for CPP I would have received 828.75 per month. I had to apply for early CPP resulting in a loss of .5% for each month before 65 that I apply for CPP. My CPP retirement was adjusted to 741.73 because of early retirement. I lost 87.01 a month CPP pension income or 1044.24 a year.[27]

26. One adult child expressed herself in these words regarding the loss of income experienced by her parents due to her father's infection and related death:

> (…) At the age of 55, my dad stopped working and had to sell his business. His monthly income from 55 to 62 was really low and they had to use all their saving. My mom's monthly income should never been that low and would not have been if my dad would not have get the Hepatitis C.[28]

27. One infected class member shared the impact of living with HCV on income loss in these words:

> In 2001, at age 52 I suddenly lost 40 lbs. in a short three-month time period and was so ill and weak, that I could no longer even walk up a flight of stairs. Finally, I was diagnosed with Hepatitis C, as it turned out, from a blood transfusion received in 1986. In so many ways, my life was about to change.
>
> I'd been self-employed for many years before this and yet here I was barely able to make it through a day and most days unable to even leave the house. I certainly couldn't work, as I was too weak and malnourished. I was a single mother and had my daughter and my elderly mother to be concerned about as well. Things appeared bleak, however, on the suggestion of my doctor, I applied for the Loss of Income supplement through the hepC 1986-90 settlement and set out to find ways to improve my health. (…)
>
> Because I am now 65, my Loss of Income supplement has come to an end, a very meager loss of services supplement is the only thing available in its place. As well as I am doing, I still have days of extreme tiredness and fatigue, (…). Although I feel fortunate to be

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[27] Mogerman Affidavit #1, Exhibit A, JR Vol 2, Tab 14 p. 600.

[28] Dagenais Affidavit #1, Exhibit ASD-2, JR Vol. 4, Tab 17, p.1803.

> doing as well as I am, I am still dependent on the Loss of Income supplement that has now been cut off and do not know how I will support myself without it.
>
> This dramatic decrease in my yearly support is already taking its toll on my health. The stress of not knowing how I will support myself and my health in the long term, has me lying awake at night unable to sleep.[29]

28. Concerning loss of pension income, a transfused class member writes:

> Not only did I lose my ability to enjoy life but also the loss of income and now the loss of income from both my provincial pension and my CPP. I retired with 25 years of service. If I had been able to continue to work I would have received maximum pension at 35 years. I also would have had maximum CPP. I left work at the age of 54 and applied for Canada pension at age 60 to supplement my income. I am now 63 years old and it is too late to resume my career.[30]

29. The widow of an infected class member wrote:

> My husband worked for the Government of Canada and paid into a pension fund. Taking this into consideration, his annual pension would have been far above the loss of support payment I am now receiving..… Because of the tainted blood scandal my husband’s income, earning potential and pension was shortened. I strongly consider the should have been a lifetime payment as I would have received his pension [which would have been considerably higher bracket for the rest of my natural life.[31]

Loss of Services

30. A woman who is a wife and mother infected with HCV as a stay at home mum describes how lack of insurability created financial stress given their household’s division of work and finances. It is clear that these issues are related to and exacerbated by the restrictions on loss of services payments. Her valuable services in the home were not fully compensated and if she were to die from HCV, lack of insurance would have placed a hardship on her family to replace the valuable services it was her role to provide:

> Another area that I think was lacking in the compensation package was the acknowledgment that I was unable to purchase Life Insurance since I was now deemed uninsurable. This was a very real factor for me I as was stay at home

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[29] Woodrich Affidavit #1, Exhibit A, JR Vol. 4, Tab 16, p. 1387.

[30] Melamud Affidavit, JR Vol 3, Tab 15, p. 869

[31] Melamud Affidavit, JR Vol 3, Tab 15, p. 1144

> mom. My husband would been in a difficult position if my battle with Hep C ended tragically and the possible compensation by being classified at Level 6 was not adequate. This was always in the back of my mind as each year went by. (…)
>
> I was compensated for loss of services in the home and it was quite laughable really. $240 a week. This really brings to light how families are discriminated against if they choose to be a one income household.[32]

31. An infected class member who continues to work but cannot also manage services around the home writes:

> ... As a class member all i want is to be able to carry on as normally as possible and to be able to provide my family with a decent lifestyle, free of worry from things like Hep C, there are enough other factors to worry about in life as it is.
>
> I don't think that the funding for keeping up on the work around a home and maintaining it and your family is nearly enough. I personally rely much too much on family members for help and support. My wife needs to carry much more of a burden than she should, my children are forced to help out around the house more than they should and even my parents and in-laws pitch in to help. This happens because after a full day's work I'm much too exhausted to do much around my house. Currently I need to hire outside help.[33]

