



Medical marijuana
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Plaintiffs in medical marijuana lawsuit against Health Canada will remain anonymous

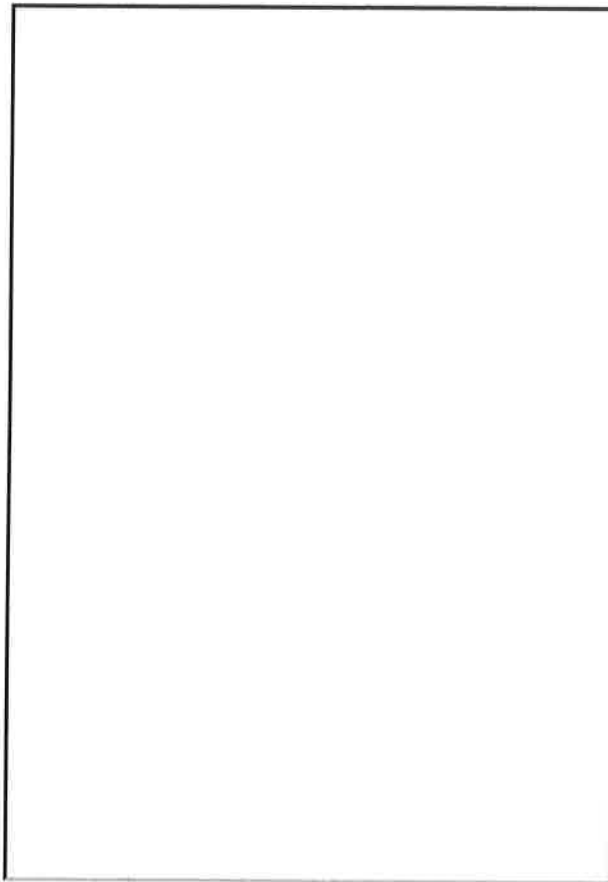
By Heather Loney
Global News

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ABOVE: Feds lose first round of medical marijuana class action lawsuit

Plaintiffs involved in a proposed class-action lawsuit against Health Canada will be allowed to remain anonymous.

The lawsuit is related to a gaffe by Health Canada last November, when the department mailed out 40,000 letters to medical marijuana users across the country in envelopes that showed the patients' names and explicitly referred to the Medical Marijuana Access Program.



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on their backs, making them vulnerable to social harm and to thefts.

A week after the incident, a Halifax law firm filed a proposed class-action lawsuit against Health Canada, accusing the government department of violating the privacy of tens of thousands of medical marijuana users.

On Tuesday, a Federal Court of Canada judge agreed with the plaintiffs – who filed under the pseudonyms “John Doe” and “Suzie Jones” – that denying their anonymity in court would disclose personal and health information they want to keep private.

The federal government wanted the plaintiffs to use their real names in court proceedings.

“To say that these individuals must identify themselves as medical marihuana users goes to the very issue in this case, namely whether that information is private and should be kept confidential,” read the court decision.

The judge said that the plaintiffs are “patients,” not simply “users” and to identify them would disclose their medical and health information.

“Disclosing their identities discloses that a course of treatment has been prescribed for them by a medical doctor, and that they suffer from serious health conditions and symptoms. Identifying the Plaintiffs by name or information that discloses their personal identity also discloses that they have or are likely to have medical marihuana in their homes – something that Health Canada itself saw as a serious safety and security risk.”

“This is a victory for access to justice,” said Ted Charney of Charney Lawyers, co-counsel for the proposed class, following the judge’s decision. “It is common sense that the Court should step up to protect the Plaintiffs so they can have their day in Court without being re-victimised in the process.”

A judge will now have to certify the class action for the case to move forward.

With files from The Canadian Press

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Heather is a digital journalist with an eye for content strategy and new media and an affinity for

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