

## FEDERAL CLASS ACTION LAUNCHED IN MEDICAL MARIHUANA PRIVACY GAFFE

### *Mass Mailing Compromised Private Medical Information and Patient Safety, Suit Alleges*

**VANCOUVER** (November 25, 2013) – A proposed national class action has been filed in the Federal Court of Canada against the Federal Government seeking damages from a privacy breach arising from Health Canada's mass mailing of letters to approximately 40,000 individuals across Canada in envelopes that identified the recipients as participants in the *Medical Marihuana Access Program*.

The national class action was commenced today by Jason Wilcox on behalf of all Canadians whose personal and health information was compromised.

In July 2001, the Federal Government enacted the *Marihuana Medical Access Regulations*. The Regulations, among other things, empower the Minister of Health to issue authorizations and licenses to individuals with certain symptoms associated with particular medical conditions, permitting those individuals to possess and, in some cases, produce marihuana for medical purposes. The Minister of Health is responsible for administering the Regulations and does so through Canada Health's Marihuana Medical Access Program (MMAP).

Prior to November 2013, all correspondence from Health Canada to holders of medical marijuana authorizations and licenses in relation to MMAP was conveyed by a private courier in envelopes that did not include the word "marihuana". However, in November 2013, the Federal Government conveyed letters to participants in the Medical Marijuana Access Program with "Marihuana Medical Access Program" stamped on the outside of the envelope. The letters were conveyed through Canada Post.

"This privacy breach is unlike most. It not only compromises the confidentiality of participants' personal and health information, but it also compromises participants' physical safety and security," said Kate Saunders of Branch MacMaster LLP, the law firm representing the Plaintiff and the proposed class, "The Federal Government does not seem to be learning from its privacy mistakes, which include the recent Student Loan hard drive loss case, in which our firm is also involved."

Anyone who received a letter from Canada Health this month with the "Marihuana Medical Access Program" on the outside of the envelope is encouraged to go to <http://www.branchmacmaster.com/medical-marihuana/> for further information regarding this proposed class action, or to email [uherlev@branmac.com](mailto:uherlev@branmac.com) to be added to a list of known claimants wishing to participate in this action.

For more information, please contact:

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