

COMMISSION OF INQUIRY
ON HORMONE RECEPTOR TESTING

BEFORE THE HONOURABLE JUSTICE CAMERON - COMMISSIONER

August 1, 2008

Appearances:

- Bernard Coffey, Q.C. Commission Co-counsel
- Sandra Chaytor, Q.C. Commission Co-counsel

- Rolf Pritchard/Jackie Brazil Her Majesty in Right of NL

- Peter Browne/Jane Hennebury Doctors Kara Laing et al

- Daniel Simmons Eastern Regional Integrated
. Health Authority

- Darlene Russell. Members of the Breast Cancer
. Testing Class Action

- Mark Pike NL Medical Association
- Jennifer Newbury Canadian Cancer Society (NL Division)
- Blair Pritchett. Central, Western and Labrador-Grenfell
. Regional Integrated Health Authorities

THIS PAGE ONLY REVISED NOVEMBER 18, 2008

LIST OF EXHIBITS

- EXHIBITS C-0200 TO C-0204, INCLUSIVE Pg. 5
- EXHIBITS C-0207 TO C-0223, INCLUSIVE Pg. 5
- EXHIBITS P-2486 TO P-2500, INCLUSIVE Pg. 5

TABLE OF CONTENTS

- MME. MARIE FRANCE TELETCHEA - SWORN

- MME. ANDREE THOMS (INTERPRETER) - SWORN

- Examination by Sandra Chaytor, Q.C. Pgs. 4 - 80
- Examination by Daniel Simmons Pgs. 80 - 83

- Certificate

Page 4

- 1 COMMISSIONER:
- 2 Q. Ms. Chaytor.
- 3 CHAYTOR, Q.C.:
- 4 Q. Good morning, Commissioner. Our next witness
- 5 is Marie-France Teletchea. If we could have
- 6 Madame Teletchea sworn or affirmed and the
- 7 interpreter. We have an interpreter this
- 8 morning.
- 9 COMMISSIONER:
- 10 Q. Could you swear in the interpreter first,
- 11 please?
- 12 MME. ANDREE THOMS (INTERPRETER), SWORN
- 13 MME. MARIE-FRANCE TELETCHEA, SWORN, EXAMINATION BY SANDRA
- 14 CHAYTOR, Q.C.
- 15 REGISTRAR:
- 16 Q. Could you please say your full name, first and
- 17 last, and spell it, please?
- 18 CHAYTOR, Q.C.:
- 19 Q. And, Ms. Thoms, perhaps you could identify
- 20 yourself for the record?
- 21 INTERPRETER:
- 22 A. Andree Thoms.
- 23 CHAYTOR, Q.C.:
- 24 Q. Thank you, Ms. Thoms. We also have present
- 25 with us this morning, Commissioner, Andree

Page 5

1 Olano. She is the president of the Group
 2 Arvel representing the patients from St.
 3 Pierre and Miquelon.
 4 COMMISSIONER:
 5 Q. Welcome.
 6 CHAYTOR, Q.C.:
 7 Q. And we have some new exhibits, please, which I
 8 would ask to have entered this morning.
 9 COMMISSIONER:
 10 Q. All right then.
 11 CHAYTOR, Q.C.:
 12 Q. Did you want to translate it for her? We have
 13 exhibits that we're going to enter this
 14 morning. Numbers C-0200 to C-0204, inclusive;
 15 C-0207 to C-0223, inclusive; and P-2486 to P-
 16 2500, inclusive.
 17 COMMISSIONER:
 18 Q. Entered.
 19 EXHIBITS C-0200 TO C-0204, INCLUSIVE, ENTERED INTO
 20 EVIDENCE.
 21 EXHIBITS C-0207 TO C-0223, INCLUSIVE, ENTERED INTO
 22 EVIDENCE.
 23 EXHIBITS P-2486 TO P-2500, INCLUSIVE, ENTERED INTO
 24 EVIDENCE.
 25 CHAYTOR, Q.C.:

Page 6

1 Q. Thank you. Madame Teletchea, perhaps we could
 2 begin, tell us a bit about yourself?
 3 INTERPRETER:
 4 A. She's Marie-France Teletchea. She's a
 5 housewife and she's the mother of two
 6 children.
 7 CHAYTOR, Q.C.:
 8 Q. Okay. And where do you reside?
 9 INTERPRETER:
 10 A. She lives in St. Pierre and Miquelon but on
 11 the Island of Miquelon, the island beside St.
 12 Pierre.
 13 CHAYTOR, Q.C.:
 14 Q. Okay. And have you lived there all your life?
 15 INTERPRETER:
 16 A. She is living on Miquelon. She was living in
 17 St. Pierre, but on Miquelon island since her
 18 sickness because her husband is working in
 19 Miquelon.
 20 CHAYTOR, Q.C.:
 21 Q. Okay. We understand that you're a breast
 22 cancer patient?
 23 INTERPRETER:
 24 A. Yes.
 25 CHAYTOR, Q.C.:

Page 7

1 Q. When were you diagnosed with breast cancer?
 2 INTERPRETER:
 3 A. In October, 2000 she was diagnosed.
 4 CHAYTOR, Q.C.:
 5 Q. Okay. And where were you diagnosed?
 6 INTERPRETER:
 7 A. In St. John's at the Health and Science
 8 Centre.
 9 CHAYTOR, Q.C.:
 10 Q. Okay. And what treatment did you undergo
 11 following your diagnoses?
 12 INTERPRETER:
 13 A. Six chemotherapy treatments, four weeks of
 14 radiotherapy.
 15 CHAYTOR, Q.C.:
 16 Q. And where did you have that treatment?
 17 INTERPRETER:
 18 A. In the Cancer Centre at the Health and Science
 19 Centre.
 20 CHAYTOR, Q.C.:
 21 Q. Okay. Did you have to stay in St. John's
 22 while you were having your treatment?
 23 INTERPRETER:
 24 A. For chemotherapy she would come here for three
 25 days. Not for chemotherapy, she didn't live

Page 8

1 in St. John's, but for radiotherapy she did
 2 come and live in St. John's. She remained in
 3 St. John's for five weeks with her husband.
 4 CHAYTOR, Q.C.:
 5 Q. Okay. Who were your physicians in St. John's?
 6 INTERPRETER:
 7 A. Dr. Kwan operated on her. Dr. Thain was for
 8 radiotherapy. Tong.
 9 CHAYTOR, Q.C.:
 10 Q. Tong, T-o-n-g.
 11 INTERPRETER:
 12 A. Tong for chemotherapy. And Dr. Farrell who
 13 did the follow up to her treatments.
 14 CHAYTOR, Q.C.:
 15 Q. One of the tests conducted on breast cancer
 16 patients is a test to determine the patient's
 17 hormone receptor status.
 18 INTERPRETER:
 19 A. Okay, yes.
 20 CHAYTOR, Q.C.:
 21 Q. At the time of diagnosis were you told whether
 22 there had been such a test conducted on your
 23 tissue?
 24 MME. TELETCHEA:
 25 A. No.

Page 9

1 INTERPRETER:
 2 A. No.
 3 CHAYTOR, Q.C.:
 4 Q. If we could have, please, Registrar, C-0200,
 5 page 3? Madame, this is a pathology report.
 6 Your name here and registration date October
 7 30th, 2000. Discharge November 1st, 2000.
 8 Attending doctor, Dr. Kwan, Alan Kwan. And we
 9 have a specimen number here and received
 10 October 30th, 2000. And if we come down to
 11 here, Addendum 1, which is entered November
 12 8th, 2000, the immunoperoxidase stain for
 13 ER/PR shows no positive stain. So this wasn't
 14 told to you at the time?
 15 INTERPRETER:
 16 A. No.
 17 CHAYTOR, Q.C.:
 18 Q. And this page 4 shows that you had, it was
 19 your left breast, a partial mastectomy. And
 20 your tumour type was infiltrating ductal
 21 carcinoma.
 22 INTERPRETER:
 23 A. She received all that on paper, yes.
 24 CHAYTOR, Q.C.:
 25 Q. You received this?

Page 10

1 INTERPRETER:
 2 A. Perhaps not as detailed, but she had on paper
 3 these information.
 4 CHAYTOR, Q.C.:
 5 Q. But no information on your hormone status,
 6 hormone receptor status?
 7 INTERPRETER:
 8 A. She cannot remember that she received that.
 9 CHAYTOR, Q.C.:
 10 Q. And Dr. Parai, Mira Parai, the pathologist.
 11 Clinical history there's none given.
 12 INTERPRETER:
 13 A. She never had any contact with that person.
 14 CHAYTOR, Q.C.:
 15 Q. That's not unusual. And if we could have
 16 then, please, 0202? And this is called a
 17 first assessment summary. And your name and
 18 the date is January 17th, 2001. And when we
 19 look at the bottom, it's Dr. Tong, your
 20 medical oncologist. And it's copied to Dr.
 21 Pouder. Do you know who is Dr. Pouder?
 22 MME. TELETCHEA:
 23 A. It was my -
 24 INTERPRETER:
 25 A. It was her general practitioner at the time.

Page 11

1 CHAYTOR, Q.C.:
 2 Q. In St. Pierre?
 3 MME. TELETCHEA:
 4 A. In St. Pierre.
 5 INTERPRETER:
 6 A. In St. Pierre.
 7 CHAYTOR, Q.C.:
 8 Q. And Dr. Kwan, of course, and Dr. Boddie?
 9 INTERPRETER:
 10 A. She doesn't know Boddie himself.
 11 CHAYTOR, Q.C.:
 12 Q. You don't know him?
 13 INTERPRETER:
 14 A. No.
 15 CHAYTOR, Q.C.:
 16 Q. You don't know who that is, okay. And this
 17 is, of course, the Newfoundland Cancer
 18 Treatment and Research Foundation, so this is
 19 the Cancer Centre?
 20 INTERPRETER:
 21 A. Right.
 22 CHAYTOR, Q.C.:
 23 Q. Okay. So would this be the first time you
 24 were seen at the Cancer Centre?
 25 INTERPRETER:

Page 12

1 A. Yes.
 2 CHAYTOR, Q.C.:
 3 Q. Okay. And again, your diagnosis is indicated
 4 to be PT2 and well differentiated ductal
 5 carcinoma, left breast?
 6 INTERPRETER:
 7 A. She cannot identify the details, but she was
 8 too concerned with her disease than paying
 9 attention to details like that.
 10 CHAYTOR, Q.C.:
 11 Q. Okay. And the--under "History of Present
 12 Illness" it says, "The resection margin is
 13 clear and the tumour was ER/PR negative."
 14 INTERPRETER:
 15 A. Yes, she knew that.
 16 CHAYTOR, Q.C.:
 17 Q. Okay. You knew this?
 18 INTERPRETER:
 19 A. Yes. She read that and she--she read it but
 20 she understood very superficially because she
 21 thought it was too technical for even trying
 22 to understood any more.
 23 CHAYTOR, Q.C.:
 24 Q. So you had a copy of this?
 25 INTERPRETER:

Page 13

1 A. She did not have a copy of this. She had--she
 2 received documents but she doesn't seem to be
 3 identifying this as the document she received,
 4 more what is on page, on the next page, on
 5 page 2.
 6 CHAYTOR, Q.C.:
 7 Q. Page 2 of the same exhibit? Page 2, is it?
 8 INTERPRETER:
 9 A. She feels it was more like on page--yes. She
 10 has all the documents that she received in a--
 11 here, in the office here in this building.
 12 CHAYTOR, Q.C.:
 13 Q. So at the time of seeing Dr. Tong you were
 14 given some of your medical documents?
 15 INTERPRETER:
 16 A. She cannot remember if it's at that moment
 17 that she received the document or later.
 18 CHAYTOR, Q.C.:
 19 Q. Sometime during your treatment?
 20 INTERPRETER:
 21 A. She was very afraid of chemotherapy because
 22 her father had died of cancer and she was very
 23 preoccupied. She wanted to have chemotherapy
 24 immediately because if she had to go back to
 25 St. Pierre for three weeks before she got her

Page 14

1 first treatment, she would be too anxious.
 2 And he did, he did give her the chemotherapy
 3 immediately.
 4 CHAYTOR, Q.C.:
 5 Q. Okay. So I just want to get some sense of
 6 what information you were given and were you
 7 given information then to bring back to your
 8 doctor in St. Pierre, Dr. Poudet?
 9 INTERPRETER:
 10 A. So she didn't get any documents in her hand to
 11 bring to St. Pierre. The exchange of
 12 documents was between doctors.
 13 CHAYTOR, Q.C.:
 14 Q. Okay. And here under "Assessment and
 15 Discussion" it says that her tumour was low
 16 grade, that it's ER/PR negative.
 17 INTERPRETER:
 18 A. Yes.
 19 CHAYTOR, Q.C.:
 20 Q. Because of her tumour size she would benefit
 21 from adjuvant systemic therapy such as
 22 chemotherapy?
 23 MME. TELETCHEA:
 24 A. Yeah.
 25 INTERPRETER:

Page 15

1 A. She understood that.
 2 CHAYTOR, Q.C.:
 3 Q. Okay. And "Since it is almost three months
 4 from her surgery, I would like to get her
 5 chemotherapy started as soon as possible.
 6 Therefore, we shall book her chemotherapy to
 7 start this week or next." And Dr. Tong
 8 arranged that?
 9 INTERPRETER:
 10 A. It was made to go very fast, it was
 11 immediately.
 12 CHAYTOR, Q.C.:
 13 Q. Okay.
 14 INTERPRETER:
 15 A. It was immediately arranged.
 16 CHAYTOR, Q.C.:
 17 Q. And did you have any discussion with Dr. Tong
 18 as to what it means to be ER/PR negative?
 19 INTERPRETER:
 20 A. Yeah, there was a lot of--there was a lot of
 21 discussion, discussion. Dr. Tong spoke a lot,
 22 but she was so preoccupied with the idea of
 23 chemotherapy that what was understood it's not
 24 clear.
 25 CHAYTOR, Q.C.:

Page 16

1 Q. When you would see Dr. Tong or your other
 2 doctors, would there be any interpreter
 3 present?
 4 INTERPRETER:
 5 A. She didn't ask for interpreter because she
 6 felt that she understood enough. When the
 7 doctor came out with very complicated medical
 8 terms, she would ask him to put them in simple
 9 vernacular, but she--even so, she was too
 10 preoccupied to pay too much attention to these
 11 details.
 12 CHAYTOR, Q.C.:
 13 Q. If we could have, please, C-0200, page 3? I'm
 14 sorry, it's 0203. We already did this one.
 15 0203, page 13. And, Madame, these are your
 16 progress notes again from the Cancer Centre
 17 chart. And this one is dated January 19th,
 18 2001, so shortly after you saw Dr. Tong and
 19 it's a consultation note with Dr. Thain. And
 20 he is radiation oncologist. And you're seen
 21 by him for consideration of radiation
 22 treatment. You had recently been seen by Dr.
 23 Tong and you already started on your chemo,
 24 that's correct? And he finds that you do
 25 require adjuvant radiation therapy. And the

Page 17

1 treatment will be started four weeks after
 2 completion of your last course of
 3 chemotherapy.
 4 INTERPRETER:
 5 A. Yes.
 6 CHAYTOR, Q.C.:
 7 Q. Okay. If we go back then page 12, May 9th,
 8 2001. And these are some of your progress
 9 notes. There are others, but these are just a
 10 selection.
 11 INTERPRETER:
 12 A. This was always going to doctor, never to her.
 13 CHAYTOR, Q.C.:
 14 Q. You never saw those, okay. And then May 9th,
 15 2001 you're seen in the medical oncology
 16 clinic, again, the Cancer Centre?
 17 INTERPRETER:
 18 A. Um-hm.
 19 CHAYTOR, Q.C.:
 20 Q. And you're seen this time I believe it's by
 21 Dr. Farrell. And it says, "This lady is here
 22 for her last cycle of FAC," that's your
 23 chemotherapy. And again, "She is ER/PR
 24 negative and will be seen in three months for
 25 follow up." Did Dr. Farrell discuss your

Page 18

1 ER/PR status with you?
 2 INTERPRETER:
 3 A. Honestly, she cannot affirm that he did not
 4 discuss with her, but there were a lot of
 5 speaking from the part of the doctor. He
 6 talked a lot to her, but she cannot remember
 7 having had that information from him. She
 8 feels that he very likely explained everything
 9 to her, but she cannot recall.
 10 CHAYTOR, Q.C.:
 11 Q. Okay, and then we have page 10, and this is
 12 another progress note, January 24th, 2002, and
 13 again you're seen by Dr. Farrell, and this is
 14 copied to Dr. S. Dominic and Dr. Pouder, and
 15 Dr. Kwan. Who is S. Dominic, do you know?
 16 INTERPRETER:
 17 A. I don't think she's a doctor. It would be the
 18 interpreter at the Health Science Centre.
 19 CHAYTOR, Q.C.:
 20 Q. Sharon Dominic.
 21 INTERPRETER:
 22 A. Sharon Dominic. She was -- there was only one
 23 meeting with Sharon Dominic and it was to
 24 bring her documents that she was given to
 25 bring to Madame Dominic, and there was no --

Page 19

1 because she needed no interpretation. She
 2 felt she didn't need any interpretation. Mrs.
 3 Dominic had heard the name of the witness
 4 through Dr. Farrell because she doesn't the --
 5 Mrs. Dominic does the interpretation for all
 6 patients from St. Pierre, and she had heard
 7 the name, Teletchea.
 8 CHAYTOR, Q.C.:
 9 Q. And the documents you brought to Ms. Dominic,
 10 would those be medical documents?
 11 INTERPRETER:
 12 A. It didn't -- the documents she brought to
 13 Madame Dominic didn't have any relation --
 14 they were personal documents that somebody had
 15 given to her to deliver to Madame Dominic.
 16 CHAYTOR, Q.C.:
 17 Q. Not your documents?
 18 INTERPRETER:
 19 A. No, no, no.
 20 CHAYTOR, Q.C.:
 21 Q. Okay. This clinic note then says she had a
 22 mammogram report and what I think is an
 23 ultrasound report with her.
 24 INTERPRETER:
 25 A. She can't -- I don't know.