32. The widow of a man who had to curtail her career to care for her husband over 11 years of debilitating illness and treatment says this about loss of services payments to dependants of deceased HCV infected persons:

> My common law husband, [name of HCV infected person] was informed in about 1996 that he may be infected with Hep-C though a blood transfusion. In that same year I had just started working for Public Transit in Vancouver and was looking forward to a long and secure career with them. I was 31. (…)
>
> I had applied for a job as a relief Control Operator for Skytrain and started in 1997. I remained relief for the years to come as I could not manage the 12 hour rotating shifts on a full time basis. [Name of HCV infected person's] health fluctuated from week to week and his dependency on the meds became worse.(…)
>
> I continue to receive a yearly [dependant's] payment for "loss of Services in the Home" about 16000. I am currently sharing a Control Operator position at Skytrain with an employee with health problems so I work a half schedule. I am able to get by on this income but my career potential was never fully realized.[34]…

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[32] Mogerman Affidavit #1, Exhibit A, JR Vol 2, Tab 14 pp. 708-709.

[33] Woodrich Affidavit #1, Exhibit A, JR Vol. 4, Tab 16, p. 1441.

[34] Mogerman Affidavit #1, Exhibit A, JR Vol 2, Tab 14 p. 558-559.

33. A letter received from an 80 year old widow of a deceased infected class member describes the financial hardship that she and other elderly spouses find themselves when their compensation for loss of services ends:

> Je fais partie de la génération de femme de 80 ans et plus qui n'ont pas travaillé à l'extérieur du foyer ou peu travaillé. Cette situation a pour conséquence qu'elles ont peu de revenu. N'ayant pas contribué aux différents régimes, elles n'ont pas de fond de pension, peu ou pas de rente du Québec et ont seulement la pension de vieillesse et pour certaine le régime de revenu garantie. Très souvent, le conjoint était, à l'époque, le seul gagne-pain familiale.
>
> Ne serait-il pas équitable et humain de venir en aide aux personnes les plus démunies. Leurs grands âges demandant beaucoup de d'aide extérieur pour demeurer à domicile et conserver leur autonomie. Souvent, elles requièrent des soins, des traitements et des médicaments non payés par le gouvernement. N'ayant pas ou peu de ressources financières et d'aide d'un conjoint elles se retrouvent souvent démunies. C'est pourquoi il serait juste, il me semble, qu'une partie du surplus aide les personnes les plus vulnérables de la société. En particulier les 80 ans et plus qui n'ont plus droit à la prestation du règlement de l'hépatite C 1986-90.[35]

34. The son of a surviving spouse (who was 12 years older than her deceased infected partner) also signifies the overwhelming financial insecurity faced by her mother when her loss of services compensation would end based on the statistical life expectancy of her deceased loved one:

> A partir de 2007, elle a reçu approximativement 15,000$ par année, indexés jusqu'au 27 septembre 2012 pour services domestiques. Alors on nous a dit qu'en raison de son âge elle ne recevrait plus rien. Comme si elle n'existait plus! Elle va avoir 97 ans le 16 octobre 2015. (…) Depuis fin avril 2015, elle est maintenant placée dans un CHSLD car elle a des problèmes cognitifs. Mais elle est toujours en vie! Et je crois bien pour quelques années encore. Je trouve inacceptable qu'on se base son âge pour couper les réclamations auxquelles elle a droit.[36]

35. A daughter whose father passed away from his infection at the age of 63 writes about loss of services to dependents:

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[35] Dagenais Affidavit #1, Exhibit ASD-2, JR Vol. 4, Tab 17, p.1767.

[36] Dagenais Affidavit #1, Exhibit ASD-2, JR Vol.4 Tab 17, p. 1734.

> ... I got remarried and wanted my father to see that i am finally happy and have a good man. He will never get to see that.
>
> My new husband has essentially become my mother's husband as well. He cuts her lawn, he does all her chores and repairs.[37]

Out of Pocket Expenses

36. A gentlemen who went through two rounds of treatment, each one year in length, says this:

> During drug therapy I traveled to city at least 4-8 times month [sic] to see regular GP, specialist, drug therapy nurses, to get drugs, for blood work etc. Costs re-imbursed did not cover wear and tear or depreciation on our vehicle. Nor did we recive [sic] compensation for my wife to cover loss [sic] time at work.[38]

37. An infected class member who was a child at the time of infection wrote to highlight that her parents were never compensated for their incurred financial loss (many days off work) to take her to the medical appointments:

