

2006 01T 2966 CP

IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION

BETWEEN:

VERNA DOUCETTE

PLAINTIFF

AND:

**EASTERN REGIONAL INTEGRATED
HEALTH AUTHORITY**

DEFENDANT

BROUGHT UNDER THE *CLASS ACTIONS ACT*


MEMORANDUM OF SETTLEMENT

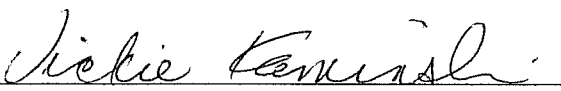
The parties agree to settle this class action on the following terms:

1. A class member will be on an advisory committee to be established by Eastern Regional Integrated Health Authority ("Eastern Health") regarding cancer services and the implementation of the Cameron Inquiry recommendations.
2. Eastern Health will retain an external reviewer to carry out a review of the implementation of the Cameron Inquiry recommendations at the three year anniversary of the release of the Cameron Inquiry report (March 2012). A class member will participate in the selection of the reviewer.
3. A physical memorial will be established by Eastern Health in the Dr. H. Bliss Murphy Cancer Centre or in its gardens in consultation with the class members.
4. Eastern Health will establish 2 bursaries, one available for nurses and the second available for other health care workers, for the study of disclosure practices, ethics and quality processes in patient care in consultation with class members concerning the bursary names and selection process.
5. Eastern Health will issue a public apology.
6. The Plaintiffs will issue a statement acknowledging Eastern Health's good faith effort to resolve the class action.
7. Eastern Health will establish a process for meetings with individual class members regarding their particular circumstances for class members who wish to have such meetings.

8. The Defendant will pay a global sum of Seventeen Million, Five Hundred Thousand Dollars (\$17,500,000) to the class in full and final satisfaction of the claims of all class members. Within 60 days of the execution of this Memorandum of Settlement, the funds will be paid to class counsel in trust to be deposited in an interest bearing account with the interest accruing to the benefit of the class. The principal and all accrued interest will be returned to the Defendant if, for any reason, this settlement fails to become fully effective.
9. The Defendant will pay the cost of notice of settlement to class members, settlement administration and the mediation.
10. The settlement will be administered by an independent administrator agreed to by the parties.
11. The Defendant will receive a full and final release of all claims asserted on behalf of class members in the class action. The release will inure to the benefit of the Defendant, Healthcare Insurance Reciprocal of Canada (HIROC), Western Regional Integrated Health Authority, Central Regional Integrated Health Authority, Labrador-Grenfell Regional Integrated Health Authority, the Province of Newfoundland and Labrador, and all their respective agents, successors and assigns, as well as all physicians involved directly or indirectly in the care of class members as it relates to the subject matter of the class action.
12. The class definition will be amended to include both residents and non-residents.
13. The Statement of Claim will be amended to remove the exclusion of employed pathology staff, licensed by the Newfoundland and Labrador College of Physicians and Surgeons.

Dated at St. John's, Newfoundland and Labrador, on October 30, 2009.


Verna Doucette
Representative Plaintiff


Eastern Regional Integrated Health Authority
Per: Vicki Kaminski, President & CEO