

PRESS RELEASE - FOR IMMEDIATE RELEASE

MONDAY, MARCH 4, 2024

NEWFOUNDLAND SUPREME COURT APPROVES CLASS ACTION FOR PRIVACY
BREACH AGAINST CENTRAL REGIONAL HEALTH AUTHORITY

St. John's lawyer, Bob Buckingham, one of the lead counsel, along with Mr. Eli Baker, representing individuals whose personal, private healthcare information was breached by Central Regional Health Authority employee announced today that the Newfoundland and Labrador Supreme Court has certified the class action against the Central Regional Health Authority.

On February 28, 2024 the Supreme Court certified the class action lawsuit against the Central Regional Health Authority. The class action is on behalf of a proposed class of 260 individuals.

“This is a major step forward in this class action process. The Statement of Claim was filed in February 2021. The certification hearing was heard in October 2023. This decision means the legal team will focus its energies on moving the matter to conclusion as quickly as possible.” said Mr. Buckingham.

“Our clients have been quite anxious and interested in this process and we are pleased to provide them with this information on the Court’s decision.”

“The Supreme Court Trial Division certification clears the way for the Court to consider the merits of our clients’ claims on behalf of the entire class of people whose privacy was breached by employees of the Defendant. The class consists of Central Health patients who received a letter, dated August 4, 2020, advising their records which contained confidential medical records and personal health information, were inappropriately accessed by an employee. Those privacy breaches occurred between October 2018 and July 2020. As well, the class consists of an additional twenty patients who were similarly affected by a Central Health employee which Central Health acknowledged on January 28, 2021.”, said Mr. Buckingham.

“We encourage any of those people to register with us by visiting our website and following the link found on our website.”, said Mr. Buckingham.

“This Class Action was vigorously opposed by the Health Authority and we are very pleased with the Court's decision to certify the action on all claims presented.”, said Mr. Buckingham

“The Class Action certification does not resolve the substantive issues and the remedies that may be applicable. These will be matters for trial or negotiation.”, said Mr. Buckingham.

Mr. Buckingham noted, “The case had a very disconcerting and disturbing component in that many of the October 2018 to August 2020 intrusions indicated an apparent interest in obstetric and gynecological file and files of newborns. One of our next steps will be to inquire into that apparent interest. Another aggravating factor in this case is the fact that since 2012 Central Health has been aware of privacy protection deficiencies in its system, yet appears to have done little or nothing to protect patient’s privacy interests. Our claim alleges that these breaches occurred between 2018

and 2020 and were not caught by Central Health's own monitoring, but rather came to the authority's attention through third parties. We will investigate how this occurred.”

Legal counsel on this class action are Mr. Buckingham's Law Firm and the law firm of Eli Baker of Gander.

The class action registration website can be found at: www.buckinghamlaw.ca

The decision can be read at www.buckinghamlaw.ca.

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More information on this Class Action can be obtained from Mr. Bob Buckingham of Bob Buckingham Law, 81 Bond Street, St. John's, Newfoundland (709) 739-6688 (phone), (709) 739-6686 (fax), and bob@buckinghamlaw.ca.

Mr. Bob Buckingham
Bob Buckingham Law
81 Bond Street
St. John's, NL A1C 1T2
Phone: (709) 739-6688
E-mail: bob@buckinghamlaw.ca
Website: www.buckinghamlaw.ca

Mr. Eli Baker
Eli Baker Law Office
132 Ogilive Street
St. John's, NL A1V 2R2
Phone: (709) 727-1537
E-Mail: legaleli@gmail.com