

FERTILITY CLINIC CLOSURE

NOTICE TO ANYONE STORING SPERM OR EMBRYO SAMPLES AT THE B.C. WOMEN'S CENTRE FOR REPRODUCTIVE HEALTH (FORMERLY THE U.B.C. CENTRE FOR REPRODUCTIVE HEALTH)

The fertility clinic known as the B.C. Women's Centre for Reproductive Health (formerly the U.B.C. Centre for Reproductive Health) (the "Clinic") closed on November 30, 2012. The closure means the Clinic can no longer store embryos or sperm specimens.

On or about, May 24, 2002, while it was being operated as the U.B.C. Centre for Reproductive Health, there was a failure of a freezer at the Clinic containing sperm samples (including some samples from many years prior to 2002). Those samples are now the subject of the class action, *Lam v. UBC*, Supreme Court of British Columbia, Vancouver Registry No. S035269 (the "Class Action Specimens"). If you think you may be a member of the class action, you must immediately contact Arthur Grant, the lawyer for the representative plaintiff, at:

Grant Kovacs Norell
400 – 900 Howe St.
Vancouver, B.C. V6Z 2M4

Tel: (604) 609-6699
Fax: (604) 609-6688
E-mail: agrant@gkn.ca

ALL individuals with embryos and sperm stored at the Clinic, whether or not they are Class Action Specimens: You must contact the Clinic immediately, at:

B.C. Women's Centre for Reproductive Health.
Women's Health Centre, F2-4500 Oak Street
Vancouver, B.C. V6H 3N1

Tel: (604) 875-2445
TF: 1-888-300-3088
Fax: (604) 875-3750

to instruct the Clinic whether you wish to have your embryo(s) and/or sperm either transferred to another clinic or destroyed and disposed of.

If you are storing embryos or sperm at the Clinic, and you wish to transfer your sample(s) to another clinic, you will be responsible for:

- (i) taking all necessary steps to complete the transfer, including the payment of any and all associated fees and for obtaining any additional testing required by the other clinic; and
- (ii) ensuring the transfer itself is completed.

If, BY DECEMBER 24, 2013, the Clinic does not receive instructions from you to transfer your Class Action Specimen(s) to another clinic or, in the event you wish to transfer your Class Action Specimen(s) but:

- (i) you do not COMPLETE ALL steps necessary to effect the transfer also by December 24, 2013, including the payment of any and all associated fees and obtaining any additional testing required by the other clinic; or
- (ii) the transfer itself is not completed,

THE CLINIC WILL IMMEDIATELY THEREAFTER DESTROY AND DISPOSE OF ALL REMAINING CLASS ACTION SPECIMENS still being stored at the Clinic, pursuant to the Order of Mr. Justice Butler pronounced November 7, 2013.

A HEARING WITH RESPECT TO ALL SPECIMENS REMAINING AT THE CLOSED FERTILITY CLINIC THAT ARE NOT CLASS ACTION SPECIMENS will take place before Mr. Justice Butler at 9:00 a.m. on January 8, 2014 at the courthouse located at 800 Smith Street in Vancouver, at which time AN ORDER FOR THE IMMEDIATE DESTRUCTION OF THOSE SAMPLES AFTER THE HEARING IS EXPECTED.