Page 20

1 CHAYTOR, Q.C.:
 2 Q. Would you have mammograms and ultrasounds done
 3 in St. Pierre?
 4 INTERPRETER:
 5 A. She had two mammograms performed in St. Pierre
 6 -- in St. John's, and all the other mammograms
 7 and whatever tests, she had done in St.
 8 Pierre, but she would always bring the
 9 documents with her.
 10 CHAYTOR, Q.C.:
 11 Q. So you brought those to Dr. Farrell this day?
 12 INTERPRETER:
 13 A. Yes.
 14 CHAYTOR, Q.C.:
 15 Q. It says, "We did not have a translator
 16 available to translate the reports, but I
 17 think from going over them, and I asked Dr.
 18 McCarthy, who has some knowledge of french, to
 19 help me with this, that the ultrasound showed
 20 some micro-calcifications and the repeat
 21 ultrasound in six months was recommended".
 22 INTERPRETER:
 23 A. She thinks that this ultrasound was done in
 24 St. John's. Repeat ultrasound was done in St.
 25 John's.

Page 21

1 CHAYTOR, Q.C.:

2 Q. So your documents that you would bring to Dr.

3 Farrell, if done in St. Pierre, they would be

4 in french?

5 INTERPRETER:

6 A. Yes. There weren't the facilities to do

7 ultrasounds in St. Pierre, only mammograms.

8 CHAYTOR, Q.C.:

9 Q. Okay, and we have on page nine, August 1,

10 2002, and you're seen again at the Cancer

11 Centre by Dr. Farrell. "This lady has had a

12 mammography done. She has also had an

13 ultrasound of her breast done. The reports

14 are in french, but I don't think there's any

15 evidence of any significant problems". So it

16 appears that your subsequent, as of this date,

17 were done again in St. Pierre?

18 INTERPRETER:

19 A. She's asking if ultrasound is an x-ray of the

20 lungs. She's wondering of ultrasound is x-ray

21 of the lungs.

22 CHAYTOR, Q.C.:

23 Q. This appears to be an ultrasound of your

24 breast according to what's written here.

25 INTERPRETER:

Page 22

1 A. She says that in St. Pierre, they only do

2 mammograms.

3 CHAYTOR, Q.C.:

4 Q. Okay. On page four of the exhibit, this again

5 you're seen at the Cancer Centre on September

6 21st, 2005, and you're seen by Dr. Farrell on

7 that day?

8 INTERPRETER:

9 A. Yes.

10 CHAYTOR, Q.C.:

11 Q. And he writes, "This lady was supposed to come

12 back in June". Now again this is 2005. I've

13 skipped over a lot of your notes, "but I

14 gather that the appointment was cancelled.

15 There seems to be some disruption in the

16 follow up of our cancer patients from St.

17 Pierre for administrative reasons". Do you

18 know what was that about?

19 INTERPRETER:

20 A. There was a doctor there in St. Pierre who

21 didn't want that the patients come to St.

22 John's, the cancer patients come to St. John's

23 any more. So she -- because in this case her

24 cancer, it was the fifth anniversary of her

25 diagnosis, and she felt that it was very, very

Page 23

1 important that she did come to St. John's and

2 she fought against this doctor to come to St.

3 John's.

4 CHAYTOR, Q.C.:

5 Q. Who was this doctor?

6 INTERPRETER:

7 A. Ms. Malluret.

8 CHAYTOR, Q.C.:

9 Q. Malluret?

10 INTERPRETER:

11 A. Madame Malluret.

12 CHAYTOR, Q.C.:

13 Q. Who was Dr. Malluret, what was her role?

14 INTERPRETER:

15 A. She was the consulting physician at the

16 hospital in St. Pierre, and it was her who

17 approved for the patients to go outside St.

18 Pierre to get treatment.

19 CHAYTOR, Q.C.:

20 Q. Okay. Dr. Farrell certainly wants to see you

21 back. He says, "I asked this lady to come back

22 in six months, and in the meantime to keep an

23 eye on", and he talked about a red area that

24 you have on your skin.

25 INTERPRETER:

Page 24

1 A. At the same time she did have a red area on

2 her right breast and she had problems with her

3 legs, and they would send her to doctors in

4 St. Pierre before deciding.

5 CHAYTOR, Q.C.:

6 Q. So when he says he will see you back again,

7 see this lady again in six months, this is

8 September 21st, 2005.

9 INTERPRETER:

10 A. Yes.

11 CHAYTOR, Q.C.:

12 Q. Did Dr. Farrell or anyone else on this visit

13 to the Cancer Clinic mention to you that there

14 was any retesting happening as to ER/PR tests?

15 INTERPRETER:

16 A. No.

17 CHAYTOR, Q.C.:

18 Q. When did you first learn that there was such

19 retesting happening?

20 INTERPRETER:

21 A. Doctor in St. Pierre called her to tell her

22 that she needed to take another test or a new

23 treatment -- a new treatment, so he read her

24 the letter and the letter stated that she

25 needed to take a particular medication,

Page 25

1 Tamoxifen, and the doctor in St. Pierre said
 2 that he couldn't understand why because it was
 3 five years later, and she asked this doctor to
 4 take further information before she was
 5 administered that medication. So she went
 6 home and looked on internet to get some
 7 information on Tamoxifen, and she fell on this
 8 site that explained that there were mistakes
 9 and that there were two persons who were in
 10 the final phase because of the mistakes made
 11 here in St. John's.

12 CHAYTOR, Q.C.:

13 Q. Are you okay, do you want to keep going?

14 INTERPRETER:

15 A. Yes.

16 CHAYTOR, Q.C.:

17 Q. Okay, and I'll ask you some more about that
 18 and your communications. Who was that doctor
 19 in St. Pierre who told you that?

20 INTERPRETER:

21 A. Dr. Peaudecerf.

22 CHAYTOR, Q.C.:

23 Q. Dr. Peaudecerf, and what is Dr. Peaudecerf's
 24 relationship to you?

25 INTERPRETER:

Page 26

1 A. He's a gynecologist.

2 CHAYTOR, Q.C.:

3 Q. So before any retest, you weren't told there
 4 was retests?

5 INTERPRETER:

6 A. No, she didn't know. She discovered this on
 7 internet herself. The doctor had told her --
 8 Dr. Peaudecerf had told her that Tamoxifen
 9 could result -- taking Tamoxifen could result
 10 in uterine cancer, so she was afraid of taking
 11 it. So she saw on internet that there was
 12 another medication, Arimidex, that would cause
 13 less problems. She informed her doctor about
 14 that. So she had -- in the meantime this
 15 doctor in St. Pierre had received some
 16 information and also word from Dr. Farrell
 17 that she should come and visit him on the 14th
 18 of December, 2005.

19 CHAYTOR, Q.C.:

20 Q. Okay, and I'll take you to that. So do you
 21 feel that you should have been informed that
 22 there was going to be retesting before you
 23 were retested?

24 INTERPRETER:

25 A. Yes, she thinks, yes.

Page 27

1 CHAYTOR, Q.C.:

2 Q. Do you know where your tissue was retested?

3 INTERPRETER:

4 A. She saw on the letter that it was in Mount
 5 Sinai in Toronto, and as well on the internet
 6 document.

7 CHAYTOR, Q.C.:

8 Q. And what did Dr. Peaudecerf tell you your
 9 result was on the retest?

10 INTERPRETER:

11 A. She didn't quite understand. She knew that
 12 she was negative and had become positive, and
 13 she had taken the medication. That's why she
 14 phoned herself to St. John's because the
 15 consulting physician at the hospital didn't
 16 want her to come to St. John's. She told her
 17 family doctor that she would call herself to
 18 St. John's.

19 CHAYTOR, Q.C.:

20 Q. Dr. Malluret again?

21 INTERPRETER:

22 A. Yes.

23 CHAYTOR, Q.C.:

24 Q. If we could look, please, at 200, C-200,
 25 please, page three. This is your pathology

Page 28

1 report again, and this is another addendum,
 2 Addendum #2, and this one is October 5th,
 3 2005. Page three of the exhibit, here you go,
 4 "This specimen has been retested at Mount
 5 Sinai Hospital for immunohistochemical
 6 studies, BL3D, and shows", sorry, block, I
 7 think that is, 3D, "and shows estrogen
 8 receptor protein is seen in 80 percent of
 9 cells", and then "progesterone receptor
 10 protein is seen in 15 percent of cells". So
 11 your positivity in your estrogen receptor is
 12 80 percent and progesterone 15 percent, and
 13 this was told to you by Dr. Peaudecerf?

14 INTERPRETER:

15 A. Yes.

16 CHAYTOR, Q.C.:

17 Q. If we could have, please, C-207. This is a
 18 physician panel meeting in St. John's on
 19 October 27th, 2007, and your surgeon, Dr.
 20 Kwan, is probably the only name you'd
 21 recognize there, Dr. Kwan was in attendance,
 22 and on page two, there's a number -- these are
 23 other patients, and on page two we see your
 24 name. You had originally been
 25 negative/negative and then 80/15 percent.

Page 29

1 Recommendation, "This patient should be
 2 offered treatment with Tamoxifen and follow up
 3 by Dr. Farrell, to be copied to Dr. Kwan and
 4 Dr. Malluret in St. Pierre". If we could
 5 have, please, C-208, and we'll see it's the
 6 same day as the meeting, October 27th, 2005.
 7 There's a letter written to Dr. Farrell from
 8 Dr. Laing, and copied to Dr. Kwan and Dr.
 9 Malluret.
 10 INTERPRETER:
 11 A. Uh-hm.
 12 CHAYTOR, Q.C.:
 13 Q. Is this -- this letter is, "Ms. Teletchea was
 14 diagnosed with breast cancer on October 30th,
 15 2000. The original report of the estrogen and
 16 progesterone receptor showed negative staining
 17 for both. A repeat report from Mount Sinai
 18 Hospital has shown the tumour to be estrogen
 19 receptor positive at 80 percent and the
 20 progesterone receptor positive at 15 percent",
 21 and the panel meeting that I just referred you
 22 to, October 27th, recommended Tamoxifen, and
 23 if it's not -- "if it's contra-indicated or
 24 not tolerated, then Aromatase inhibitor may be
 25 used", and asks Dr. Farrell "to communicate

Page 30

1 this information to your patient as soon as
 2 possible". Is this the letter that Dr.
 3 Peaudecerf read to you?
 4 INTERPRETER:
 5 A. Yes.
 6 CHAYTOR, Q.C.:
 7 Q. Did you ever receive a copy of this letter?
 8 INTERPRETER:
 9 A. No.
 10 CHAYTOR, Q.C.:
 11 Q. And if we could have, please, 2487 and these
 12 documents don't concern you, personally, these
 13 are e-mails between internal people at Eastern
 14 Health. So Heather Predham who is in Risk
 15 Management with Eastern Health to Sharon
 16 Dominic, who you've spoken with, I believe,
 17 October 25th, 2005, and it's re: ER/PR
 18 retesting with patients from St. Pierre. "Hi
 19 Sharon, I don't know if you have been
 20 following this in the media, but I need your
 21 help with contacting Dr. Pascal Malluret in
 22 St. Pierre. I was speaking with her, but my
 23 French was far from sufficient to explain the
 24 intricacies of this issue. I'd like for you
 25 to convey some information to her. I think

Page 31

1 she's aware of the issue, but I'm not sure.
 2 If she is, it will make all this a lot
 3 easier." And this issue became public in the
 4 media at the beginning of October, 2005. Did
 5 you hear anything in the media around that
 6 time about this issue?
 7 INTERPRETER:
 8 A. At that morning she hadn't heard anything, the
 9 only thing that was made available to her was
 10 the letter from the doctor.
 11 CHAYTOR, Q.C.:
 12 Q. Were you ever contacted by Dr. Malluret to
 13 discuss this issue?
 14 MME. TELETCHEA:
 15 A. Yes.
 16 CHAYTOR, Q.C.:
 17 Q. And if we could have, please, C-0209? And
 18 this is a letter dated November 22nd, 2005
 19 written to Dr. Laing and Dr. Laing is who
 20 wrote your letter, the panel letter, and it's
 21 from your gynecologist, Dr. Peaudecerf and
 22 perhaps you can read this letter for us.
 23 INTERPRETER:
 24 A. Okay, "Dear Colleague: Dr. Malluret send me
 25 your letter dated the 27-10-2005 in which you

Page 32

1 proposed to Madame Marie-France Teletchea a
 2 treatment of Tamoxifen as an associated
 3 treatment for cancer of the breast, which was
 4 operated in October, 2000. Madam Teletchea
 5 has not decided to take this treatment and
 6 doesn't understand the delay in the initial
 7 phase and she doesn't understand this
 8 proposition of taking this treatment. I ask
 9 you to communicate some arguments to convince
 10 her and to explain to me why in five years
 11 after the initial event this treatment is very
 12 important to her. I thank you and salute you.
 13 Dr. Peaudecerf."
 14 CHAYTOR, Q.C.:
 15 Q. Did you know Dr. Peaudecerf was going to write
 16 this letter?
 17 INTERPRETER:
 18 A. I had asked him to take some--to get some
 19 information for me. She couldn't understand
 20 why after five years it was necessary. It's
 21 him who had informed her that it was necessary
 22 to start with.
 23 CHAYTOR, Q.C.:
 24 Q. And do you know if Dr. Peaudecerf received a
 25 response and if so, was that told to you, the

Page 33

1 reasons?
 2 INTERPRETER:
 3 A. She thinks that Dr. Farrell answered.
 4 CHAYTOR, Q.C.:
 5 Q. If we could have, please, C-0210?
 6 INTERPRETER:
 7 A. She thinks that there's an--Dr. Farrell
 8 answered.
 9 CHAYTOR, Q.C.:
 10 Q. If we could have, please, C-0210?
 11 INTERPRETER:
 12 A. She doesn't have that document.
 13 CHAYTOR, Q.C.:
 14 Q. Okay. And this is just two days later,
 15 November 24th, 2005. And this letter is
 16 written to you. Did you receive this letter?
 17 INTERPRETER:
 18 A. (No audible response).
 19 CHAYTOR, Q.C.:
 20 Q. It's written by Dr. Farrell, okay. Do you
 21 know who did receive this letter?
 22 INTERPRETER:
 23 A. She had never seen this letter. She just saw
 24 it in the documents that were presented to her
 25 recently. She went to see in her file in St.

Page 34

1 Pierre to see what documents were there and
 2 this letter was there. The doctor had told
 3 her that he had received an answer.
 4 CHAYTOR, Q.C.:
 5 Q. So this is probably the answer he received?
 6 INTERPRETER:
 7 A. This is where he gives me an appointment in
 8 St. John's.
 9 CHAYTOR, Q.C.:
 10 Q. Yes, okay. And this says that "There has been
 11 a recent review of ladies with breast cancer
 12 here in St. John's. As a result"--okay. As a
 13 result of this review it was determined that
 14 you would be a candidate for a drug called
 15 Tamoxifen. To my knowledge you have never had
 16 this drug.
 17 INTERPRETER:
 18 A. No.
 19 CHAYTOR, Q.C.:
 20 Q. Do not have any contra-indications to taking
 21 this drug. "It is in pill form, one pill,
 22 once a day. And the plan would be for you to
 23 stay on this pill, providing you do not have
 24 any problems, for approximately five years. I
 25 can understand that a letter of this nature is

Page 35

1 very brief and probably leaves you with many
 2 questions. For this reason I will be offering
 3 you an appointment here at the Cancer Clinic
 4 so that we can discuss this matter and at that
 5 time I will go into more details and we can
 6 decide whether you want to take advantage of
 7 this medication." So Dr. Farrell, as you say,
 8 was offering you an appointment to come to St.
 9 John's and this was told to you by Dr.
 10 Peaudecerf?
 11 INTERPRETER:
 12 A. Yes.
 13 CHAYTOR, Q.C.:
 14 Q. Yes. And what happened, did you go to St.
 15 John's at this time?
 16 MME. TELETCHEA:
 17 A. No, because the lady didn't want me to go.
 18 CHAYTOR, Q.C.:
 19 Q. Dr. Malluret?
 20 MME. TELETCHEA:
 21 A. I already had to fight with her before for the
 22 five years, so I said to Dr. Peaudecerf that I
 23 was going for myself, Dr. Farrell.
 24 INTERPRETER:
 25 A. Dr. Malluret did not want her to come to St.

Page 36

1 John's and so she took upon herself to call
 2 St. John's and to tell Dr. Farrell that she--
 3 that the doctor in St. Pierre did not want her
 4 to come. And she asked over the phone
 5 explanations for why she should take the
 6 medication. So Dr. Farrell was sorry that
 7 this, these events were such and that he
 8 advised her to take the medication. So she
 9 went. She discussed with her, with Dr.
 10 Farrell the option for her to--whether she
 11 should take Arimidex because she had looked it
 12 up on internet. Yes, that's what they decided
 13 for her to take. Dr. Farrell took some--
 14 informed himself on Arimidex and she called
 15 back to confirm. So she took upon herself to
 16 call back Dr. Farrell.
 17 CHAYTOR, Q.C.:
 18 Q. You spoke with Dr. Farrell?
 19 MME. TELETCHEA:
 20 A. Oui, oui.
 21 CHAYTOR, Q.C.:
 22 Q. And did you tell--the reason Dr. Malluret
 23 didn't want you to come, was it financial,
 24 that St. Pierre wasn't to pay for you to come,
 25 is that the issue?