> *Lors de la dernière réclamation, les absences au travail de mes parents n'ont pas été prises en considérations. À l'époque, je n'étais âgée que de 10 ans et je ne pouvais donc pas me rendre seule à mes rendez-vous médicaux. Le détail de ces absences a déjà été envoyé lors du premier règlement et totalise la somme de 660$.*[39]

38. The spouse of a deceased co- infected hemophiliac wrote:

> Regarding out-of-pocket expenses, some spouses, (some of whom are now widows/widowers), regularly drove their late [primarily infected person] around, attended medical appointments, picked up meds and did research and medical libraries to keep up with the constantly evolving treatments around HCV and, in some cases like mine, the complex co-infection issues for spouse also living with HIV. As a result, these people had to take time off school and work.[40]

39. The daughter of an infected class member, now deceased, wrote :

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[37] Woodrich Affidavit #1, Exhibit A, JR Vol. 4, Tab 16, p. 1490.

[38] Mogerman Affidavit #1, Exhibit A, JR Vol 2, Tab 14, pp. 600-601.

[39] Dagenais Affidavit #1, Exhibit ASD-2, JR Vol.4, Tab 17, p. 1749.

[40] Melamud Affidavit, Exhibit A, JR Vol 3, Tab 15, p. 868-869

> I also had to take time off work to help with her care. I was self-employed so I did not have sick days or vacation days that I could count on.[41]

Funeral Expenses

40. The daughter of an infected father who died at 62 years old after having contracted HCV during his heart surgery wrote:

> Funeral expense of $6,700 is definitely not sufficient and should be increase to at least $10,000 to $12,000 with receipt. Also, the spouse or partner of the primary infected person should have their funeral expense paid from the surplus. As a result of the death of the infected person at such a young age, the household income was decrease to a minimal amount.[42]

41. The mother of a co-infected haemophiliac class member (infected with HCV at the age of 12 and with HIV at the age of 9) who died at 36 years old wrote:

> Le montant de 6 700$ n'a pas suffi à défrayer le coût des frais funéraires qui se sont élevés à 8 000$ plus les frais de messe, inhumation de l'urne...[43]

42. The son of an infected class member wrote:

> My father was a WW2 veteran and didn't have enough to pay for his funeral.[44]

43. The son of a transfused class member, who died a week before her 50th birthday, wrote:

> Having to plan my mother's funeral, which was by no means what she would have truly wanted was by no means satisfied by the small amount provided, I couldn't even afford her a proper burial, not even an urn for her ashes, and they still sit in a box and a bookcase in my home. The whole thought of not giving her last requests still haunts me to this day.[45]

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[41] Melamud Affidavit, Exhibit A, JR Vol 3, Tab 15, p. 1018

[42] Dagenais Affidavit #1, Exhibit ASD-2, JR Vol. 4, Tab 17, p. 1803

[43] Dagenais Affidavit #2, Exhibit A, JR Vol. 5, Tab 25, p. 2273

[44] Melamud Affidavit, Exhibit A, JR Vol 3, Tab 15, p. 855

[45] Melamud Affidavit, Exhibit A, JR Vol 3, Tab 15, p. 1179

Class Members Bore the Risk

44. In their submissions, class members also highlighted how they bore risks under the settlement.

45. Once class member described the risk associated with the settlement as follows:

> When we signed off on this document originally it was with great trepidation and the constant pressure that nothing else was being offered. In fact, this kind of situation could be considered a form of duress due to its “take it or leave it nature” and as such have possible legal implications to the validity of the original document. In accepting the original agreement we also accepted the possibility that the “fund” may be depleted prior to its needs and obligations being fulfilled for all claimants. We accepted that potential liability.[46]

46. Another described the risk of the settlement and the compromised benefits it provided as follows:

> When this Settlement was first initiated, we signed onto this agreement because we were advised that this was the total amount going into the fund and if it wasn’t enough, it was basically our problem. Now that we have a surplus it should be left with the class members. It’s our member it’s our money, and what we received wasn’t enough to begin with![47]

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[46] Melamud Affidavit, Exhibit A, JR Vol 3, Tab 15, p. 799-800

[47] Melamud affidavit, Exhibit A, JR Vol 3, Tab 15,p. 819

PARSONS et al.
KREPPNER et al.
Plaintiffs

vs. THE CANADIAN RED CROSS SOCIETY et al.
Defendants

Court File No. 98-CV-141369 CP00
98-CV-146405

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(Joint Committee Motion to Allocate 2019 Excess Capital)

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