

# EXTENDICARE FACES \$210M LAWSUIT OVER COVID RESPONSE

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A \$210-million class-action lawsuit has been launched against 71 Extendicare long-term-care homes in Ontario over the chain's handling of the COVID-19 pandemic.

The lawsuit alleges Extendicare "failed to protect residents" at the homes "through inadequate preventative and responsive measures to the COVID-19 pandemic," leading to serious injuries and deaths.

"The defendants were aware that the (residents) were vulnerable individuals and especially vulnerable to serious or fatal complications arising from contracting COVID-19," the lawsuit alleges.

"Furthermore, the defendants were aware that the (residents) were dependent on the defendants for proper care, treatment and

protection, especially from contracting COVID-19, during the pandemic period when they were not able to have direct contact with outsiders."

None of the allegations in the statement of claim have been proven in court and a judge must still certify the class action before the lawsuit can proceed.

In a statement, Extendicare said: "Our focus at this time is solely on providing quality care to our residents, and supporting our families and team members."

"Our hearts are with our community and those who have lost loved ones to this virus during this immensely challenging time," Extendicare stated. "We'll respond to the allegations through the appropriate legal channels in due course."

Members of the proposed class action include

all residents who lived in Extendicare's Ontario homes during the pandemic and family members, if the resident is now deceased.

The lawsuit targets 35 Ontario long-term-care homes owned and operated by Extendicare and 36 homes managed by the company, including Wyndham Manor in Oakville and Extendicare Halton Hills.

Wyndham Manor, which is managed by Extendicare, had an outbreak with 145 COVID-19 cases and 21 resident deaths, according to Halton Public Health. Meanwhile, health officials have confirmed 154 COVID-19 cases at Extendicare Halton Hills with 18 resident deaths, as of Jan. 15.

Among the dozens of specific allegations in the lawsuit:

— Extendicare allegedly



Graham Paine/Metroland

Extendicare has been hit especially hard by the pandemic.

ly failed to implement a proper infection prevention and control program;

— Extendicare allegedly failed to "follow acceptable practices regarding the prevention and containment of contagious respiratory illnesses" such as COVID-19;

— The company allegedly failed to properly train staff in infection prevention and control;

— The homes allegedly

failed to hire sufficient and adequate staff to provide proper care, supervision and treatment to the residents;

— The homes allegedly failed to maintain adequate screening and testing measures for visitors, residents and staff;

— The homes allegedly failed to adhere to public health orders and directives regarding visitors.

The two long-term-care

homes in Ontario with the highest number of COVID-related deaths are Tendercare in Scarborough, with 73 deaths, and Orchard Villa in Pickering, with 70 fatalities. Both homes are managed by Extendicare.

According to the lawsuit, Extendicare has allegedly received approximately \$104 million from the federal and provincial governments to respond to the COVID-19 pandemic.

"On May 14, 2020, the defendant Extendicare (Canada) Inc. committed to pay \$10.7 million in dividends to its shareholders for its first quarter of 2020," the lawsuit alleges, "while only spending approximately \$300,000 of the company's own money on its response to the COVID-19 pandemic"

The lawsuit was initiated by the Will Davidson LLP law firm in Oakville and Toronto's Thomson Rogers law firm.



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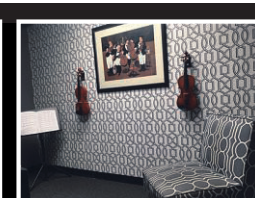
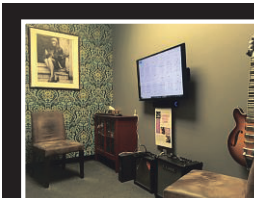
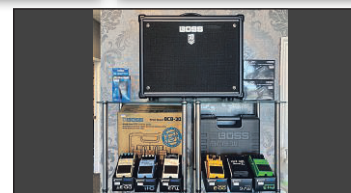
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