

HSA Class Action
Update – November 17, 2017
Bulletin #9

The lawyers for the Trustees have made an application to the BC Supreme Court (Justice Punnett) for an order that the class action be heard at the same time as an earlier lawsuit that the Trustees and the HSA had brought against certain actuaries (the “Actuaries Lawsuit”). The actuaries are alleged to have given incorrect advice to the Trustees about the funding situation of the Trusts. The actuaries have denied the allegations made against them. A copy of the Notice of Application filed by the Trustees can be found [here](#). HSA’s lawyers in the Class Action have filed a Response supporting the application. It can be found [here](#).

The Court has set **November 28 and 29, 2017** as the date to hear submissions on the application.

The class plaintiffs intend to oppose the application. A copy our Response to the application can be found [here](#). The principal basis for doing so is that we believe that it will further delay the hearing of the class action on its merits. The Actuaries Lawsuit has been outstanding since 2012. Neither side appears to have moved very quickly with that lawsuit.

Assuming that the application to have the Actuaries Lawsuit heard at the same time as the class action is dismissed, we will be asking the Court to set a trial date for the hearing of the class action on its merits. We will advise of the outcome of this application.