



COURT FILE NO. 1201-12838  
COURT COURT OF KING'S BENCH OF ALBERTA  
JUDICIAL CENTRE CALGARY  
PLAINTIFFS FIONA SINGH and  
(APPLICANTS) MUZAFFAR HUSSAIN by his litigation representative  
FIONA SINGH  
DEFENDANTS GLAXOSMITHKLINE INC., GLAXOSMITHKLINE LLC, and  
(RESPONDENTS) GLAXOSMITHKLINE PLC.

*Brought under the Class Proceedings Act*

DOCUMENT ORDER

ADDRESS FOR  
SERVICE AND  
CONTACT



INFORMATION OF 1000 – 7 Avenue SW, Suite 400  
PARTIES FILING Calgary, Alberta  
THIS DOCUMENT T2P 5L5

**Clint Docken K.C. | Casey R. Churko**  
Tel: (403) 619-3612  
Fax: (639) 739-2223

**DATE ORDER WAS PRONOUNCED:**

June 5<sup>th</sup>, 2024

**JUDGE WHO MADE THIS ORDER:**

Hon. Justice E.J. Sidnell

**ORDER**  
*(Settlement Approval Hearing Notice)*

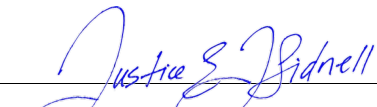
**UPON THE APPLICATION** of the Plaintiffs; **AND UPON READING** and **HEARING** the submissions of counsel for the Plaintiffs and of counsel for the

Defendants; **AND UPON HAVING CONSIDERED** the *Affidavit of Paul Battaglia* (2024-05-29);

**IT IS HEREBY ORDERED:**

1. The notice of certification of the class proceeding is hereby approved in the form appended hereto as **Schedule 1 (“Notice”)**.
2. The *Notice* shall be given by Trilogy Class Action Services on or before July 5<sup>th</sup>, 2024 by the following means:
  - (a) Trilogy shall send a copy of the *Notice* by mail or email to individuals who identified themselves as class members.
  - (b) Trilogy shall post English and French copies of the *Notice* on the website at [www.paxilbirthdefectsclassaction.ca](http://www.paxilbirthdefectsclassaction.ca).
  - (c) Trilogy shall arrange for the publication of the *Notice* by way of a paid Google digital media advertising campaign for 30 days.
  - (d) Trilogy shall deliver the *Notice* to provincial and territorial governmental health care authorities and public guardians and trustees.
  - (e) Trilogy may distribute the notice in any other suitable manner, provided that the total cost of giving *Notice* shall not exceed \$27,500 plus HST.
3. The Defendants shall equally share the costs of giving notice with the Plaintiffs.
4. The hearing will be a full day on September 24<sup>th</sup>, 2024, with one day reading time for the judge.

5. The deadlines for filing materials will be:
- (a) 10 days for materials in support and
  - (b) 5 days for materials in opposition.

  
\_\_\_\_\_  
**THE HONOURABLE  
JUSTICE E.J. SIDNELL**

**APPROVED** as to form and content this 6<sup>th</sup> day of June, 2024:

**NAPOLI SHKOLNIK CANADA**  
1000 – 7 Avenue SW, Suite 400  
Calgary, Alberta  
T2P 5L5

**NORTON ROSE FULBRIGHT**  
222 Bay Street  
Suite 3000, P.O. Box 53  
Toronto, Ontario  
M5K 1E7

Per:



\_\_\_\_\_  
**CASEY R. CHURKO**  
Co-Counsel for the Plaintiffs,  
Fiona Singh and  
Muzaffar Hussain

Per:



\_\_\_\_\_  
**RANDY SUTTON**  
Lawyer for the Defendants,  
GlaxoSmithKline Inc.,  
GlaxoSmithKline LLC, and  
GlaxoSmithKline plc.

## SCHEDULE 1 – *Notice of Settlement Approval Hearing*

### LEGAL NOTICE

#### NOTICE OF CLASS PROCEEDING SETTLEMENT APPROVAL HEARING

A class proceeding, *Singh v. GlaxoSmithKline Inc*, Court File No. 1201-12838, commenced in the Alberta Court of King’s Bench, was certified to advance claims regarding the selective serotonin reuptake inhibitor “paroxetine” that GlaxoSmithKline and certain affiliates (“GSK”) marketed in Canada under the brand names Paxil® and Paxil CR™.

Class members include women who were prescribed Paxil® and Paxil CR™ in Canada and subsequently aborted, delivered, or miscarried a child with congenital malformations after taking paroxetine while pregnant, children born alive to such women, and family members of such children (see [www.paxilbirthdefectsclassaction.ca](http://www.paxilbirthdefectsclassaction.ca) for family members who may participate). The class also includes provincial and territorial governments who paid health care costs on behalf of these class members.

The representative plaintiff and GSK have agreed to settle the class proceeding for the all-inclusive sum of \$7,500,000. The settlement requires Court approval, and there will be a hearing to determine whether to approve the settlement on September 24<sup>th</sup>, 2024 at 10:00 am. If you are a class member and wish to object to the approval of the settlement, you must do so in writing, and you may appear at the hearing on your own behalf or through counsel to speak to whether the Court should approve the settlement. If you are a class member and have not opted out, you will be bound by the settlement of the class proceeding.

If the Court approves the settlement, this fund will be available to compensate class members, to pay provincial and territorial governments for health care costs they paid on behalf of class members, to pay legal fees and expenses of counsel, and to pay costs relating to the notice and administration of the settlement. If the Court approves the settlement, an additional notice will be given that describes how class members may make claims for compensation.

Documents related to the settlement are available at [www.paxilbirthdefectsclassaction.ca](http://www.paxilbirthdefectsclassaction.ca) or by contacting:



1000 – 7 Avenue SW, Suite 400  
Calgary, Alberta  
T2P 5L5

**Clint Docken KC | Casey R. Churko**

Tel: (306) 540-2284

Fax: (639) 739-2223

[cchurko@napolilaw.com](mailto:cchurko@napolilaw.com)