Page 37

1 INTERPRETER:
 2 A. She did not want--the Dr. Peaudecerf told
 3 Madame Teletchea that Dr. Malluret did not
 4 want her to come to St. John's because the lab
 5 had made mistakes in St. John's, that it's St.
 6 John's that was responsible, not St. Pierre.
 7 CHAYTOR, Q.C.:
 8 Q. Okay. So meaning that the cost of you having
 9 to come back should be borne in St. John's,
 10 not St. Pierre?
 11 INTERPRETER:
 12 A. I think it was a little bit that. She feels
 13 that it was further than that because for five
 14 years previous this lady did not want any of
 15 the cancer patients from St. Pierre to come to
 16 St. John's and it was just one more issue to
 17 end the debate.
 18 CHAYTOR, Q.C.:
 19 Q. Okay. Did you tell Dr. Farrell or anyone else
 20 at Eastern Health about your problems with Dr.
 21 Malluret and why she didn't want you to come?
 22 INTERPRETER:
 23 A. So she said, well, she mentioned to Dr.
 24 Farrell that she didn't want her, that Dr.
 25 Malluret did not want Madame Teletchea to go

Page 38

1 to St. John's. She had already refused her
 2 five-year checkup in St. John's. But Madame
 3 Teletchea said that she told Dr. Farrell that
 4 she would come to St. John's on another
 5 matter, that she was going to go no matter
 6 what.
 7 CHAYTOR, Q.C.:
 8 Q. That you had to come for another reason?
 9 MME. TELETCHEA:
 10 A. Oui.
 11 CHAYTOR, Q.C.:
 12 Q. And you would come see him then?
 13 INTERPRETER:
 14 A. Yeah, oui.
 15 CHAYTOR, Q.C.:
 16 Q. Did Dr.--was there any issue of requiring
 17 financial assistance for you to come?
 18 INTERPRETER:
 19 A. She couldn't--she didn't know, she didn't know
 20 if the matter of the mistakes in the lab were
 21 important enough to justify this kind of
 22 paying for her trip. She didn't pursue that
 23 at all. Nothing was proposed to her. She
 24 didn't think that it was--didn't know they
 25 should justify.

Page 39

1 CHAYTOR, Q.C.:
 2 Q. If we could look then at, please, 0211? Oh,
 3 I'm sorry, before we leave this one, can you
 4 see on your copy what's written here, on 0210,
 5 page 1?
 6 INTERPRETER:
 7 A. No, it's illegible.
 8 CHAYTOR, Q.C.:
 9 Q. It is your handwriting?
 10 INTERPRETER:
 11 A. Yes, it's her writing.
 12 CHAYTOR, Q.C.:
 13 Q. You can't read it?
 14 INTERPRETER:
 15 A. So it's just, she's just summarizing the
 16 request from Dr. Farrell and the fact that
 17 her--this placement on St. John's was refused.
 18 CHAYTOR, Q.C.:
 19 Q. Okay. And then if we could have, please,
 20 0211? C-0211 that is. And is this the copy
 21 of the information you got from the internet?
 22 MME. TELETCHEA:
 23 A. Yeah.
 24 CHAYTOR, Q.C.:
 25 Q. And is this your writing?

Page 40

1 MME. TELETCHEA:
 2 A. Yeah.
 3 CHAYTOR, Q.C.:
 4 Q. Okay. And this is given to Dr. -
 5 MME. TELETCHEA:
 6 A. Peaudecerf.
 7 CHAYTOR, Q.C.:
 8 Q. - Peaudecerf, okay. So you gave him a copy of
 9 this. And if we could have, please, C-0215?
 10 INTERPRETER:
 11 A. Dr. Malluret got a copy, received a copy of
 12 that letter, as well, which was sent to her by
 13 Dr. Peaudecerf.
 14 CHAYTOR, Q.C.:
 15 Q. Okay. And C-0215, is this your handwriting?
 16 MME. TELETCHEA:
 17 A. Yeah.
 18 CHAYTOR, Q.C.:
 19 Q. Okay. And this is written to the attention of
 20 Dr. Farrell. Did you send this to Dr.
 21 Farrell?
 22 MME. TELETCHEA:
 23 A. Oui.
 24 CHAYTOR, Q.C.:
 25 Q. And do you remember when you sent this, is it

Page 41

1 -

2 INTERPRETER:

3 A. It was faxed to Dr. Farrell before she phoned

4 him so that she would be able to--he would be

5 able to have an idea of the questions she was

6 going to ask and so that she wouldn't have--

7 she wouldn't forget anything.

8 CHAYTOR, Q.C.:

9 Q. And you hadn't--did you have any difficulty

10 getting in touch with Dr. Farrell?

11 MME. TELETCHEA:

12 A. No. No, no, no.

13 CHAYTOR, Q.C.:

14 Q. And he spoke to you when you called?

15 MME. TELETCHEA:

16 A. Oui.

17 INTERPRETER:

18 A. His secretary put Madame to Dr. Farrell right

19 away.

20 CHAYTOR, Q.C.:

21 Q. Okay. And this says that "I asked the doctor

22 to get information from you," so that's Dr.

23 Peaudecerf?

24 MME. TELETCHEA:

25 A. Yeah.

Page 42

1 CHAYTOR, Q.C.:

2 Q. Okay. "He told me all about it, but I

3 insisted to have him write you. I went on a

4 site, an internet site to see for Tamoxifen."

5 And then that's the internet site that you

6 went on, you're looking up about Tamoxifen.

7 "I saw what they are saying about the retest

8 at the Mount Sinai since eight years. I have

9 already lots of inconveniences with the

10 menopause and I wanted to know if that

11 treatment will cause me more and how long

12 should I take it. If I have to do a test of

13 the uterus every year. I am trying to make

14 myself better, losing weight and try to go

15 front" go forward, I guess.

16 MME. TELETCHEA:

17 A. Um.

18 CHAYTOR, Q.C.:

19 Q. "So that disturbed me." So what was it about

20 this then that was disturbing to you?

21 INTERPRETER:

22 A. She was trying to go forward and trying to

23 cope with her problem and this was a setback.

24 CHAYTOR, Q.C.:

25 Q. "If I do a mammogram every year and a blood

Page 43

1 test, is that--would that be enough, is that

2 would be enough? If not, will take the

3 treatment." "I will take the treatment."

4 "Maybe you could write to Dr. Peaudecerf

5 himself, not to" -

6 INTERPRETER:

7 A. Yeah, to Madame Malluret.

8 CHAYTOR, Q.C.:

9 Q. Malluret?

10 MME. TELETCHEA:

11 A. Um.

12 CHAYTOR, Q.C.:

13 Q. Because they already said that to go on the

14 14th of December, so that was your appointment

15 date you were supposed to have, "that is not

16 their problem, so I would probably have to go

17 and talk to them. Please give my appointment

18 to Dr. Peaudecerf for the last of March. I

19 will call you at 9:30, that will save you

20 time". So, you told him what time you would

21 call.

22 MME. TELETCHEA:

23 A. Yeah.

24 CHAYTOR, Q.C.:

25 Q. And why did you ask them for an appointment

Page 44

1 the last of March?

2 INTERPRETER:

3 A. She had another problem and she was awaiting

4 for a date of appointment at the end of March

5 for that other appointment as well.

6 CHAYTOR, Q.C.:

7 Q. So, you would do both the same time? Okay.

8 INTERPRETER:

9 A. She was reassured that she would be get to St.

10 John's, that she would see Dr. Farrell again.

11 CHAYTOR, Q.C.:

12 Q. Okay. Could we have please C-0216? This is a

13 letter, December 6th, 2005 written to Dr.

14 Peaudecerf about yourself and it's written by

15 Dr. Farrell and he writes, "Dear Doctor, I

16 have been asked to forward this information to

17 you by Madame Teletchea". So, this is after

18 your discussion with him. "We have recently

19 reviewed this lady's pathology and found that

20 she is not, in fact, estrogen receptor

21 negative, but she is estrogen receptor

22 positive and as such, should have been started

23 on Tamoxifen after she finished her

24 chemotherapy". And he goes on to say that,

25 "it is my understanding that there is some

Page 45

1 problem with Madame Teletchea coming to clinic
 2 here in St. John's. Normally, I would speak
 3 to this lady personally, but instead I have
 4 gotten in touch with her by telephone".
 5 INTERPRETER:
 6 A. Dr. Farrell said to her that he was very sorry
 7 that it couldn't be face to face.
 8 CHAYTOR, Q.C.:
 9 Q. Okay. He would have preferred, I take it, to
 10 speak to you and explain it in person.
 11 INTERPRETER:
 12 A. Yes, he told her that.
 13 CHAYTOR, Q.C.:
 14 Q. And it goes on to say that you're "having
 15 significant problems with post menopausal and
 16 you were concerned Tamoxifen would exacerbate
 17 these".
 18 MME. TELETCHEA:
 19 A. Right.
 20 CHAYTOR, Q.C.:
 21 Q. You have agreed, "she has agreed that she
 22 wants to give"--sorry--so he would recommend
 23 as an alternative to her that she take
 24 Arimidex. "She has agreed that she wants to
 25 give this a try and see how it works". So,

Page 46

1 you made your decision to take the Arimidex
 2 after your telephone conversation with Dr.
 3 Farrell?
 4 MME. TELETCHEA:
 5 A. Yes.
 6 INTERPRETER:
 7 A. Yes.
 8 CHAYTOR, Q.C.:
 9 Q. How long was your telephone conversation with
 10 Dr. Farrell?
 11 INTERPRETER:
 12 A. It was a long period, at least an hour, she
 13 thinks.
 14 MME. TELETCHEA:
 15 A. Yes, yes.
 16 CHAYTOR, Q.C.:
 17 Q. And "she would agree to take this medication,
 18 she should take this medication for at least
 19 three years and as the situation progresses, I
 20 will update you as to further
 21 recommendations".
 22 INTERPRETER:
 23 A. So, now it's for five years.
 24 CHAYTOR, Q.C.:
 25 Q. Now it's for five years. "She should be

Page 47

1 coming to see you in the very near future to
 2 be started on this drug". So, this is written
 3 again to Dr. Peaudecerf. So, is that who
 4 wrote your prescription then for the Arimidex?
 5 INTERPRETER:
 6 A. Yes.
 7 CHAYTOR, Q.C.:
 8 Q. And Dr. Farrell says "if she has any problems,
 9 I told her that she can get in touch with me".
 10 Did you do that? Did you call Dr. Farrell
 11 again?
 12 INTERPRETER:
 13 A. No.
 14 CHAYTOR, Q.C.:
 15 Q. If we could see please C-0217? And this is a
 16 letter by Dr. Peaudecerf dated December 13th,
 17 2005 and it's written to you.
 18 MME. TELETCHEA:
 19 A. Yes.
 20 CHAYTOR, Q.C.:
 21 Q. And perhaps you could read this letter to us,
 22 please.
 23 INTERPRETER:
 24 A. As to your treatment, Arimidex, is a very good
 25 product, it's not--well, you don't need any

Page 48

1 tests before taking this medication nor do you
 2 need any follow-up, but it's--you should,
 3 before starting the treatment, take an
 4 ecogram, that's ecogram, with control of your
 5 (speaking french), okay, it's for uterus
 6 cancer, twice a year and we could do the first
 7 test during the first trimester of 2006. Ask
 8 for the transfer of the documents that are in
 9 your file to Dr. Pouder. There's no problem,
 10 Dr. Pouder just has to request them. As for
 11 your appointment in St. John's, I have just
 12 received from Dr. Malluret the appointment
 13 that you had for the 14th of December 2005 was
 14 cancelled and a new appointment is going to
 15 be--you're going to have a new appointment in
 16 the first semester of 2006. Dates will be
 17 communicated to you as soon as they are fixed.
 18 Yes, so I'm at your disposition for any
 19 information.
 20 CHAYTOR, Q.C.:
 21 Q. Thank you. And so you received this letter
 22 did you? And if we could have, please, C-
 23 0218. And this is a letter written by Dr.
 24 Peaudecerf to Dr. Malluret, December 15th,
 25 2005 and there's some handwriting here. Is

Page 49

1 this your handwriting?
 2 MME. TELETCHEA:
 3 A. Oui.
 4 CHAYTOR, Q.C.:
 5 Q. And what does this say?
 6 INTERPRETER:
 7 A. Having only contact by telephone, then the
 8 reasons for refusal, cancellation of
 9 appointment of the 14th of December, 2005 by
 10 Madame Malluret. That's for the oncologist,
 11 yes. Dear colleague, Madame Teletchea will
 12 have, in the first part of the year, two
 13 appointments in St. John's. One in senologie
 14 with the oncologist and the other one in
 15 urology for the putting in place a TVT for
 16 incontinence that was already set in
 17 September. It would be interesting for
 18 everyone to co-ordinate these appointments.
 19 It would be important for everyone to co-
 20 ordinate these appointments. I leave that to
 21 your higher authority and I thank you.
 22 CHAYTOR, Q.C.:
 23 Q. Okay.
 24 INTERPRETER:
 25 A. So, therefore because of another appointment

Page 50

1 that I was able to see the oncologist.
 2 CHAYTOR, Q.C.:
 3 Q. And if we could have then--so, you were seen
 4 then in St. John's? You did get to come see
 5 Dr. Farrell?
 6 INTERPRETER:
 7 A. Yes.
 8 CHAYTOR, Q.C.:
 9 Q. And if we could have, please, C-0203, page
 10 three. Madame, this is another progress note.
 11 It's February 27th, 2006 at the cancer centre
 12 and it's written by Dr. Farrell and again
 13 copied to the same three people. And it says,
 14 "this lady came in for re-check today.
 15 Unfortunately she is one of those ladies who
 16 went from being ER negative to ER positive. I
 17 tried to get in touch of St. Pierre and she
 18 was unable to attend the clinic here". He
 19 says, "I tried to get in touch with her", but
 20 you did speak with him?
 21 INTERPRETER:
 22 A. Yes.
 23 CHAYTOR, Q.C.:
 24 Q. "She was reluctant to take the Tamoxifen
 25 because she was already having significant

Page 51

1 problems with hot flashes. She wanted to be
 2 put on Arimidex".
 3 MME. TELETCHEA:
 4 A. Oui.
 5 CHAYTOR, Q.C.:
 6 Q. And then he says, "since she has been started
 7 on Arimidex, she has had low grade nausea and
 8 some symptoms" and then he talks about some
 9 other symptoms that you have. "I will see her
 10 after the bone scan and that will give me a
 11 chance to assess whether she continues to have
 12 the nausea and the decreased energy with the
 13 Arimidex. If this is a problem, then we may
 14 have to stop the Arimidex as a result of
 15 that". So, this is your appointment with Dr.
 16 Farrell at the beginning of the year.
 17 And if we could look then please at the
 18 same exhibit, I'll take you there, on March
 19 17th, 2006, you're see again by Dr. Farrell,
 20 is that right, you're seen at the clinic on
 21 March 17th. And you've had a bone scan which
 22 shows some minor degenerative arthritic
 23 changes in your back and mild increase in the
 24 left inferior sacroiliac joint. The Arimidex
 25 continues to cause low grade nausea, but she's

Page 52

1 trying to cope with this with her diet. I'm a
 2 little bit concerned about this, but she is
 3 willing to continue. At her request, I will
 4 re-schedule another appointment for May of
 5 2007". Madame, so did you have any problems
 6 coming back on March 17th, 2006?
 7 INTERPRETER:
 8 A. She had other appointments at the same time.
 9 So, this just coincided and she didn't have
 10 any problems. She didn't have to request
 11 because if she had requested, it would have
 12 been refused.
 13 CHAYTOR, Q.C.:
 14 Q. Again by Dr. Malluret?
 15 INTERPRETER:
 16 A. Yes.
 17 CHAYTOR, Q.C.:
 18 Q. And then on page one of the same Exhibit 203,
 19 on February 17th, 2007, you're seen in the
 20 Medical Oncology Clinic again by Dr. Farrell,
 21 and it indicates you continue on Arimidex, "We
 22 had another discussion today about further
 23 follow-up. This lady is at a stage now where
 24 she would prefer not to come back to the
 25 Cancer Clinic unless there is an issue". Is

Page 53

1 that correct?

2 INTERPRETER:

3 A. She was always afraid that she would be

4 refused when it was request to come for an

5 appointment concerning the cancer. She was --

6 she preferred that it was Dr. Farrell that

7 would refer her to a doctor in St. Pierre,

8 than referral from St. Pierre's

9 administration.

10 CHAYTOR, Q.C.:

11 Q. Okay. So the reason you preferred not to come

12 back is that you thought you would still have

13 problems getting approval to come?

14 INTERPRETER:

15 A. Yes.

16 CHAYTOR, Q.C.:

17 Q. He says, "I have not given this lady a return

18 to clinic appointment, but if any problems

19 arise, I will be happy to see this lady again.

20 She should also have annual mammograms for the

21 foreseeable future". So have you been back

22 since February 14th, 2007, to the Cancer

23 Clinic?

24 INTERPRETER:

25 A. She doesn't think so. I think it's the last

Page 54

1 time.

2 CHAYTOR, Q.C.:

3 Q. And you still continue to take your Arimidex?

4 INTERPRETER:

5 A. Yes.

6 CHAYTOR, Q.C.:

7 Q. And who monitors that for you?

8 INTERPRETER:

9 A. It's the doctor in St. Pierre, but until she

10 came to St. John's, she was one and a half

11 years taking the medication without any check-

12 up because she didn't know where to go. So

13 she then decided to go and see the

14 gynecologist in St. Pierre, a new gynecologist

15 in St. Pierre, who gave her the confidence to

16 go ahead and continue taking the medication.

17 This new gynecologist wanted her to come to

18 St. John's to be checked.

19 CHAYTOR, Q.C.:

20 Q. And did that happen?

21 INTERPRETER:

22 A. It's in the process of being organized, but in

23 the meantime, this event occurred and she's in

24 St. John's, but it's for another reason.

25 CHAYTOR, Q.C.:

Page 55

1 Q. So will you see -- will you go to the clinic

2 while you're here now?

3 INTERPRETER:

4 A. No, she is not -- she just wanted to do one

5 thing at a time. She wanted to come here for

6 this reason alone, but there's a new

7 consulting physician now in St. Pierre and she

8 doesn't seem -- she says that there's very

9 likely going to be no problem in the future to

10 come to St. John's to see Dr. Farrell.

11 CHAYTOR, Q.C.:

12 Q. And who is that?

13 INTERPRETER:

14 A. Dr. Bondonneau.

15 CHAYTOR, Q.C.:

16 Q. Bondonneau, okay. So the administrative

17 issues are resolved with Dr. Bondonneau?

18 INTERPRETER:

19 A. Yes, for her.

20 CHAYTOR, Q.C.:

21 Q. If we could have then, please, C-220. This is

22 a letter from Eastern Health. It's not

23 addressed specifically to anyone, any

24 individual, but it says, "To the patient of

25 the Eastern Regional Integrated Health

Page 56

1 Authority, Eastern Health, and the patients

2 family members", and it's written by Marion

3 Crowley, Eastern Health. Madame, did you

4 receive this letter?

