

# Canadian court rebuffs tobacco firm in major damages suit

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Since 2001, British Columbia province has been fighting a legal battle against 14 tobacco companies seeking reimbursement for the costs of providing health care for people suffering from tobacco-related illnesses

US cigarette maker Philip Morris suffered a setback Friday in a long-running suit when Canada's Supreme Court denied it access to personal data on people suffering from tobacco-related diseases.

Since 2001, British Columbia province has been fighting a legal battle against 14 tobacco companies—including Rothmans, R.J. Reynolds and Philip Morris—seeking reimbursement for the costs of providing health care for people suffering from such illnesses.

The provincial appeals court had upheld a lower-court decision siding with Philip Morris's argument that access to the [personal data](#) of affected patients was critical to the company's ability to defend itself.

Philip Morris sought access to databases regarding patients in British Columbia from 1991 to 2011, including on their medical costs and prescription

drug use, the Supreme Court said in a judgment seen by AFP.

The nine high-court justices voted unanimously to overturn the judgments of the two lower courts.

Justice Russell Brown, writing for the [court](#), said the case had not reached the point where production of the documents was necessary.

Philip Morris's expressions of concern about "trial fairness," Brown added, "are premature."

The ruling will have an impact far beyond British Columbia, because other Canadian provinces have filed identical lawsuits against the tobacco companies.

Together, the provincial governments are seeking Can\$120 billion (\$91 billion) from cigarette makers, according to Canadian media reports.

Rob Cunningham, a lawyer with the Canadian Cancer Society, welcomed Friday's ruling as an important step in keeping the legal process moving.

"The objective of the tobacco industry is to delay the start of this trial," he said. "They don't want to have to pay tens of billions of dollars in damages."

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