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**Subject:** Judge certifies class action suit on flawed cancer tests

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CBC News

A Newfoundland Supreme Court justice has certified a class action suit brought on by faulty tests involving hundreds of breast cancer patients.

Justice Carl Thompson announced the decision Monday at court in St. John's, allowing lawyers to bring a suit involving about 100 patients together as a group, rather than litigating separately.

Thompson finished hearing a three-day application on certification just last Friday.

While delivering his judgment orally, he said he moved quickly out of concern that some of the patients involved in the suit were ill.

Lawyer Ches Crosbie, who filed the application last year, said he saw Thompson's decision as a victory.

Crosbie said there is a possibility an out-of-court settlement could be reached before the matter is heard in court again.

The Newfoundland and Labrador government last week ordered a judicial inquiry into how hormone receptor tests at the Eastern Health regional authority were flawed over an eight-year period.

The tests are done to determine what sort of treatment a breast cancer patient will receive. The errors meant that more than 300 women were excluded from receiving an anti-hormonal drug like Tamoxifen, which has been clinically shown to be one of a patient's best opportunities for recovery.