

**CLASS ACTION -- Hepatitis C 1986-1990**  
**Request for Review # 14843**

**DECISION**

The Claimant submitted a claim as a Primarily Infected Person alleging that he had received a transfusion between January 1, 1986 and July 1, 1993 . In the original documentation, there were no details regarding the date of such a transfusion that the Claimant alleged he had received. Yet, the HCV Transfused Plan which is part of the 1986-1990 HCV Settlement requires as a minimum that there be proof of a transfusion during the Class Period, that is between February 1, 1986 to July 1, 1990.

The claim submitted further to the 1986-1990 Class Action Settlement was thus rejected by letter forwarded by the Class Action Settlement Administrator dated July 11, 2005. The Administrator indicated then having considered that there was insufficient proof confirming that the Claimant had received blood during the Class Period.

The Claimant submitted a Request for Review asking that his case be examined by a Referee and indicated that he wished that the Administrator's decision be reviewed because it was a "bad decision", that he had had an accident and that he had been transfused some infected blood.

I carefully examined all the documents forwarded to me and I find only one blood transfusion which would have been transfused at the *Hôpital du Sacré-Coeur* in August 1992. I find no blood transfusion during the Class Period (1986-1990).

In any event, a hearing date was set for April 19, 2006, and a notice was forwarded by mail to the Claimant. Incidentally, the latter confirmed to the Undersigned Assistant, during a telephone conversation of March 3, 2006, that he had effectively noted that there would be a hearing on April 19 and that he would be present.

On the eve of the hearing, Christine Kark, the Fund Counsel, advised me that she had spoken to the Claimant who would have decided not to come to the hearing. Indeed, the Claimant did not show up as expected on April 19, and I sent him a letter on April 26, 2006, mentioning that if I did not receive a reply from him within the next fifteen (15) days, I would assume that he accepted that I render a decision on the sole basis of the existing file. The Claimant did not answer my letter.

Thus, after having reviewed the documents forwarded to me, I conclude that the Claimant has failed to establish that he received a blood transfusion during the Class Period, that is between January 1, 1986 and July 1, 1990, and I therefore consider that the Administrator has rightly rejected this Claimant's claim.

If the Claimant has effectively contracted Hepatitis C further to a transfusion, and if he wishes to seek a remedy, it will not be in the context of this Agreement which covers only a very definite period and does not apply to this Claimant.

Thus, I confirm the Administrator's dismissal decision and the Request for Review is therefore rejected.

Montreal, July 19, 2006

Original signed by  
Jacques Nols  
Referee