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CONTACT LENS SOLUTION PARASITE CASE UPHeld AS CLASS ACTION

In a recent decision, the Court of Appeal for British Columbia has [dismissed an appeal by AMO Canada Company and Advanced Medical Optics, Inc.](#), and ruled that the certification of a Newfoundland subclass in British Columbia is valid. The decision was handed down yesterday.

The Plaintiff alleges that a contact lens solution known as Complete All-In-One MoisturePLUS was contaminated by parasites and caused a rare eye infection called Acanthamoeba Keratitis (A.K.) in some users. This disease can be treated in most cases, but may require corneal transplants, and leads to blindness in rare cases.

St. John's lawyer Ches Crosbie represents ten Newfoundland residents who have contacted him complaining of eye infection from the solution. "A novel aspect of the case is that the court in B.C. created subclasses for Newfoundland and other provinces, so that their claims will be determined by the B.C. court", Mr. Crosbie stated. "With a relatively small number of people in the Newfoundland class, the most cost-effective approach was to concentrate the claims in one province, in this case B.C. This is a definite victory for consumers."

Mr. Crosbie stated that he expects serious settlement talks to begin, now that the appeal has been resolved in favor of consumers.

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