5 INTERPRETER:

6 A. She received that letter.

7 CHAYTOR, Q.C.:

8 Q. And enclosed with it is this document, "Breast

9 cancer testing, class action". You received

10 this document?

11 INTERPRETER:

12 A. Yes.

13 CHAYTOR, Q.C.:

14 Q. And it says, "On July 20th, 2007, the Supreme

15 Court of Newfoundland and Labrador ordered

16 that Eastern Health contact you with the

17 attached notice of certification. Eastern

18 Health is required by the court order to send

19 the notice to those individuals whose breast

20 cancer screening test results converted from

21 clinically negative to clinically positive,

22 and who are identifiable from Eastern Health's

23 records. Please find enclosed a notice of

24 certification as per the order of Mr. Justice

25 Thompson, and bring the enclosed to the

Page 57

1 attention of your family members". Did you
 2 understand, Madame Teletchea, what this was
 3 about?
 4 INTERPRETER:
 5 A. No. She has an idea, but not exactly.
 6 CHAYTOR, Q.C.:
 7 Q. What did you do upon receipt of this letter?
 8 Did you contact anyone?
 9 INTERPRETER:
 10 A. She sent a fax to Eastern Health thinking that
 11 they knew her as they knew her in the Health
 12 Science Centre, and she asked them to send her
 13 the documents in french.
 14 CHAYTOR, Q.C.:
 15 Q. Okay, and did that happen, did you receive --
 16 INTERPRETER:
 17 A. She waited a few days, but then a few days
 18 later she saw in the newspaper in St. Pierre a
 19 letter from Judge Cameron, and she understood
 20 that these two things were connected, that
 21 this information in the letter and the article
 22 by Judge Cameron were connected. She phoned
 23 St. John's at the french office of the Health
 24 Centre. She asked Mrs. Dominic what she
 25 should do with this. Since she didn't

Page 58

1 understand the difference between Eastern
 2 Health and Health Science Centre, she didn't
 3 understand from her conversation with Madame
 4 Dominic who she should contact. She didn't
 5 understand what she should really do. She
 6 asked a person in St. Pierre to translate the
 7 document for her because she was very afraid
 8 if she was going to get involved with lawyers
 9 to have to pay fees. So the person that she
 10 consulted in St. Pierre to interpret the
 11 letter advised her that it would be better to
 12 answer this letter. So she didn't know where
 13 to send it. She was confused between what
 14 appeared in the paper signed by Judge Cameron
 15 and she didn't know really where to send it,
 16 so she felt that she should send it to Judge
 17 Cameron since she interpreted that she was the
 18 highest authority in this.
 19 CHAYTOR, Q.C.:
 20 Q. Okay, and this letter then when you received
 21 it, the August 16th, 2007, letter, you faxed
 22 to Eastern Health asking for this document to
 23 come in french?
 24 INTERPRETER:
 25 A. French, yes.

Page 59

1 CHAYTOR, Q.C.:
 2 Q. And you didn't receive that?
 3 INTERPRETER:
 4 A. No.
 5 CHAYTOR, Q.C.:
 6 Q. And if we look here at this paragraph on page
 7 two of the exhibit, "If a class member is not
 8 successful in recovering damages individually,
 9 he or she could be liable to pay a portion of
 10 the Defendant's expenses incurred with respect
 11 to such individual proceedings". Is this part
 12 of the issue that concerned you regarding the
 13 lawyer's fees?
 14 INTERPRETER:
 15 A. She didn't know what was a class action, so
 16 she didn't understand this sentence very well.
 17 She didn't want to go against the doctors in
 18 St. John's as well.
 19 CHAYTOR, Q.C.:
 20 Q. And did you tell Mrs. Dominic that you would
 21 like this explained to you in french?
 22 INTERPRETER:
 23 A. She didn't ask -- she didn't insist on having
 24 Mrs. Dominic send her the document in french.
 25 She just asked Madame Dominic what to do with

Page 60

1 -- what was the next step she should take.
 2 CHAYTOR, Q.C.:
 3 Q. And what did Mrs. Dominic advise you to do?
 4 INTERPRETER:
 5 A. Mrs. Dominic explained to her that it was --
 6 she didn't have to do very much about it, that
 7 it was mostly a case that the lawyers were
 8 going to take on, and she knew also that
 9 Madame Dominic knew that Madame Teletchea
 10 didn't want to pursue the doctors.
 11 CHAYTOR, Q.C.:
 12 Q. If we could look then, please, at C-221, and
 13 this is a letter written by yourself to
 14 Commissioner Cameron, the 16th of September,
 15 2007. Is this the letter you wrote?
 16 INTERPRETER:
 17 A. Yes.
 18 CHAYTOR, Q.C.:
 19 Q. And you thought you were responding to the
 20 notice regarding the class action?
 21 INTERPRETER:
 22 A. Yes. Would you like me to translate?
 23 CHAYTOR, Q.C.:
 24 Q. Please.
 25 INTERPRETER:

Page 61

1 A. Okay, "Madame, as a victim of breast cancer,
 2 left breast cancer, diagnosed in St. Pierre in
 3 October, 2000, by Dr. Michel Pouder, I have
 4 immediately been -- went to the Health Science
 5 Centre in St. John's, where I underwent
 6 surgical operation, and followed up by
 7 periodical appointments at the Cancer
 8 Treatment Centre to receive treatments in
 9 chemotherapy and radiotherapy. My doctor was
 10 Dr. Gerald Farrell, who each time I met him on
 11 appointment, was very competent and gave me
 12 much clarifying information to comfort me, and
 13 to lead me in the course of time to get
 14 better, healed. Each visit in St. John's --
 15 after each visit in St. John's, I felt an
 16 improvement in my health, but on the 27th of
 17 October, 2005, I received a letter from Dr.
 18 Farrell informing me of errors in
 19 interpretation of analysis results by the lab
 20 services. I was upset by this and it affected
 21 me psychologically. I contacted the doctor,
 22 and after speaking with him, he advised me of
 23 a daily treatment that I should take,
 24 Arimidex, for a period of five years. I have
 25 been taking this treatment for two years, and

Page 62

1 my state of health is constantly improving.
 2 Advised by letter from Madame Marion Crowley,
 3 dated 16th of August, 2007, I learned of an
 4 action, class action against the Health
 5 Science Centre, that action would be taken
 6 following the claims from various persons from
 7 Newfoundland and Labrador. I have been asked
 8 to become a witness because of my being one of
 9 the victims of these errors in testing between
 10 1997 and 2005, and I would like to be clear
 11 that, in fact, I have very little information
 12 of the procedures that have been started.
 13 Even though I am part of all the difficulties
 14 and the mental pains that has affected
 15 patients and families that have been in my
 16 situation, I do not want to be involved in
 17 judicial procedures against the hospitals and
 18 the people responsible therein. Please accept
 19 my respectful sentiments".
 20 CHAYTOR, Q.C.:
 21 Q. So in writing this letter, you thought you
 22 were indicating you would not take part in the
 23 class action?
 24 INTERPRETER:
 25 A. I didn't know -- Madame Teletchea, she said

Page 63

1 that she had no information on class action,
 2 she didn't know what a class action meant, and
 3 that so she just didn't want to get involved
 4 with lawyers against the Health Science and
 5 the doctors, and she was afraid that she would
 6 incur fees, lawyer's fees.
 7 CHAYTOR, Q.C.:
 8 Q. And when you saw the notice in the newspaper
 9 in french about the Commission of Inquiry, you
 10 were confused and thought that had something
 11 to do with the class action?
 12 INTERPRETER:
 13 A. She didn't know the difference between a
 14 Commission of Inquiry, Eastern Health, Health
 15 Centre, she didn't -- she confused all these.
 16 CHAYTOR, Q.C.:
 17 Q. Eastern Health and the Health Sciences Centre,
 18 the hospital?
 19 INTERPRETER:
 20 A. She didn't know what was a Commission of
 21 Inquiry. She thought that all this was a
 22 procedure against the hospital.
 23 CHAYTOR, Q.C.:
 24 Q. Okay. If we could have then, please, P-2491,
 25 page three. It's P-2491, page three. I

Page 64

1 should ask you first when did you next hear
 2 anything about the ER/PR issue?
 3 INTERPRETER:
 4 A. What is ER/PR?
 5 CHAYTOR, Q.C.:
 6 Q. Estrogen receptor, progesterone receptor.
 7 INTERPRETER:
 8 A. The only information she got on the estrogen
 9 receptor affair was on TV.
 10 CHAYTOR, Q.C.:
 11 Q. So you saw something on the news?
 12 INTERPRETER:
 13 A. So she -- because she couldn't come to St.
 14 John's to get any more information, she just
 15 listened as the news proceeded, she understood
 16 that it was more concerning the patients than
 17 -- the administration than the patients. So
 18 what alarmed her is that there were 370
 19 patients affected, and of these there were 100
 20 who had deceased. So then she phoned Sharon
 21 Dominic at the french office. She asked her
 22 what was going on, there are 300 patients that
 23 were identified and 100 who have deceased, am
 24 I the 112th person or 113th person. So she
 25 explained -- Madame Dominic explained to her

Page 65

1 that this was an ongoing process and that
 2 there were many more than 300 identified at
 3 that point, and she expressed to Madame
 4 Dominic that she was frightened, it was
 5 frightening news, and she couldn't understand
 6 why it was on the media before the patients
 7 were advised personally.
 8 CHAYTOR, Q.C.:
 9 Q. And what was it that you were hearing through
 10 the media that you thought should have been
 11 told to you personally?
 12 INTERPRETER:
 13 A. She understands now why it was done like that
 14 because they were in the process of
 15 researching the causes of this. She
 16 understands now why it was like that. She
 17 thinks that, you know, it's not that it didn't
 18 have anything to do with the patients, but
 19 there were other -- there were causes. It was
 20 another thing. She understands the cause was
 21 an administrative cause, and although the
 22 number of patients involved were on NTV, the
 23 whole process administrative.
 24 CHAYTOR, Q.C.:
 25 Q. And this was on NTV news conference that you

Page 66

1 saw on TV?
 2 INTERPRETER:
 3 A. She was listening every night on NTV, the very
 4 small clip that referred to this issue, but
 5 she didn't understand everything.
 6 CHAYTOR, Q.C.:
 7 Q. And did you hear Dr. Bondonneau in the media
 8 at some point in time speaking about this
 9 issue?
 10 INTERPRETER:
 11 A. Dr. Bondonneau came on the radio to call upon
 12 patients that would have fallen in the date
 13 period of these errors to manifest themselves,
 14 to call him. So she called him and she put
 15 her name in on the list. He was supposed to
 16 send a letter in the following weeks. So she
 17 didn't receive the letter, so she called back
 18 Dr. Bondonneau secretary. The secretary told
 19 her that there would be a letter sent, but not
 20 right away and she asked if she was -- she was
 21 inquiring if there was something going on for
 22 him to put a notice on the radio, she wanted
 23 to know why he would do that. She said that
 24 she was getting fed up with all this story and
 25 that she wouldn't call back, but in the

Page 67

1 meantime, the Association, ARVEL was formed,
 2 after this radio notice and this association
 3 was formed. She contacted the association,
 4 but she didn't want to be involved in the
 5 association because she didn't feel
 6 psychologically strong enough to work within
 7 the organization. So the association
 8 understood her predicament, but shortly after
 9 Dr. Bondonneau contacted her and wanted to
 10 speak to her privately. She called the
 11 association then for their help because she
 12 was psychologically very weak. So a member of
 13 the association accompanied her at the meeting
 14 with Dr. Bondonneau.
 15 CHAYTOR, Q.C.:
 16 Q. And what did Dr. Bondonneau tell you?
 17 INTERPRETER:
 18 A. So he explained to her that she had received
 19 too much, too strong a treatment. She thought
 20 that it was a letter that was sent to him for
 21 her, but it was a letter that he had received
 22 with all the different stages, reciting all
 23 the different stages. She couldn't understand
 24 why she had received too strong a treatment
 25 and that now she had to take something over

Page 68

1 and above all this in the form or Arimidex.
 2 CHAYTOR, Q.C.:
 3 Q. So he meant you received too much treatment or
 4 too strong a treatment in the past?
 5 INTERPRETER:
 6 A. Yes.
 7 CHAYTOR, Q.C.:
 8 Q. Your chemotherapy, perhaps?
 9 MME. TELETCHEA:
 10 A. Oui.
 11 INTERPRETER:
 12 A. So, yes, doctor explained to her that she had
 13 received too much chemotherapy, too much
 14 radiotherapy and that it would have worked
 15 differently if she had received Arimidex to
 16 start with.
 17 CHAYTOR, Q.C.:
 18 Q. Okay. When did -
 19 COMMISSIONER:
 20 Q. Sorry, Ms. Chaytor, it's 20 after 11 and I'm
 21 just inquiring as to whether or not you want
 22 to take a break or press on, what your
 23 situation is?
 24 CHAYTOR, Q.C.:
 25 Q. Perhaps up to the witness. I'm only going to

Page 69

1 be another five or ten minutes, but other may
 2 have questions, too, so it may be -
 3 COMMISSIONER:
 4 Q. Well, why don't we ask the witness if she
 5 would prefer to press on for another ten
 6 minutes before we take a break or would she
 7 like a break?
 8 INTERPRETER:
 9 A. She wishes to continue.
 10 CHAYTOR, Q.C.:
 11 Q. Thank you. When did you hear Dr. Bondonneau
 12 on the radio, when was that?
 13 INTERPRETER:
 14 A. In May, perhaps.
 15 CHAYTOR, Q.C.:
 16 Q. Of this year?
 17 INTERPRETER:
 18 A. This year.
 19 CHAYTOR, Q.C.:
 20 Q. May of 2008?
 21 MME. TELETCHEA:
 22 A. (No audible response).
 23 CHAYTOR, Q.C.:
 24 Q. Okay. If we could look then, please, at 2491?
 25 You already have that one, okay. And this is

Page 70

1 a letter written by Dr. Bondonneau to Dr.
 2 Oscar Howell. And he is the VP Medical at
 3 Eastern Health. And it's written May 7th,
 4 2008. And this letter is also a copy in
 5 French, as well, attached at page 4 of the
 6 exhibit.
 7 INTERPRETER:
 8 A. It's "Dear Colleagues", oh.
 9 CHAYTOR, Q.C.:
 10 Q. That's okay, yeah, this one is in English.
 11 And I'll just take you through, "Like in St.
 12 John's the breast cancer test affair stirred
 13 up in our small insular world and worried
 14 several patients. I asked on March 27th to
 15 Mrs. Joan Dawe the official list of the
 16 patients concerned in St. Pierre but did not
 17 receive any answer yet. In parallel I asked
 18 the patients from St. Pierre to contact my
 19 office." So this is how--this is the radio,
 20 on the radio Dr. Bondonneau ask the patients
 21 to contact him?
 22 MME. TELETCHEA:
 23 A. Oui.
 24 CHAYTOR, Q.C.:
 25 Q. And you did that? "This list is now made up.

Page 71

1 We intend to study these files in order to
 2 give an answer to the patients on the possible
 3 risks to the victim of an error and to propose
 4 correction. In this sample there are several
 5 batches. Some patients have been contacted
 6 obviously several years ago by the St. John's
 7 service and the therapeutic orientation error
 8 was rectified. On the other hand, I have
 9 several patients for whom difficulties will
 10 arise to answer their legitimate anguish.
 11 Could you help me in this delicate file in
 12 indicating who could I ask these questions in
 13 order to be able to give answer to the
 14 patients concerned." So it appears Dr.
 15 Bondonneau was trying to identify the patients
 16 to then get information to help explain to you
 17 what it meant to have a change in your hormone
 18 receptor status?
 19 INTERPRETER:
 20 A. Yes.
 21 CHAYTOR, Q.C.:
 22 Q. And again, Dr. Bondonneau took over from Dr.
 23 Malluret?
 24 INTERPRETER:
 25 A. Yes.

