

April 16, 2019

The Hon. Caroline Mulroney
Attorney General of Ontario
McMurtry-Scott Building, 11th Floor
720 Bay St
Toronto, Ontario M7A 2S9

Dear Ms. Mulroney:

On behalf of our respective organizations, we are writing to express our support for the Ontario Government medicare cost recovery lawsuit against the tobacco industry. We strongly support Ontario's efforts to bring this lawsuit to trial and to resist tobacco industry attempts to stay the lawsuit, as underlined by the position taken by Ontario in the tobacco company creditor protection proceedings. The tobacco industry's strategy in Canada and worldwide of preventing cases from ever getting to trial should not continue in Ontario.

We are convinced, as you are, that there is ample rationale and a significant public interest supporting the need for a trial of the tobacco companies in Ontario. The rationale includes not only compensation for the many decades of healthcare expenditures that the province has had to incur, but truth, justice, and public health considerations.

We find it especially important that, as you know, Ontario's lawsuit names not only the three major Canadian tobacco companies as defendants, but also foreign parent companies such as Philip Morris International and British American Tobacco. These parent companies have far greater capacity, compared with the Canadian companies alone, to pay billions of dollars in compensation for health care costs, compensation that Ontario deserves to receive.

A trial would expose the truth about industry behavior over many decades. Documents publicly released during the Blais-Létourneau class action proceeding in Quebec demonstrate a long history of wrongdoing by Canadian companies. In Ontario, 8 million documents have been provided to the Ontario Government as part of pre-trial discovery, with a large number of documents coming from the parent companies that were not defendants in the Quebec case. These documents should be made public, just as more than 40 million pages became public as part of US state government tobacco medicare cost recovery litigation. Documents produced in Ontario would expose the tobacco industry's cover up and wrongdoing and would assist in developing better policies and programs to reduce tobacco use.

It is a matter of justice that the Ontario lawsuit must come to trial. The devastation in terms of disease and death caused by tobacco industry wrongful behaviour is unprecedented in Ontario history. The hundreds of thousands of Ontarians and their families who have suffered should be able to have this case heard. The tobacco industry should be held to account before the courts, including the foreign companies that have never faced trial in Canada.

Regarding health, we urge you to look upon the outcome of the lawsuit as an opportunity to change the behaviour of Canada's tobacco industry that will protect the health of future generations of Ontarians. We would like to discuss in the near term what such health conditions should be.

Once again, thank you for your strong stand against the decades-long behaviour of the tobacco industry.

Yours very truly,



Michael Perley
Director
Ontario Campaign for Action on Tobacco



Jeff Cornett
Executive Director
Canadian Cancer Society, Ontario



Avril Goffredo
CEO
Heart and Stroke, Ontario



George Habib
President & CEO
The Lung Association – Ontario



Garfield Mahood
President
Campaign for Justice on Tobacco Fraud



Pegeen Walsh
Executive Director
Ontario Public Health Association

cc: The Honourable Christine Elliott, Minister of Health and Long-Term Care and Deputy Premier