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Canada: Listeriosis suits settled for \$25-27 million

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<http://www.calgaryherald.com/Listeriosis+suits+settled+million/1114074/story.html>

By Tiffany Crawford, Canwest News Service December 25, 2008

Class-action lawsuits against Maple Leaf Foods, related to a listeriosis outbreak have been settled out of court for a cost estimated at between \$25 million and \$27 million.

The top executive at Maple Leaf Foods on Thursday called the settlement "fair and reasonable."

"This was a tragic experience and I want to acknowledge the co-operation of all the parties involved to ensure that people affected receive timely restitution," said Michael McCain, president of Maple Leaf Foods.

"Our goal throughout this legal process has been to negotiate a fair and early settlement so that we can obtain court approvals and promptly compensate families who were affected," said McCain, who previously apologized to the public and said the company would take full responsibility.

One of the deaths that occurred in connection with the tainted meat happened at Cowichan District Hospital.

In the wake of the tainted-meat affair, the suits were launched in August in Ontario, Quebec, British Columbia, Alberta and Saskatchewan. However, subject to court approval, all cases will be handled in just three provinces -- Saskatchewan, Quebec and Ontario, said Ted Charney, of Falconer Charney LLP, another of the lawyers involved in the suit.

There are currently about 5,000 plaintiffs, but lawyers said that number could grow if others who fit into the class definition come forward. The amount of compensation each would receive varies.

The class definition covers Canadians who suffered physical injuries such as illness or the death of a family member, but also includes those who experienced emotional distress.

The amount of money that each class member would receive depends on the severity of their illness.

"For example in the case of someone who died, for the estate itself there will be \$120,000, plus \$30,000 for the spouse of the deceased and \$30,000 for the children of the deceased and \$20,000 for the parents," Colin Stevenson of Stevensons LLP explained.

At the other end of the scale would be someone who consumed the meat and became ill for a day or two, he said. A full grid outlining the particulars of the settlement will be posted online at www.mapleleaffoodsclassaction.com.

Lawyers expect to get court approval by February, which means the plaintiffs could see a cheque by sometime next summer, said Stevenson.

The national class action suit originally claimed \$100 million for all consumers who purchased or consumed products on the Maple Leaf Foods recall list.

The Maple Leaf Foods' Toronto meat-processing plant was shut for a month when it was determined that its deli meats had been contaminated with *Listeria monocytogenes*.