Page 72

1 CHAYTOR, Q.C.:
 2 Q. And did Dr. Malluret ever make any such
 3 inquiries on your behalf?
 4 INTERPRETER:
 5 A. She never spoke to her about that. She never
 6 saw her again to ask her questions.
 7 CHAYTOR, Q.C.:
 8 Q. If we could have, please, 2492? And this is a
 9 e-mail exchange in May of 2007. And on the
 10 bottom starts from Dr. Bondonneau, May 9th,
 11 2008 to Sharon Dominic. And then on the top
 12 it appears to be translated into English from
 13 Sharon Dominic to Dr. Howell, Ms. Pilgrim and
 14 Ms. Jones. And here it indicates, "Please
 15 find the attached list of the affected
 16 patients from St. Pierre and Miquelon who are
 17 waiting for a response from the medical
 18 advisor, sent by Dr. Bondonneau, Medical
 19 Advisor, CPS. He feels that his response to
 20 each person will be one of the four
 21 possibilities. One, no risk, diagnosis and
 22 treatment are correct. Two, error in testing
 23 but is now corrected. Three, error in testing
 24 but only change is that of stronger, heavier
 25 treatment, medication. Error in testing and

Page 73

1 new investigations and treatment are
 2 necessary. He's hoping not to have many or
 3 any requiring the fourth response. Please
 4 keep me in the loop as to your response.
 5 Thank you." And then down here it appears we
 6 have four bullets in French. When you met
 7 with Dr. Bondonneau, which did he indicate to
 8 you you fell into, which category?
 9 INTERPRETER:
 10 A. The third category, error in testing but only
 11 change is that of stronger, heavier treatment.
 12 MME. TELETCHEA:
 13 A. Oui.
 14 CHAYTOR, Q.C.:
 15 Q. And then if we look at page 6 of this exhibit,
 16 we'll see this appears to be the list.
 17 Perhaps you could translate this part for us,
 18 please?
 19 INTERPRETER:
 20 A. List the person--list of patients who declared
 21 having been treated for breast cancer at the
 22 EHRA during the period, incriminating period.
 23 CHAYTOR, Q.C.:
 24 Q. Okay. And then we see there's a list. And
 25 we've taken, redacted all the patients' names

Page 74

1 and information.
 2 INTERPRETER:
 3 A. And there is dossier file No. 2, married name,
 4 Teletchea and name Marie-France, period, for
 5 period October 2000.
 6 CHAYTOR, Q.C.:
 7 Q. Okay. So your name was included on the list,
 8 it appears, that was sent to Eastern Health?
 9 INTERPRETER:
 10 A. Yes.
 11 CHAYTOR, Q.C.:
 12 Q. And if we could have, please, 2493, P-2493.
 13 And this is an e-mail again internal to
 14 Eastern Health, Heather Predham to Dr. Howell,
 15 Ms. Pilgrim and Ms. Dominic, and it's May
 16 15th, 2008. "Please find attached a list of
 17 St. Pierre residents and their status
 18 regarding ER/PR retesting. Sharon, can you
 19 also refer Dr. Bondonneau to the February 8th,
 20 2006 correspondence you translated for us that
 21 went to Dr. Pascal Malluret." And then
 22 included on this there's another table. And
 23 again, we've redacted the other patients. On
 24 page 3 of the exhibit we see your name. "This
 25 lady was retested. Her original results from

Page 75

1 ER negative, PR negative. Upon retesting her
 2 ER was 80 and PR 15. This case was panelled
 3 and the letter is attached." And attached
 4 then is your letter. And this is the letter,
 5 the panel letter we looked at, October 27th,
 6 2005. So this appears to be information
 7 that's gone back to Dr. Bondonneau from
 8 Eastern Health.
 9 MME. TELETCHEA:
 10 A. Yes.
 11 CHAYTOR, Q.C.:
 12 Q. And Dr. Bondonneau has since met with you?
 13 INTERPRETER:
 14 A. He didn't--yes, I met with him and he didn't
 15 deal with this document, but for the--he told
 16 me the information.
 17 CHAYTOR, Q.C.:
 18 Q. Okay. And if we could have, please, P-2494?
 19 And this is a letter written to you then and
 20 it's from the CEO, acting CEO of Eastern
 21 Health, Ms. Louise Jones. And did you receive
 22 this letter, it's dated June -
 23 INTERPRETER:
 24 A. Yes, I have.
 25 CHAYTOR, Q.C.:

Page 76

1 Q. Okay. And when did you receive this letter?
 2 INTERPRETER:
 3 A. She has the envelope, but she's not exactly
 4 sure on the date. Probably a week later than
 5 the date indicated here.
 6 CHAYTOR, Q.C.:
 7 Q. Okay. So early July, 2008, just shortly, I
 8 take it, just this past month?
 9 INTERPRETER:
 10 A. Yes.
 11 CHAYTOR, Q.C.:
 12 Q. Okay. And this letter is in French.
 13 MME. TELETCHEA:
 14 A. Oui.
 15 INTERPRETER:
 16 A. Yes.
 17 CHAYTOR, Q.C.:
 18 Q. What did you understand Ms. Jones to be saying
 19 to you in this letter?
 20 INTERPRETER:
 21 A. That they were sorry about what happened. So
 22 she was aware that Canadian patients had
 23 received a year ago the information, but she
 24 had not received anything herself, Madame
 25 Teletchea didn't receive anything herself.

Page 77

1 CHAYTOR, Q.C.:

2 Q. Okay. What did you understand--did you

3 understand the Canadian patients received a

4 similar letter a year ago?

5 MME. TELETCHEA:

6 A. Um.

7 CHAYTOR, Q.C.:

8 Q. Okay. And why--how did you know that or why

9 did you think that?

10 INTERPRETER:

11 A. She had heard on NTV that a letter had been

12 sent to the patients, but just the patients,

13 they had not--they had not given any

14 precisions as they were Canadian patients.

15 CHAYTOR, Q.C.:

16 Q. Okay, so you heard on the media sometime

17 before you received this letter that patients

18 had already received letters?

19 MME. TELETCHEA:

20 A. Oui.

21 INTERPRETER:

22 A. She thinks--this is what she says: I think

23 that the patient had receive long before me

24 this letter.

25 CHAYTOR, Q.C.:

Page 78

1 Q. Okay. And what did you think upon receipt of

2 this letter, what did you think of this

3 letter?

4 INTERPRETER:

5 A. For her it was a bit late.

6 CHAYTOR, Q.C.:

7 Q. And prior to this had anyone from Eastern

8 Health apologized to you?

9 INTERPRETER:

10 A. The only person that showed any regret for not

11 having--for her not being informed was Dr.

12 Farrell.

13 CHAYTOR, Q.C.:

14 Q. Madame, those are all my questions unless

15 there's something else that you would like to

16 say?

17 INTERPRETER:

18 A. She wants to thank the association, otherwise

19 she would not be here today. And the fact

20 that I'm here has helped me understand many,

21 many things. I will be able to go forward

22 now. If this had not happened, this procedure

23 had not been going on, my husband and I would

24 have had to come and find out for ourselves.

25 Without asking anybody for help to allow them

Page 79

1 to come, they would have come on their own, on

2 their own. When I come back from France after

3 this, I will come back to St. John's and see

4 Dr. Farrell.

5 CHAYTOR, Q.C.:

6 Q. Okay. Merci. And maybe some of my learned

7 friends may have some questions for you, too.

8 Thank you for coming.

9 COMMISSIONER:

10 Q. Mr. Pritchard, do you have any questions for

11 this witness?

12 MR. PRITCHARD:

13 Q. Thank you, Commissioner, I don't have any

14 questions. Thank you for your evidence.

15 COMMISSIONER:

16 Q. Mr. Simmons, can I get an estimate of time so

17 that we know whether or not we should take a

18 break at this moment?

19 MR. SIMMONS:

20 Q. Two to four minutes, but if a break's in

21 order, that's fine.

22 COMMISSIONER:

23 Q. Well, if it's only--let's find out what the

24 others are in terms of questions, if any. Do

25 you have any, Ms. Hennebury?

Page 80

1 MS. HENNEBURY:

2 Q. No questions.

3 COMMISSIONER:

4 Q. Mr. Pritchett?

5 MR. PRITCHETT:

6 Q. There will be no questions, Commissioner.

7 COMMISSIONER:

8 Q. Ms. Russell?

9 MS. RUSSELL:

10 Q. No questions.

11 MR. PIKE:

12 Q. No questions.

13 COMMISSIONER:

14 Q. In that case, Mr. Simmons, why don't you ask

15 your two to four minutes questions?

16 MME. MARIE-FRANCE TELETCHEA, EXAMINATION BY MR. DANIEL

17 SIMMONS

18 MR. SIMMONS:

19 Q. Good morning, Madame Teletchea. My name is

20 Dan Simmons and I'm the lawyer her for Eastern

21 Health and I have just a couple of things that

22 I'd like to ask you this morning. Ms. Chaytor

23 just showed you a document that's at P-2493.

24 Can we look at that one again, please? And

25 Ms. Chaytor explained to you that this is an

Page 81

1 e-mail message from two people, between people
 2 within Eastern Health on May 15th, 2008.
 3 There's a reference in this in the second
 4 paragraph there, Ms. Predham, who is writing
 5 the message says, "Sharon, you can also refer
 6 Dr. Bondonneau to the February 8th, 2006
 7 correspondence that went to Dr. Pascal
 8 Malluret. And I refer you to that because I
 9 want to show you one other document. Can I
 10 see C-0219, please? I think I have the right
 11 number. That's 0218, I need 0219, please?
 12 This is a fax message from Ms. Dominic to Dr.
 13 Malluret and it's dated February 15th, 2006.
 14 And, Madame Translator, I wonder if you could
 15 help us by perhaps reading the cover sheet for
 16 us?
 17 INTERPRETER:
 18 A. Yes. I send you a copy the letter concerning
 19 the women who are victims of breast cancer.
 20 Their exams or their tests were reevaluated in
 21 Toronto and now I am sending you the results.
 22 And the counsel, the advice of our chief -
 23 MR. SIMMONS:
 24 Q. Oncologist, perhaps?
 25 INTERPRETER:

Page 82

1 A. Oncologist, Dr. Laing. I thank you to have
 2 contacted the two ladies mentioned to explain
 3 to them the situation. I suppose it's
 4 thanking you in advance.
 5 MR. SIMMONS:
 6 Q. And if we then go down to the second page,
 7 there's a letter there dated February 8th,
 8 2006. And if we go down to the third page,
 9 there's a list of different patients with
 10 their test results and I believe your name is
 11 there, as well?
 12 INTERPRETER:
 13 A. Um-hm.
 14 MR. SIMMONS:
 15 Q. Okay. And my question is, after February,
 16 2006 did Dr. Malluret contact you with this
 17 information?
 18 MME. TELETCHEA:
 19 A. No.
 20 MR. SIMMONS:
 21 Q. No.
 22 INTERPRETER:
 23 A. No.
 24 MR. SIMMONS:
 25 Q. And my other question is, when you were

Page 83

1 speaking with Dr. Bondonneau, did he tell you
 2 whether he knew that Dr. Malluret had received
 3 this information in February, 2006?
 4 INTERPRETER:
 5 A. No.
 6 MR. SIMMONS:
 7 Q. Merci beaucoup.
 8 COMMISSIONER:
 9 Q. Ms. Chaytor, anything arising?
 10 CHAYTOR, Q.C.:
 11 Q. Nothing arising.
 12 COMMISSIONER:
 13 Q. All right. Thank you. Thank you, very much
 14 for coming. And thank you, Ms. Thoms, for
 15 providing us with assistance this morning.
 16 This concludes our current session. And I'm
 17 happy to invite you back on September the 2nd.
 18 I'm sure you're just all overjoyed not to have
 19 to come back here in the next four weeks. And
 20 we'll reconvene then on September the 2nd at
 21 9:30. Thank you, all.
 22 Upon conclusion at 11:43 a.m.

Page 84

1 CERTIFICATE
 2 I, Judy Moss, hereby certify that the foregoing is
 3 a true and correct transcript in the matter of the
 4 Commission of Inquiry on Hormone Receptor Testing,
 5 heard on the 1st day of August, A.D., 2008 before
 6 the Honourable Justice Margaret A. Cameron,
 7 Commissioner, at the Commission of Inquiry, St.
 8 John's, Newfoundland and Labrador and was
 9 transcribed by me to the best of my ability by
 10 means of a sound apparatus.
 11 Dated at St. John's, Newfoundland and Labrador
 12 this 1st day of August, A.D., 2008
 13 Judy Moss

Inquiry on Hormone Receptor Testing

<p>-#-</p> <p>#2 [1] 28:2</p> <hr/> <p>-0-</p> <p>0202 [1] 10:16 0203 [2] 16:14,15 0210 [1] 39:4 0211 [2] 39:2,20 0218 [2] 48:23 81:11 0219 [1] 81:11</p>	<p>21st [2] 22:6 24:8 22nd [1] 31:18 2487 [1] 30:11 2491 [1] 69:24 2492 [1] 72:8 2493 [1] 74:12 24th [2] 18:12 33:15 2500 [1] 5:16 25th [1] 30:17 27-10-2005 [1] 31:25 27th [7] 28:19 29:6,22 50:11 61:16 70:14 75:5 2nd [2] 83:17,20</p>	<p>action [11] 1:13 56:9 59:15 60:20 62:4,4,5,23 63:1,2,11 addendum [3] 9:11 28:1 28:2 addressed [1] 55:23 adjuvant [2] 14:21 16:25 administered [1] 25:5 administration [2] 53:9 64:17 administrative [4] 22:17 55:16 65:21,23 advance [1] 82:4 advantage [1] 35:6 advice [1] 81:22 advise [1] 60:3 advised [5] 36:8 58:11 61:22 62:2 65:7 advisor [2] 72:18,19 affair [2] 64:9 70:12 affected [4] 61:20 62:14 64:19 72:15 affirm [1] 18:3 affirmed [1] 4:6 afraid [5] 13:21 26:10 53:3 58:7 63:5 again [26] 12:3 16:16 17:16,23 18:13 21:10,17 22:4,12 24:6,7 27:20 28:1 44:10 47:3,11 50:12 51:19 52:14,20 53:19 71:22 72:6 74:13,23 80:24 against [6] 23:2 59:17 62:4,17 63:4,22 ago [3] 71:6 76:23 77:4 agree [1] 46:17 agreed [3] 45:21,21,24 ahead [1] 54:16 al [1] 1:9 Alan [1] 9:8 alarmed [1] 64:18 allow [1] 78:25 almost [1] 15:3 alone [1] 55:6 alternative [1] 45:23 always [3] 17:12 20:8 53:3 analysis [1] 61:19 Andree [4] 2:3 4:12,22 4:25 anguish [1] 71:10 anniversary [1] 22:24 annual [1] 53:20 answer [7] 34:3,5 58:12 70:17 71:2,10,13 answered [2] 33:3,8 anxious [1] 14:1 apologized [1] 78:8 apparatus [1] 84:10 Appearances [1] 1:5 appeared [1] 58:14</p>	<p>appointment [20] 22:14 34:7 35:3,8 43:14,17,25 44:4,5 48:11,12,14,15 49:9,25 51:15 52:4 53:5 53:18 61:11 appointments [5] 49:13 49:18,20 52:8 61:7 approval [1] 53:13 approved [1] 23:17 area [2] 23:23 24:1 arguments [1] 32:9 Arimidex [17] 26:12 36:11,14 45:24 46:1 47:4 47:24 51:2,7,13,14,24 52:21 54:3 61:24 68:1 68:15 arise [2] 53:19 71:10 arising [2] 83:9,11 Aromatase [1] 29:24 arranged [2] 15:8,15 arthritic [1] 51:22 article [1] 57:21 Arvel [2] 5:2 67:1 asks [1] 29:25 assess [1] 51:11 assessment [2] 10:17 14:14 assistance [2] 38:17 83:15 associated [1] 32:2 association [9] 1:14 67:1 67:2,3,5,7,11,13 78:18 attached [6] 56:17 70:5 72:15 74:16 75:3,3 attend [1] 50:18 attendance [1] 28:21 Attending [1] 9:8 attention [4] 12:9 16:10 40:19 57:1 audible [2] 33:18 69:22 August [6] 1:4 21:9 58:21 62:3 84:5,12 Authorities [1] 1:17 authority [4] 1:11 49:21 56:1 58:18 available [2] 20:16 31:9 awaiting [1] 44:3 aware [2] 31:1 76:22 away [2] 41:19 66:20</p>	<p>best [1] 84:9 better [3] 42:14 58:11 61:14 between [7] 14:12 30:13 58:1,13 62:9 63:13 81:1 bit [4] 6:2 37:12 52:2 78:5 BL3D [1] 28:6 Blair [1] 1:16 block [1] 28:6 blood [1] 42:25 Boddie [2] 11:8,10 Bondonneau [22] 55:14 55:16,17 66:7,11,18 67:9 67:14,16 69:11 70:1,20 71:15,22 72:10,18 73:7 74:19 75:7,12 81:6 83:1 bone [2] 51:10,21 book [1] 15:6 borne [1] 37:9 bottom [2] 10:19 72:10 Brazil [1] 1:8 break [4] 68:22 69:6,7 79:18 break's [1] 79:20 break [19] 1:12 6:21 7:1 8:15 9:19 12:5 21:13,24 24:2 29:14 32:3 34:11 56:8,19 61:1,2 70:12 73:21 81:19 brief [1] 35:1 bring [7] 14:7,11 18:24 18:25 20:8 21:2 56:25 brought [3] 19:9,12 20:11 Browne/Jane [1] 1:9 building [1] 13:11 bullets [1] 73:6</p>
<p>-1-</p> <p>1 [4] 1:4 9:11 21:9 39:5 10 [1] 18:11 100 [2] 64:19,23 11 [1] 68:20 112th [1] 64:24 113th [1] 64:24 11:43 [1] 83:22 12 [1] 17:7 13 [1] 16:15 13th [1] 47:16 14th [5] 26:17 43:14 48:13 49:9 53:22 15 [4] 28:10,12 29:20 75:2 15th [4] 48:24 74:16 81:2 81:13 16th [3] 58:21 60:14 62:3 17th [5] 10:18 51:19,21 52:6,19 18 [1] 3:1 1997 [1] 62:10 19th [1] 16:17 1st [3] 9:7 84:5,12</p>	<p>-3-</p> <p>3 [3] 9:5 16:13 74:24 300 [2] 64:22 65:2 30th [3] 9:7,10 29:14 370 [1] 64:18 3D [1] 28:7</p> <p>-4-</p> <p>4 [3] 2:4 9:18 70:5</p> <p>-5-</p> <p>5 [3] 3:3,4,5 5th [1] 28:2</p> <p>-6-</p> <p>6 [1] 73:15 6th [1] 44:13</p> <p>-7-</p> <p>7th [1] 70:3</p> <p>-8-</p> <p>80 [6] 2:4,5 28:8,12 29:19 75:2 80/15 [1] 28:25 83 [1] 2:5 8th [4] 9:12 74:19 81:6 82:7</p>	<p>-9-</p> <p>9:30 [2] 43:19 83:21 9th [3] 17:7,14 72:10</p> <p>-A-</p> <p>A.D [2] 84:5,12 a.m [1] 83:22 ability [1] 84:9 able [5] 41:4,5 50:1 71:13 78:21 above [1] 68:1 accept [1] 62:18 accompanied [1] 67:13 according [1] 21:24 acting [1] 75:20</p>	<p>-B-</p> <p>batches [1] 71:5 beaucoup [1] 83:7 became [1] 31:3 become [2] 27:12 62:8 begin [1] 6:2 beginning [2] 31:4 51:16 behalf [1] 72:3 benefit [1] 14:20 Bernard [1] 1:6 beside [1] 6:11</p>	<p>-C-</p> <p>C [1] 48:22 C-0200 [5] 3:3 5:14,19 9:4 16:13 C-0203 [1] 50:9 C-0204 [3] 3:3 5:14,19 C-0207 [3] 3:4 5:15,21 C-0209 [1] 31:17 C-0210 [2] 33:5,10 C-0211 [1] 39:20 C-0215 [2] 40:9,15 C-0216 [1] 44:12 C-0217 [1] 47:15 C-0219 [1] 81:10 C-0223 [3] 3:4 5:15,21 C-200 [1] 27:24 C-207 [1] 28:17 C-208 [1] 29:5 C-220 [1] 55:21 C-221 [1] 60:12 Cameron [7] 1:3 57:19 57:22 58:14,17 60:14 84:6</p>

