

HSA Class Action
Update – January 29, 2016
(Revised – February 26, 2016)
Bulletin #3

An appeal by the defendant HSA and the defendant trustees from the order of Justice Punnnett of the B.C. Supreme Court certifying the claim as a Class Action was scheduled to be heard before a panel of three members of the Court of Appeal on January 26, 2016. The appeal did not proceed for the following reasons. The day before the hearing, the Court raised a fresh issue on which it invited submissions by the parties. Class counsel's position was that additional written arguments should be filed and that the hearing of the appeal should be rescheduled.

The Court of Appeal considered the requirement for additional written argument and determined that the time set aside for the hearing of the appeal would be insufficient and adjourned the hearing generally.

Subsequent to the adjournment, class counsel sought and obtained from the Registry a fresh hearing date on May 25, 2016. In the interim, the parties will file additional facta (written argument).

On November 16, 2015, an [information notice](#) was mailed to 220 class members. If anyone reading this bulletin feels they are part of the class and have NOT received the November 16, 2015 information notice, they should contact Church & Company.