<p>Canadian [4] 1:15 76:22 77:3,14 cancellation [1] 49:8 cancelled [2] 22:14 48:14 cancer [37] 1:12,15 6:22 7:1,18 8:15 11:17,19,24 13:22 16:16 17:16 21:10 22:5,16,22,24 24:13 26:10 29:14 32:3 34:11 35:3 37:15 48:6 50:11 52:25 53:5,22 56:9,20 61:1,2,7 70:12 73:21 81:19 candidate [1] 34:14 cannot [6] 10:8 12:7 13:16 18:3,6,9 carcinoma [2] 9:21 12:5 case [4] 22:23 60:7 75:2 80:14 category [2] 73:8,10 causes [2] 65:15,19 cells [2] 28:9,10 Central [1] 1:16 centre [19] 7:8,18,19 11:19,24 16:16 17:16 18:18 21:11 22:5 50:11 57:12,24 58:2 61:5,8 62:5 63:15,17 CEO [2] 75:20,20 certainly [1] 23:20 Certificate [2] 2:6 84:1 certification [2] 56:17 56:24 certify [1] 84:2 chance [1] 51:11 change [3] 71:17 72:24 73:11 changes [1] 51:23 chart [1] 16:17 Chaytor [209] 1:7 2:4 4:2,3,14,18,23 5:6,11,25 6:7,13,20,25 7:4,9,15,20 8:4,9,14,20 9:3,17,24 10:4,9,14 11:1,7,11,15 11:22 12:2,10,16,23 13:6 13:12,18 14:4,13,19 15:2 15:12,16,25 16:12 17:6 17:13,19 18:10,19 19:8 19:16,20 20:1,10,14 21:1 21:8,22 22:3,10 23:4,8 23:12,19 24:5,11,17 25:12,16,22 26:2,19 27:1 27:7,19,23 28:16 29:12 30:6,10 31:11,16 32:14 32:23 33:4,9,13,19 34:4 34:9,19 35:13,18 36:17 36:21 37:7,18 38:7,11 38:15 39:1,8,12,18,24 40:3,7,14,18,24 41:8,13 41:20 42:1,18,24 43:8 43:12,24 44:6,11 45:8 45:13,20 46:8,16,24 47:7 47:14,20 48:20 49:4,22 50:2,8,23 51:5 52:13,17 53:10,16 54:2,6,19,25 55:11,15,20 56:7,13 57:6</p>	<p>57:14 58:19 59:1,5,19 60:2,11,18,23 62:20 63:7 63:16,23 64:5,10 65:8 65:24 66:6 67:15 68:2,7 68:17,20,24 69:10,15,19 69:23 70:9,24 71:21 72:1 72:7 73:14,23 74:6,11 75:11,17,25 76:6,11,17 77:1,7,15,25 78:6,13 79:5 80:22,25 83:9,10 check [1] 54:11 checked [1] 54:18 checkup [1] 38:2 chemo [1] 16:23 chemotherapy [17] 7:13 7:24,25 8:12 13:21,23 14:2,22 15:5,6,23 17:3 17:23 44:24 61:9 68:8 68:13 chief [1] 81:22 children [1] 6:6 claims [1] 62:6 clarifying [1] 61:12 class [10] 1:13 56:9 59:7 59:15 60:20 62:4,23 63:1 63:2,11 clear [3] 12:13 15:24 62:10 clinic [12] 17:16 19:21 24:13 35:3 45:1 50:18 51:20 52:20,25 53:18,23 55:1 Clinical [1] 10:11 clinically [2] 56:21,21 clip [1] 66:4 co [1] 49:19 Co-counsel [2] 1:6,7 co-ordinate [1] 49:18 Coffey [1] 1:6 coincided [1] 52:9 colleague [2] 31:24 49:11 Colleagues [1] 70:8 comfort [1] 61:12 coming [5] 45:1 47:1 52:6 79:8 83:14 Commission [8] 1:1,6 1:7 63:9,14,20 84:4,7 Commissioner [22] 1:3 4:1,4,9,25 5:4,9,17 60:14 68:19 69:3 79:9,13,15 79:22 80:3,6,7,13 83:8 83:12 84:7 communicate [2] 29:25 32:9 communicated [1] 48:17 communications [1] 25:18 competent [1] 61:11 completion [1] 17:2 complicated [1] 16:7 concern [1] 30:12 concerned [6] 12:8</p>	<p>45:16 52:2 59:12 70:16 71:14 concerning [3] 53:5 64:16 81:18 concludes [1] 83:16 conclusion [1] 83:22 conducted [2] 8:15,22 conference [1] 65:25 confidence [1] 54:15 confirm [1] 36:15 confused [3] 58:13 63:10 63:15 connected [2] 57:20,22 consideration [1] 16:21 constantly [1] 62:1 consultation [1] 16:19 consulted [1] 58:10 consulting [3] 23:15 27:15 55:7 contact [8] 10:13 49:7 56:16 57:8 58:4 70:18 70:21 82:16 contacted [6] 31:12 61:21 67:3,9 71:5 82:2 contacting [1] 30:21 CONTENTS [1] 2:1 continue [5] 52:3,21 54:3,16 69:9 continues [2] 51:11,25 contra-indicated [1] 29:23 contra-indications [1] 34:20 control [1] 48:4 conversation [3] 46:2,9 58:3 converted [1] 56:20 convey [1] 30:25 convince [1] 32:9 cope [2] 42:23 52:1 copied [5] 10:20 18:14 29:3,8 50:13 copy [10] 12:24 13:1 30:7 39:4,20 40:8,11,11 70:4 81:18 correct [4] 16:24 53:1 72:22 84:3 corrected [1] 72:23 correction [1] 71:4 correspondence [2] 74:20 81:7 cost [1] 37:8 counsel [1] 81:22 couple [1] 80:21 course [4] 11:8,17 17:2 61:13 court [2] 56:15,18 cover [1] 81:15 CPS [1] 72:19 Crowley [2] 56:3 62:2 current [1] 83:16 cycle [1] 17:22</p>	<p style="text-align: center;">-D-</p> <p>daily [1] 61:23 damages [1] 59:8 Dan [1] 80:20 Daniel [3] 1:10 2:5 80:16 Darlene [1] 1:12 date [8] 9:6 10:18 21:16 43:15 44:4 66:12 76:4,5 dated [9] 16:17 31:18,25 47:16 62:3 75:22 81:13 82:7 84:11 Dates [1] 48:16 Dawe [1] 70:15 days [4] 7:25 33:14 57:17 57:17 deal [1] 75:15 Dear [4] 31:24 44:15 49:11 70:8 debate [1] 37:17 deceased [2] 64:20,23 December [7] 26:18 43:14 44:13 47:16 48:13 48:24 49:9 decide [1] 35:6 decided [3] 32:5 36:12 54:13 deciding [1] 24:4 decision [1] 46:1 declared [1] 73:20 decreased [1] 51:12 Defendant's [1] 59:10 degenerative [1] 51:22 delay [1] 32:6 delicate [1] 71:11 deliver [1] 19:15 detailed [1] 10:2 details [4] 12:7,9 16:11 35:5 determine [1] 8:16 determined [1] 34:13 diagnosed [5] 7:1,3,5 29:14 61:2 diagnoses [1] 7:11 diagnosis [4] 8:21 12:3 22:25 72:21 died [1] 13:22 diet [1] 52:1 difference [2] 58:1 63:13 different [3] 67:22,23 82:9 differentiated [1] 12:4 differently [1] 68:15 difficulties [2] 62:13 71:9 difficulty [1] 41:9 Discharge [1] 9:7 discovered [1] 26:6 discuss [4] 17:25 18:4 31:13 35:4 discussed [1] 36:9</p>	<p>discussion [6] 14:15 15:17,21,21 44:18 52:22 disease [1] 12:8 disposition [1] 48:18 disruption [1] 22:15 disturbed [1] 42:19 disturbing [1] 42:20 Division [1] 1:15 doctor [27] 9:8 14:8 16:7 17:12 18:5,17 22:20 23:2 23:5 24:21 25:1,3,18 26:7,13,15 27:17 31:10 34:2 36:3 41:21 44:15 53:7 54:9 61:9,21 68:12 doctors [7] 1:9 14:12 16:2 24:3 59:17 60:10 63:5 document [12] 13:3,17 27:6 33:12 56:8,10 58:7 58:22 59:24 75:15 80:23 81:9 documents [18] 13:2,10 13:14 14:10,12 18:24 19:9,10,12,14,17 20:9 21:2 30:12 33:24 34:1 48:8 57:13 doesn't [8] 11:10 13:2 19:4 32:6,7 33:12 53:25 55:8 Dominic [27] 18:14,15 18:20,22,23,25 19:3,5,9 19:13,15 30:16 57:24 58:4 59:20,24,25 60:3,5 60:9 64:21,25 65:4 72:11 72:13 74:15 81:12 done [9] 20:2,7,23,24 21:3,12,13,17 65:13 dossier [1] 74:3 down [4] 9:10 73:5 82:6 82:8 Dr [158] 8:7,7,12 9:8 10:10,19,20,21 11:8,8 13:13 14:8 15:7,17,21 16:1,18,19,22 17:21,25 18:13,14,14,15 19:24 20:11,17 21:2,11 22:6 23:13,20 24:12 25:21,23 25:23 26:8,16 27:8,20 28:13,19,21 29:3,3,4,7,8 29:8,8,25 30:2,21 31:12 31:19,19,21,24 32:13,15 32:24 33:3,7,20 35:7,9 35:19,22,23,25 36:2,6,9 36:13,16,18,22 37:2,3 37:19,20,23,24 38:3,16 39:16 40:4,11,13,20,20 41:3,10,18,22 43:4,18 44:10,13,15 45:6 46:2 46:10 47:3,8,10,16 48:9 48:10,12,23,24 50:5,12 51:15,19 52:14,20 53:6 55:10,14,17 61:3,10,17 66:7,11,18 67:9,14,16 69:11 70:1,1,20 71:14 71:22,22 72:2,10,13,18 73:7 74:14,19,21 75:7 75:12 78:11 79:4 81:6,7 81:12 82:1,16 83:1,2 drug [4] 34:14,16,21 47:2</p>
---	---	---	---	--

<p>ductal [2] 9:20 12:4 during [3] 13:19 48:7 73:22</p> <hr/> <p style="text-align: center;">-E-</p> <hr/> <p>e-mail [3] 72:9 74:13 81:1 e-mails [1] 30:13 early [1] 76:7 easier [1] 31:3 Eastern [24] 1:10 30:13 30:15 37:20 55:22,25 56:1,3,16,17,22 57:10 58:1,22 63:14,17 70:3 74:8,14 75:8,20 78:7 80:20 81:2 ecogram [2] 48:4,4 EHRA [1] 73:22 eight [1] 42:8 enclosed [3] 56:8,23,25 end [2] 37:17 44:4 energy [1] 51:12 English [2] 70:10 72:12 enter [1] 5:13 entered [6] 5:8,18,19,21 5:23 9:11 envelope [1] 76:3 ER [4] 50:16,16 75:1,2 ER/PR [11] 9:13 12:13 14:16 15:18 17:23 18:1 24:14 30:17 64:2,4 74:18 error [6] 71:3,7 72:22,23 72:25 73:10 errors [3] 61:18 62:9 66:13 estimate [1] 79:16 estrogen [8] 28:7,11 29:15,18 44:20,21 64:6 64:8 et [1] 1:9 event [2] 32:11 54:23 events [1] 36:7 evidence [5] 5:20,22,24 21:15 79:14 exacerbate [1] 45:16 exactly [2] 57:5 76:3 Examination [4] 2:4,5 4:13 80:16 exams [1] 81:20 exchange [2] 14:11 72:9 exhibit [9] 13:7 22:4 28:3 51:18 52:18 59:7 70:6 73:15 74:24 exhibits [9] 3:2,3,4,5 5:7 5:13,19,21,23 expenses [1] 59:10 explain [5] 30:23 32:10 45:10 71:16 82:2 explained [9] 18:8 25:8 59:21 60:5 64:25,25 67:18 68:12 80:25 explanations [1] 36:5 expressed [1] 65:3</p>	<p>eye [1] 23:23</p> <hr/> <p style="text-align: center;">-F-</p> <hr/> <p>FAC [1] 17:22 face [2] 45:7,7 facilities [1] 21:6 fact [4] 39:16 44:20 62:11 78:19 fallen [1] 66:12 families [1] 62:15 family [3] 27:17 56:2 57:1 far [1] 30:23 Farrell [53] 8:12 17:21 17:25 18:13 19:4 20:11 21:3,11 22:6 23:20 24:12 26:16 29:3,7,25 33:3,7 33:20 35:7,23 36:2,6,10 36:13,16,18 37:19,24 38:3 39:16 40:20,21 41:3 41:10,18 44:10,15 45:6 46:3,10 47:8,10 50:5,12 51:16,19 52:20 53:6 55:10 61:10,18 78:12 79:4 fast [1] 15:10 father [1] 13:22 fax [2] 57:10 81:12 faxed [2] 41:3 58:21 February [9] 50:11 52:19 53:22 74:19 81:6 81:13 82:7,15 83:3 fed [1] 66:24 feels [4] 13:9 18:8 37:12 72:19 fees [4] 58:9 59:13 63:6 63:6 fell [2] 25:7 73:8 felt [5] 16:6 19:2 22:25 58:16 61:15 few [2] 57:17,17 fifth [1] 22:24 fight [1] 35:21 file [4] 33:25 48:9 71:11 74:3 files [1] 71:1 final [1] 25:10 financial [2] 36:23 38:17 finds [1] 16:24 fine [1] 79:21 finished [1] 44:23 first [11] 4:10,16 10:17 11:23 14:1 24:18 48:6,7 48:16 49:12 64:1 five [11] 8:3 25:3 32:10 32:20 34:24 35:22 37:13 46:23,25 61:24 69:1 five-year [1] 38:2 fixed [1] 48:17 flashes [1] 51:1 follow [4] 8:13 17:25 22:16 29:2 follow-up [2] 48:2 52:23</p>	<p>followed [1] 61:6 following [4] 7:11 30:20 62:6 66:16 foregoing [1] 84:2 foreseeable [1] 53:21 forget [1] 41:7 form [2] 34:21 68:1 formed [2] 67:1,3 forward [4] 42:15,22 44:16 78:21 fought [1] 23:2 found [1] 44:19 Foundation [1] 11:18 four [8] 7:13 17:1 22:4 72:20 73:6 79:20 80:15 83:19 fourth [1] 73:3 France [2] 2:2 79:2 french [16] 20:18 21:4 21:14 30:23 48:5 57:13 57:23 58:23,25 59:21,24 63:9 64:21 70:5 73:6 76:12 friends [1] 79:7 frightened [1] 65:4 frightening [1] 65:5 front [1] 42:15 full [1] 4:16 future [3] 47:1 53:21 55:9</p> <hr/> <p style="text-align: center;">-G-</p> <hr/> <p>gather [1] 22:14 general [1] 10:25 Gerald [1] 61:10 given [9] 10:11 13:14 14:6,7 18:24 19:15 40:4 53:17 77:13 goes [2] 44:24 45:14 gone [1] 75:7 good [3] 4:4 47:24 80:19 grade [3] 14:16 51:7,25 Group [1] 5:1 guess [1] 42:15 gynecologist [5] 26:1 31:21 54:14,14,17</p> <hr/> <p style="text-align: center;">-H-</p> <hr/> <p>half [1] 54:10 hand [2] 14:10 71:8 handwriting [4] 39:9 40:15 48:25 49:1 happening [2] 24:14,19 happy [2] 53:19 83:17 healed [1] 61:14 health [37] 1:11,17 7:7 7:18 18:18 30:14,15 37:20 55:22,25 56:1,3 56:16,18 57:10,11,23 58:2,2,22 61:4,16 62:1,4 63:4,14,14,17,17 70:3 74:8,14 75:8,21 78:8</p>	<p>80:21 81:2 Health's [1] 56:22 hear [4] 31:5 64:1 66:7 69:11 heard [6] 19:3,6 31:8 77:11,16 84:5 hearing [1] 65:9 Heather [2] 30:14 74:14 heavier [2] 72:24 73:11 help [7] 20:19 30:21 67:11 71:11,16 78:25 81:15 helped [1] 78:20 Hennebury [3] 1:9 79:25 80:1 hereby [1] 84:2 herself [7] 26:7 27:14,17 36:1,15 76:24,25 Hi [1] 30:18 higher [1] 49:21 highest [1] 58:18 himself [3] 11:10 36:14 43:5 history [2] 10:11 12:11 home [1] 25:6 Honestly [1] 18:3 Honourable [2] 1:3 84:6 hoping [1] 73:2 hormone [6] 1:2 8:17 10:5,6 71:17 84:4 hospital [6] 23:16 27:15 28:5 29:18 63:18,22 hospitals [1] 62:17 hot [1] 51:1 hour [1] 46:12 housewife [1] 6:5 Howell [3] 70:2 72:13 74:14 husband [3] 6:18 8:3 78:23</p> <hr/> <p style="text-align: center;">-I-</p> <hr/> <p>idea [3] 15:22 41:5 57:5 identifiable [1] 56:22 identified [2] 64:23 65:2 identify [3] 4:19 12:7 71:15 identifying [1] 13:3 illegible [1] 39:7 Illness [1] 12:12 immediately [5] 13:24 14:3 15:11,15 61:4 immunohistochemical [1] 28:5 immunoperoxidase [1] 9:12 important [4] 23:1 32:12 38:21 49:19 improvement [1] 61:16 improving [1] 62:1 included [2] 74:7,22</p>	<p>inclusive [9] 3:3,4,5 5:14 5:15,16,19,21,23 incontinence [1] 49:16 inconveniences [1] 42:9 increase [1] 51:23 incriminating [1] 73:22 incur [1] 63:6 incurred [1] 59:10 indicate [1] 73:7 indicated [2] 12:3 76:5 indicates [2] 52:21 72:14 indicating [2] 62:22 71:12 individual [2] 55:24 59:11 individually [1] 59:8 individuals [1] 56:19 inferior [1] 51:24 infiltrating [1] 9:20 information [28] 10:3,5 14:6,7 18:7 25:4,7 26:16 30:1,25 32:19 39:21 41:22 44:16 48:19 57:21 61:12 62:11 63:1 64:8 64:14 71:16 74:1 75:6 75:16 76:23 82:17 83:3 informed [5] 26:13,21 32:21 36:14 78:11 informing [1] 61:18 inhibitor [1] 29:24 initial [2] 32:6,11 inquiries [1] 72:3 inquiring [2] 66:21 68:21 Inquiry [6] 1:1 63:9,14 63:21 84:4,7 insist [1] 59:23 insisted [1] 42:3 instead [1] 45:3 insular [1] 70:13 Integrated [3] 1:10,17 55:25 intend [1] 71:1 interesting [1] 49:17 internal [2] 30:13 74:13 internet [8] 25:6 26:7,11 27:5 36:12 39:21 42:4,5 interpret [1] 58:10 interpretation [4] 19:1 19:2,5 61:19 interpreted [1] 58:17 interpreter [185] 2:3 4:7 4:7,10,12,21 6:3,9,15,23 7:2,6,12,17,23 8:6,11,18 9:1,15,22 10:1,7,12,24 11:5,9,13,20,25 12:6,14 12:18,25 13:8,15,20 14:9 14:17,25 15:9,14,19 16:2 16:4,5 17:4,11,17 18:2 18:16,18,21 19:11,18,24 20:4,12,22 21:5,18,25 22:8,19 23:6,10,14,25 24:9,15,20 25:14,20,25 26:5,24 27:3,10,21 28:14</p>
---	---	---	--	---

29:10 30:4,8 31:7,23
32:17 33:2,6,11,17,22
34:6,17 35:11,24 37:1
37:11,22 38:13,18 39:6
39:10,14 40:10 41:2,17
42:21 43:6 44:2,8 45:5
45:11 46:6,11,22 47:5
47:12,23 49:6,24 50:6
50:21 52:7,15 53:2,14
53:24 54:4,8,21 55:3,13
55:18 56:5,11 57:4,9,16
58:24 59:3,14,22 60:4
60:16,21,25 62:24 63:12
63:19 64:3,7,12 65:12
66:2,10 67:17 68:5,11
69:8,13,17 70:7 71:19
71:24 72:4 73:9,19 74:2
74:9 75:13,23 76:2,9,15
76:20 77:10,21 78:4,9
78:17 81:17,25 82:12,22
83:4

intricacies [1] 30:24
investigations [1] 73:1
invite [1] 83:17
involved [5] 58:8 62:16
63:3 65:22 67:4
island [3] 6:11,11,17
issue [13] 30:24 31:1,3,6
31:13 36:25 37:16 38:16
52:25 59:12 64:2 66:4,9
issues [1] 55:17

-J-

January [3] 10:18 16:17
18:12
Jennifer [1] 1:15
Joan [1] 70:15
John's [53] 7:7,21 8:1,2
8:3,5 20:6,24,25 22:22
22:22 23:1,3 25:11 27:14
27:16,18 28:18 34:8,12
35:9,15 36:1,2 37:4,5,6
37:9,16 38:1,2,4 39:17
44:10 45:2 48:11 49:13
50:4 54:10,18,24 55:10
57:23 59:18 61:5,14,15
64:14 70:12 71:6 79:3
84:8,11
joint [1] 51:24
Jones [3] 72:14 75:21
76:18
Judge [4] 57:19,22 58:14
58:16
judicial [1] 62:17
Judy [2] 84:2,13
July [2] 56:14 76:7
June [2] 22:12 75:22
Justice [3] 1:3 56:24 84:6
justify [2] 38:21,25

-K-

Kara [1] 1:9
keep [3] 23:22 25:13 73:4
kind [1] 38:21
knew [8] 12:15,17 27:11

57:11,11 60:8,9 83:2
knowledge [2] 20:18
34:15
Kwan [9] 8:7 9:8,8 11:8
18:15 28:20,21 29:3,8

-L-

lab [3] 37:4 38:20 61:19
Labrador [4] 56:15 62:7
84:8,11
Labrador-Grenfell [1]
1:16
ladies [3] 34:11 50:15
82:2
lady [13] 17:21 21:11
22:11 23:21 24:7 35:17
37:14 45:3 50:14 52:23
53:17,19 74:25
lady's [1] 44:19
Laing [5] 1:9 29:8 31:19
31:19 82:1
last [6] 4:17 17:2,22
43:18 44:1 53:25
late [1] 78:5
lawyer [1] 80:20
lawyer's [2] 59:13 63:6
lawyers [3] 58:8 60:7
63:4
lead [1] 61:13
learn [1] 24:18
learned [2] 62:3 79:6
least [2] 46:12,18
leave [2] 39:3 49:20
leaves [1] 35:1
left [4] 9:19 12:5 51:24
61:2
legitimate [1] 71:10
legs [1] 24:3
less [1] 26:13
letter [65] 24:24,24 27:4
29:7,13 30:2,7 31:10,18
31:20,20,22,25 32:16
33:15,16,21,23 34:2,25
40:12 44:13 47:16,21
48:21,23 55:22 56:4,6
57:7,19,21 58:11,12,20
58:21 60:13,15 61:17
62:2,21 66:16,17,19
67:20,21 70:1,4 75:3,4,4
75:5,19,22 76:1,12,19
77:4,11,17,24 78:2,3
81:18 82:7
letters [1] 77:18
liable [1] 59:9
life [1] 6:14
likely [2] 18:8 55:9
list [12] 3:2 66:15 70:15
70:25 72:15 73:16,20,20
73:24 74:7,16 82:9
listened [1] 64:15
listening [1] 66:3
live [2] 7:25 8:2
lived [1] 6:14

lives [1] 6:10
living [2] 6:16,16
look [9] 10:19 27:24 39:2
51:17 59:6 60:12 69:24
73:15 80:24
looked [3] 25:6 36:11
75:5
looking [1] 42:6
loop [1] 73:4
losing [1] 42:14
lots [1] 42:9
Louise [1] 75:21
low [3] 14:15 51:7,25
lungs [2] 21:20,21

-M-

Madam [1] 32:4
Madame [35] 4:6 6:1 9:5
16:15 18:25 19:13,15
23:11 32:1 37:3,25 38:2
41:18 43:7 44:17 45:1
49:10,11 50:10 52:5 56:3
57:2 58:3 59:25 60:9,9
61:1 62:2,25 64:25 65:3
76:24 78:14 80:19 81:14
Majesty [1] 1:8
Malluret [30] 23:7,9,11
23:13 27:20 29:4,9 30:21
31:12,24 35:19,25 36:22
37:3,21,25 40:11 43:7,9
48:12,24 49:10 52:14
71:23 72:2 74:21 81:8
81:13 82:16 83:2
mammogram [2] 19:22
42:25
mammograms [6] 20:2
20:5,6 21:7 22:2 53:20
mammography [1]
21:12
Management [1] 30:15
manifest [1] 66:13
March [7] 43:18 44:1,4
51:18,21 52:6 70:14
Margaret [1] 84:6
margin [1] 12:12
MARIE [1] 2:2
Marie-France [6] 4:5
4:13 6:4 32:1 74:4 80:16
Marion [2] 56:2 62:2
Mark [1] 1:14
married [1] 74:3
mastectomy [1] 9:19
matter [5] 35:4 38:5,5
38:20 84:3
may [15] 17:7,14 29:24
51:13 52:4 69:1,2,14,20
70:3 72:9,10 74:15 79:7
81:2
McCarthy [1] 20:18
meaning [1] 37:8
means [2] 15:18 84:10
meant [3] 63:2 68:3
71:17

meantime [4] 23:22
26:14 54:23 67:1
media [7] 30:20 31:4,5
65:6,10 66:7 77:16
medical [10] 1:14 10:20
13:14 16:7 17:15 19:10
52:20 70:2 72:17,18
medication [13] 24:25
25:5 26:12 27:13 35:7
36:6,8 46:17,18 48:1
54:11,16 72:25
meeting [5] 18:23 28:18
29:6,21 67:13
member [2] 59:7 67:12
members [3] 1:12 56:2
57:1
menopausal [1] 45:15
menopause [1] 42:10
mental [1] 62:14
mention [1] 24:13
mentioned [2] 37:23
82:2
Merci [2] 79:6 83:7
message [3] 81:1,5,12
met [4] 61:10 73:6 75:12
75:14
Michel [1] 61:3
micro-calcifications
[1] 20:20
mild [1] 51:23
minor [1] 51:22
minutes [4] 69:1,6 79:20
80:15
Miquelon [7] 5:3 6:10
6:11,16,17,19 72:16
Mira [1] 10:10
mistakes [4] 25:8,10
37:5 38:20
MIME [40] 2:2,3 4:12,13
8:24 10:22 11:3 14:23
31:14 35:16,20 36:19
38:9 39:22 40:1,5,16,22
41:11,15,24 42:16 43:10
43:22 45:18 46:4,14
47:18 49:2 51:3 68:9
69:21 70:22 73:12 75:9
76:13 77:5,19 80:16
82:18
moment [2] 13:16 79:18
monitors [1] 54:7
month [1] 76:8
months [5] 15:3 17:24
20:21 23:22 24:7
morning [9] 4:4,8,25 5:8
5:14 31:8 80:19,22 83:15
Moss [2] 84:2,13
mostly [1] 60:7
mother [1] 6:5
Mount [4] 27:4 28:4
29:17 42:8
Mrs [8] 19:2,5 57:24
59:20,24 60:3,5 70:15
Ms [23] 4:2,19,24 19:9
23:7 29:13 68:20 72:13

72:14 74:15,15 75:21
76:18 79:25 80:1,8,9,22
80:25 81:4,12 83:9,14

-N-

name [14] 4:16 9:6 10:17
19:3,7 28:20,24 66:15
74:3,4,7,24 80:19 82:10
names [1] 73:25
nature [1] 34:25
nausea [3] 51:7,12,25
near [1] 47:1
necessary [3] 32:20,21
73:2
need [5] 19:2 30:20 47:25
48:2 81:11
needed [3] 19:1 24:22
24:25
negative [11] 12:13
14:16 15:18 17:24 27:12
29:16 44:21 50:16 56:21
75:1,1
negative/negative [1]
28:25
never [7] 10:13 17:12,14
33:23 34:15 72:5,5
new [9] 5:7 24:22,23
48:14,15 54:14,17 55:6
73:1
Newbury [1] 1:15
Newfoundland [5]
11:17 56:15 62:7 84:8
84:11
news [4] 64:11,15 65:5
65:25
newspaper [2] 57:18
63:8
next [6] 4:4 13:4 15:7
60:1 64:1 83:19
night [1] 66:3
nine [1] 21:9
NL [3] 1:8,14,15
none [1] 10:11
nor [1] 48:1
Normally [1] 45:2
note [4] 16:19 18:12
19:21 50:10
notes [3] 16:16 17:9
22:13
Nothing [2] 38:23 83:11
notice [7] 56:17,19,23
60:20 63:8 66:22 67:2
November [5] 3:1 9:7
9:11 31:18 33:15
now [13] 22:12 46:23,25
52:23 55:2,7 65:13,16
67:25 70:25 72:23 78:22
81:21
NTV [4] 65:22,25 66:3
77:11
number [4] 9:9 28:22
65:22 81:11
Numbers [1] 5:14

-O-	82:6,8 pains [1] 62:14 panel [4] 28:18 29:21 31:20 75:5 panelled [1] 75:2 paper [3] 9:23 10:2 58:14 paragraph [2] 59:6 81:4 Parai [2] 10:10,10 parallel [1] 70:17 part [6] 18:5 49:12 59:11 62:13,22 73:17 partial [1] 9:19 particular [1] 24:25 Pascal [3] 30:21 74:21 81:7 past [2] 68:4 76:8 pathologist [1] 10:10 pathology [3] 9:5 27:25 44:19 patient [5] 6:22 29:1 30:1 55:24 77:23 patient's [1] 8:16 patients [39] 5:2 8:16 19:6 22:16,21,22 23:17 28:23 30:18 37:15 56:1 62:15 64:16,17,19,22 65:6,18,22 66:12 70:14 70:16,18,20 71:2,5,9,14 71:15 72:16 73:20 74:23 76:22 77:3,12,12,14,17 82:9 patients' [1] 73:25 pay [4] 16:10 36:24 58:9 59:9 paying [2] 12:8 38:22 Peaudecerf [23] 25:21 25:23 26:8 27:8 28:13 30:3 31:21 32:13,15,24 35:10,22 37:2 40:6,8,13 41:23 43:4,18 44:14 47:3 47:16 48:24 Peaudecerf's [1] 25:23 people [5] 30:13 50:13 62:18 81:1,1 per [1] 56:24 percent [7] 28:8,10,12 28:12,25 29:19,20 performed [1] 20:5 perhaps [11] 4:19 6:1 10:2 31:22 47:21 68:8 68:25 69:14 73:17 81:15 81:24 period [7] 46:12 61:24 66:13 73:22,22 74:4,5 periodical [1] 61:7 person [9] 10:13 45:10 58:6,9 64:24,24 72:20 73:20 78:10 personal [1] 19:14 personally [4] 30:12 45:3 65:7,11 persons [2] 25:9 62:6 Peter [1] 1:9 Pg [3] 3:3,4,5	Pgs [2] 2:4,5 phase [2] 25:10 32:7 phone [1] 36:4 phoned [4] 27:14 41:3 57:22 64:20 physician [4] 23:15 27:15 28:18 55:7 physicians [1] 8:5 Pierre [50] 5:3 6:10,12 6:17 11:2,4,6 13:25 14:8 14:11 19:6 20:3,5,8 21:3 21:7,17 22:1,1,17,20 23:16 23:18 24:4,21 25:1,19 26:15 29:4 30:18,22 34:1 36:3,24 37:6,10,15 50:17 53:7 54:9,14,15 55:7 57:18 58:6,10 61:2 70:16 70:18 72:16 74:17 Pierre's [1] 53:8 Pike [2] 1:14 80:11 Pilgrim [2] 72:13 74:15 pill [3] 34:21,21,23 place [1] 49:15 placement [1] 39:17 plan [1] 34:22 point [2] 65:3 66:8 portion [1] 59:9 positive [7] 9:13 27:12 29:19,20 44:22 50:16 56:21 positivity [1] 28:11 possibilities [1] 72:21 possible [3] 15:5 30:2 71:2 post [1] 45:15 Pouder [7] 10:21,21 14:8 18:14 48:9,10 61:3 PR [2] 75:1,2 practitioner [1] 10:25 precisions [1] 77:14 Predham [3] 30:14 74:14 81:4 predicament [1] 67:8 prefer [2] 52:24 69:5 preferred [3] 45:9 53:6 53:11 preoccupied [3] 13:23 15:22 16:10 prescription [1] 47:4 present [3] 4:24 12:11 16:3 presented [1] 33:24 president [1] 5:1 press [2] 68:22 69:5 previous [1] 37:14 Pritchard [2] 79:10,12 Pritchard/Jackie [1] 1:8 Pritchett [3] 1:16 80:4,5 privately [1] 67:10 problem [7] 42:23 43:16 44:3 45:1 48:9 51:13 55:9	problems [12] 21:15 24:2 26:13 34:24 37:20 45:15 47:8 51:1 52:5,10 53:13,18 procedure [2] 63:22 78:22 procedures [2] 62:12 62:17 proceeded [1] 64:15 proceedings [1] 59:11 process [4] 54:22 65:1 65:14,23 product [1] 47:25 progesterone [5] 28:9 28:12 29:16,20 64:6 progress [4] 16:16 17:8 18:12 50:10 progresses [1] 46:19 propose [1] 71:3 proposed [2] 32:1 38:23 proposition [1] 32:8 protein [2] 28:8,10 providing [2] 34:23 83:15 psychologically [3] 61:21 67:6,12 PT2 [1] 12:4 public [1] 31:3 pursue [2] 38:22 60:10 put [5] 16:8 41:18 51:2 66:14,22 putting [1] 49:15	radiation [3] 16:20,21 16:25 radio [6] 66:11,22 67:2 69:12 70:19,20 radiotherapy [5] 7:14 8:1,8 61:9 68:14 re [1] 30:17 re-check [1] 50:14 re-schedule [1] 52:4 read [7] 12:19,19 24:23 30:3 31:22 39:13 47:21 reading [1] 81:15 really [2] 58:5,15 reason [6] 35:2 36:22 38:8 53:11 54:24 55:6 reasons [3] 22:17 33:1 49:8 reassured [1] 44:9 receipt [2] 57:7 78:1 receive [13] 30:7 33:16 33:21 56:4 57:15 59:2 61:8 66:17 70:17 75:21 76:1,25 77:23 received [31] 9:9,23,25 10:8 13:2,3,10,17 26:15 32:24 34:3,5 40:11 48:12 48:21 56:6,9 58:20 61:17 67:18,21,24 68:3,13,15 76:23,24 77:3,17,18 83:2 recent [1] 34:11 recently [3] 16:22 33:25 44:18 receptor [16] 1:2 8:17 10:6 28:8,9,11 29:16,19 29:20 44:20,21 64:6,6,9 71:18 84:4 reciting [1] 67:22 recognize [1] 28:21 recommend [1] 45:22 Recommendation [1] 29:1 recommendations [1] 46:21 recommended [2] 20:21 29:22 reconvene [1] 83:20 record [1] 4:20 records [1] 56:23 recovering [1] 59:8 rectified [1] 71:8 red [2] 23:23 24:1 redacted [2] 73:25 74:23 reevaluated [1] 81:20
-P-	P [1] 5:15 P-2486 [3] 3:5 5:15,23 P-2491 [2] 63:24,25 P-2493 [2] 74:12 80:23 P-2494 [1] 75:18 P-2500 [2] 3:5 5:23 page [30] 3:1 9:5,18 13:4 13:4,5,7,7,9 16:13,15 17:7 18:11 21:9 22:4 27:25 28:3,22,23 39:5 50:9 52:18 59:6 63:25 63:25 70:5 73:15 74:24		-Q-	Q.C [205] 1:6,7 2:4 4:3 4:14,18,23 5:6,11,25 6:7 6:13,20,25 7:4,9,15,20 8:4,9,14,20 9:3,17,24 10:4,9,14 11:1,7,11,15 11:22 12:2,10,16,23 13:6 13:12,18 14:4,13,19 15:2 15:12,16,25 16:12 17:6 17:13,19 18:10,19 19:8 19:16,20 20:1,10,14 21:1 21:8,22 22:3,10 23:4,8 23:12,19 24:5,11,17 25:12,16,22 26:2,19 27:1 27:7,19,23 28:16 29:12 30:6,10 31:11,16 32:14 32:23 33:4,9,13,19 34:4 34:9,19 35:13,18 36:17 36:21 37:7,18 38:7,11 38:15 39:1,8,12,18,24 40:3,7,14,18,24 41:8,13 41:20 42:1,18,24 43:8 43:12,24 44:6,11 45:8 45:13,20 46:8,16,24 47:7 47:14,20 48:20 49:4,22 50:2,8,23 51:5 52:13,17 53:10,16 54:2,6,19,25 55:11,15,20 56:7,13 57:6 57:14 58:19 59:1,5,19 60:2,11,18,23 62:20 63:7 63:16,23 64:5,10 65:8 65:24 66:6 67:15 68:2,7 68:17,24 69:10,15,19,23 70:9,24 71:21 72:1,7

Inquiry on Hormone Receptor Testing

<p>refer [4] 53:7 74:19 81:5 81:8</p> <p>reference [1] 81:3</p> <p>referral [1] 53:8</p> <p>referred [2] 29:21 66:4</p> <p>refusal [1] 49:8</p> <p>refused [4] 38:1 39:17 52:12 53:4</p> <p>regarding [3] 59:12 60:20 74:18</p> <p>Regional [3] 1:10,17 55:25</p> <p>Registrar [2] 4:15 9:4</p> <p>registration [1] 9:6</p> <p>regret [1] 78:10</p> <p>relation [1] 19:13</p> <p>relationship [1] 25:24</p> <p>reluctant [1] 50:24</p> <p>remained [1] 8:2</p> <p>remember [4] 10:8 13:16 18:6 40:25</p> <p>repeat [3] 20:20,24 29:17</p> <p>report [6] 9:5 19:22,23 28:1 29:15,17</p> <p>reports [2] 20:16 21:13</p> <p>representing [1] 5:2</p> <p>request [5] 39:16 48:10 52:3,10 53:4</p> <p>requested [1] 52:11</p> <p>require [1] 16:25</p> <p>required [1] 56:18</p> <p>requiring [2] 38:16 73:3</p> <p>Research [1] 11:18</p> <p>researching [1] 65:15</p> <p>resection [1] 12:12</p> <p>reside [1] 6:8</p> <p>residents [1] 74:17</p> <p>resolved [1] 55:17</p> <p>respect [1] 59:10</p> <p>respectful [1] 62:19</p> <p>responding [1] 60:19</p> <p>response [7] 32:25 33:18 69:22 72:17,19 73:3,4</p> <p>responsible [2] 37:6 62:18</p> <p>result [6] 26:9,9 27:9 34:12,13 51:14</p> <p>results [5] 56:20 61:19 74:25 81:21 82:10</p> <p>retest [3] 26:3 27:9 42:7</p> <p>retested [4] 26:23 27:2 28:4 74:25</p> <p>retesting [6] 24:14,19 26:22 30:18 74:18 75:1</p> <p>retests [1] 26:4</p> <p>return [1] 53:17</p> <p>review [2] 34:11,13</p> <p>reviewed [1] 44:19</p> <p>REVISED [1] 3:1</p> <p>right [10] 1:8 5:10 11:21 24:2 41:18 45:19 51:20</p>	<p>66:20 81:10 83:13</p> <p>risk [2] 30:14 72:21</p> <p>risks [1] 71:3</p> <p>role [1] 23:13</p> <p>Rolf [1] 1:8</p> <p>Russell [3] 1:12 80:8,9</p> <hr/> <p style="text-align: center;">-S-</p> <hr/> <p>S [2] 18:14,15</p> <p>sacroiliac [1] 51:24</p> <p>salute [1] 32:12</p> <p>sample [1] 71:4</p> <p>Sandra [3] 1:7 2:4 4:13</p> <p>save [1] 43:19</p> <p>saw [11] 16:18 17:14 26:11 27:4 33:23 42:7 57:18 63:8 64:11 66:1 72:6</p> <p>says [20] 12:12 14:15 17:21 19:21 20:15 22:1 23:21 24:6 34:10 41:21 47:8 50:13,19 51:6 53:17 55:8,24 56:14 77:22 81:5</p> <p>scan [2] 51:10,21</p> <p>Science [8] 7:7,18 18:18 57:12 58:2 61:4 62:5 63:4</p> <p>Sciences [1] 63:17</p> <p>screening [1] 56:20</p> <p>second [2] 81:3 82:6</p> <p>secretary [3] 41:18 66:18,18</p> <p>see [28] 16:1 23:20 24:6,7 28:23 29:5 33:25 34:1 38:12 39:4 42:4 44:10 45:25 47:1,15 50:1,4 51:9,19 53:19 54:13 55:1 55:10 73:16,24 74:24 79:3 81:10</p> <p>seeing [1] 13:13</p> <p>seem [2] 13:2 55:8</p> <p>selection [1] 17:10</p> <p>semester [1] 48:16</p> <p>send [11] 24:3 31:24 40:20 56:18 57:12 58:13 58:15,16 59:24 66:16 81:18</p> <p>sending [1] 81:21</p> <p>senologie [1] 49:13</p> <p>sense [1] 14:5</p> <p>sent [8] 40:12,25 57:10 66:19 67:20 72:18 74:8 77:12</p> <p>sentence [1] 59:16</p> <p>sentiments [1] 62:19</p> <p>September [6] 22:5 24:8 49:17 60:14 83:17,20</p> <p>service [1] 71:7</p> <p>services [1] 61:20</p> <p>session [1] 83:16</p> <p>set [1] 49:16</p> <p>setback [1] 42:23</p> <p>several [4] 70:14 71:4,6</p>	<p>71:9</p> <p>shall [1] 15:6</p> <p>Sharon [10] 18:20,22,23 30:15,19 64:20 72:11,13 74:18 81:5</p> <p>sheet [1] 81:15</p> <p>shortly [3] 16:18 67:8 76:7</p> <p>show [1] 81:9</p> <p>showed [4] 20:19 29:16 78:10 80:23</p> <p>shown [1] 29:18</p> <p>shows [5] 9:13,18 28:6,7 51:22</p> <p>sickness [1] 6:18</p> <p>signed [1] 58:14</p> <p>significant [3] 21:15 45:15 50:25</p> <p>similar [1] 77:4</p> <p>Simmons [14] 1:10 2:5 79:16,19 80:14,17,18,20 81:23 82:5,14,20,24 83:6</p> <p>simple [1] 16:8</p> <p>Sinai [4] 27:5 28:5 29:17 42:8</p> <p>site [4] 25:8 42:4,4,5</p> <p>situation [4] 46:19 62:16 68:23 82:3</p> <p>six [4] 7:13 20:21 23:22 24:7</p> <p>size [1] 14:20</p> <p>skin [1] 23:24</p> <p>skipped [1] 22:13</p> <p>small [2] 66:4 70:13</p> <p>Society [1] 1:15</p> <p>sometime [2] 13:19 77:16</p> <p>soon [3] 15:5 30:1 48:17</p> <p>sorry [8] 16:14 28:6 36:6 39:3 45:6,22 68:20 76:21</p> <p>sound [1] 84:10</p> <p>speak [4] 45:2,10 50:20 67:10</p> <p>speaking [6] 18:5 30:22 48:5 61:22 66:8 83:1</p> <p>specifically [1] 55:23</p> <p>specimen [2] 9:9 28:4</p> <p>spell [1] 4:17</p> <p>spoke [4] 15:21 36:18 41:14 72:5</p> <p>spoken [1] 30:16</p> <p>st [104] 5:2 6:10,11,17 7:7 7:21 8:1,2,3,5 11:2,4,6 13:25 14:8,11 19:6 20:3 20:5,6,7,24,24 21:3,7,17 22:1,16,20,21,22 23:1,2 23:16,17 24:4,21 25:1 25:11,19 26:15 27:14,16 27:18 28:18 29:4 30:18 30:22 33:25 34:8,12 35:8 35:14,25 36:2,3,24 37:4 37:5,5,6,9,10,15,16 38:1 38:2,4 39:17 44:9 45:2 48:11 49:13 50:4,17 53:7</p>	<p>53:8 54:9,10,14,15,18 54:24 55:7,10 57:18,23 58:6,10 59:18 61:2,5,14 61:15 64:13 70:11,16,18 71:6 72:16 74:17 79:3 84:7,11</p> <p>stage [1] 52:23</p> <p>stages [2] 67:22,23</p> <p>stain [2] 9:12,13</p> <p>staining [1] 29:16</p> <p>start [3] 15:7 32:22 68:16</p> <p>started [7] 15:5 16:23 17:1 44:22 47:2 51:6 62:12</p> <p>starting [1] 48:3</p> <p>starts [1] 72:10</p> <p>state [1] 62:1</p> <p>status [6] 8:17 10:5,6 18:1 71:18 74:17</p> <p>stay [2] 7:21 34:23</p> <p>step [1] 60:1</p> <p>still [2] 53:12 54:3</p> <p>stirred [1] 70:12</p> <p>stop [1] 51:14</p> <p>story [1] 66:24</p> <p>strong [4] 67:6,19,24 68:4</p> <p>stronger [2] 72:24 73:11</p> <p>studies [1] 28:6</p> <p>study [1] 71:1</p> <p>subsequent [1] 21:16</p> <p>successful [1] 59:8</p> <p>such [7] 8:22 14:21 24:18 36:7 44:22 59:11 72:2</p> <p>sufficient [1] 30:23</p> <p>summarizing [1] 39:15</p> <p>summary [1] 10:17</p> <p>superficially [1] 12:20</p> <p>suppose [1] 82:3</p> <p>supposed [3] 22:11 43:15 66:15</p> <p>Supreme [1] 56:14</p> <p>surgeon [1] 28:19</p> <p>surgery [1] 15:4</p> <p>surgical [1] 61:6</p> <p>swear [1] 4:10</p> <p>sworn [5] 2:2,3 4:6,12 4:13</p> <p>symptoms [2] 51:8,9</p> <p>systemic [1] 14:21</p> <hr/> <p style="text-align: center;">-T-</p> <hr/> <p>T-o-n-g [1] 8:10</p> <p>table [2] 2:1 74:22</p> <p>taking [8] 26:9,10 32:8 34:20 48:1 54:11,16 61:25</p> <p>talks [1] 51:8</p> <p>Tamoxifen [13] 25:1,7 26:8,9 29:2,22 32:2 34:15 42:4,6 44:23 45:16 50:24</p>	<p>technical [1] 12:21</p> <p>telephone [4] 45:4 46:2 46:9 49:7</p> <p>Teletchea [58] 2:2 4:5,6 4:13 6:1,4 8:24 10:22 11:3 14:23 19:7 29:13 31:14 32:1,4 35:16,20 36:19 37:3,25 38:3,9 39:22 40:1,5,16,22 41:11 41:15,24 42:16 43:10,22 44:17 45:1,18 46:4,14 47:18 49:2,11 51:3 57:2 60:9 62:25 68:9 69:21 70:22 73:12 74:4 75:9 76:13,25 77:5,19 80:16 80:19 82:18</p> <p>ten [2] 69:1,5</p> <p>terms [2] 16:8 79:24</p> <p>test [9] 8:16,22 24:22 42:12 43:1 48:7 56:20 70:12 82:10</p> <p>testing [9] 1:2,13 56:9 62:9 72:22,23,25 73:10 84:4</p> <p>tests [5] 8:15 20:7 24:14 48:1 81:20</p> <p>Thain [2] 8:7 16:19</p> <p>thank [16] 4:24 6:1 32:12 48:21 49:21 69:11 73:5 78:18 79:8,13,14 82:1 83:13,13,14,21</p> <p>thanking [1] 82:4</p> <p>themselves [1] 66:13</p> <p>therapeutic [1] 71:7</p> <p>therapy [2] 14:21 16:25</p> <p>therefore [2] 15:6 49:25</p> <p>therein [1] 62:18</p> <p>thinking [1] 57:10</p> <p>thinks [7] 20:23 26:25 33:3,7 46:13 65:17 77:22</p> <p>third [2] 73:10 82:8</p> <p>Thompson [1] 56:25</p> <p>Thoms [6] 2:3 4:12,19 4:22,24 83:14</p> <p>thought [8] 12:21 53:12 60:19 62:21 63:10,21 65:10 67:19</p> <p>three [12] 7:24 13:25 15:3 17:24 27:25 28:3 46:19 50:10,13 63:25,25 72:23</p> <p>through [3] 19:4 65:9 70:11</p> <p>tissue [2] 8:23 27:2</p> <p>today [3] 50:14 52:22 78:19</p> <p>tolerated [1] 29:24</p> <p>Tong [11] 8:8,10,12 10:19 13:13 15:7,17,21 16:1,18,23</p> <p>too [14] 12:8,21 14:1 16:9 16:10 67:19,19,24 68:3 68:4,13,13 69:2 79:7</p> <p>took [4] 36:1,13,15 71:22</p> <p>top [1] 72:11</p> <p>Toronto [2] 27:5 81:21</p>
--	--	---	---	---

<p>touch [5] 41:10 45:4 47:9 50:17,19</p> <p>transcribed [1] 84:9</p> <p>transcript [1] 84:3</p> <p>transfer [1] 48:8</p> <p>translate [5] 5:12 20:16 58:6 60:22 73:17</p> <p>translated [2] 72:12 74:20</p> <p>translator [2] 20:15 81:14</p> <p>treated [1] 73:21</p> <p>treatment [33] 7:10,16 7:22 11:18 13:19 14:1 16:22 17:1 23:18 24:23 24:23 29:2 32:2,3,5,8,11 42:11 43:3,3 47:24 48:3 61:8,23,25 67:19,24 68:3 68:4 72:22,25 73:1,11</p> <p>treatments [3] 7:13 8:13 61:8</p> <p>tried [2] 50:17,19</p> <p>trimester [1] 48:7</p> <p>trip [1] 38:22</p> <p>true [1] 84:3</p> <p>try [2] 42:14 45:25</p> <p>trying [6] 12:21 42:13 42:22,22 52:1 71:15</p> <p>tumour [5] 9:20 12:13 14:15,20 29:18</p> <p>TV [2] 64:9 66:1</p> <p>TVT [1] 49:15</p> <p>twice [1] 48:6</p> <p>two [15] 6:5 20:5 25:9 28:22,23 33:14 49:12 57:20 59:7 61:25 72:22 79:20 80:15 81:1 82:2</p> <p>type [1] 9:20</p> <hr/> <p style="text-align: center;">-U-</p> <hr/> <p>Uh-hm [1] 29:11</p> <p>ultrasound [9] 19:23 20:19,21,23,24 21:13,19 21:20,23</p> <p>ultrasounds [2] 20:2 21:7</p> <p>Um-hm [2] 17:18 82:13</p> <p>unable [1] 50:18</p> <p>under [2] 12:11 14:14</p> <p>undergo [1] 7:10</p> <p>understand [19] 6:21 25:2 27:11 32:6,7,19 34:25 57:2 58:1,3,5 59:16 65:5 66:5 67:23 76:18 77:2,3 78:20</p> <p>understands [3] 65:13 65:16,20</p> <p>understood [8] 12:20 12:22 15:1,23 16:6 57:19 64:15 67:8</p> <p>underwent [1] 61:5</p> <p>Unfortunately [1] 50:15</p> <p>unless [2] 52:25 78:14</p>	<p>unusual [1] 10:15</p> <p>up [12] 8:13 17:25 22:16 29:2 36:12 42:6 54:12 61:6 66:24 68:25 70:13 70:25</p> <p>update [1] 46:20</p> <p>upset [1] 61:20</p> <p>urology [1] 49:15</p> <p>used [1] 29:25</p> <p>uterine [1] 26:10</p> <p>uterus [2] 42:13 48:5</p> <hr/> <p style="text-align: center;">-V-</p> <hr/> <p>various [1] 62:6</p> <p>vernacular [1] 16:9</p> <p>victim [2] 61:1 71:3</p> <p>victims [2] 62:9 81:19</p> <p>visit [4] 24:12 26:17 61:14,15</p> <p>VP [1] 70:2</p> <hr/> <p style="text-align: center;">-W-</p> <hr/> <p>waited [1] 57:17</p> <p>waiting [1] 72:17</p> <p>wants [4] 23:20 45:22,24 78:18</p> <p>weak [1] 67:12</p> <p>week [2] 15:7 76:4</p> <p>weeks [6] 7:13 8:3 13:25 17:1 66:16 83:19</p> <p>weight [1] 42:14</p> <p>Welcome [1] 5:5</p> <p>Western [1] 1:16</p> <p>whole [1] 65:23</p> <p>willing [1] 52:3</p> <p>wishes [1] 69:9</p> <p>within [2] 67:6 81:2</p> <p>without [2] 54:11 78:25</p> <p>witness [6] 4:4 19:3 62:8 68:25 69:4 79:11</p> <p>women [1] 81:19</p> <p>wonder [1] 81:14</p> <p>wondering [1] 21:20</p> <p>word [1] 26:16</p> <p>worked [1] 68:14</p> <p>works [1] 45:25</p> <p>world [1] 70:13</p> <p>worried [1] 70:13</p> <p>write [3] 32:15 42:3 43:4</p> <p>writes [2] 22:11 44:15</p> <p>writing [4] 39:11,25 62:21 81:4</p> <p>written [18] 21:24 29:7 31:19 33:16,20 39:4 40:19 44:13,14 47:2,17 48:23 50:12 56:2 60:13 70:1,3 75:19</p> <p>wrote [3] 31:20 47:4 60:15</p>	<hr/> <p style="text-align: center;">-X-</p> <hr/> <p>x-ray [2] 21:19,20</p> <hr/> <p style="text-align: center;">-Y-</p> <hr/> <p>year [9] 42:13,25 48:6 49:12 51:16 69:16,18 76:23 77:4</p> <p>years [14] 25:3 32:10,20 34:24 35:22 37:14 42:8 46:19,23,25 54:11 61:24 61:25 71:6</p> <p>yet [1] 70:17</p> <p>yourself [4] 4:20 6:2 44:14 60:13</p>		
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