



'Seek compensation'

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SOME 8 000 former Barbadian policyholders of the Manufacturers Life Insurance Company are being advised to take action against the company for not compensating them after it had changed its status.

The advice has come from Harvey Strossberg of the Canadian Law firm Sutts, Strossberg.

Strossberg told the Barbados Advocate yesterday that a September 30, 2002 ruling by a Canadian Judge was significant for the Barbadian policyholders who were not included in a payout when Manulife demutualised four years ago.

Four of the policyholders including Wismar Greaves, a former Supervisor of Insurance, have brought a class action suit against Manulife for failing to honour its commitment to the Barbadian policyholders.

In September 1999 it demutualised and paid participating policyholders a minimum of \$4 000 and an average of \$15 000. However, Manulife did not include Barbados policyholders as eligible and failed to pay them any money whatsoever.

On September 30, Mr. Justice Ian Nordheimer of the Ontario Superior Court of Justice refused Manulife's motion to dismiss the action and certified it as a class proceeding.

He said among other things that this proceeding "raises issues of corporate conduct and the obligations that a corporation owes to its owners or shareholders to which, for the purpose of this factor, I am prepared to equate policyholders."

Speaking from Canada, Strossberg who said he is excited at this development, declared: "we now have a real class action."

According to him, "this is significant for the people of Barbados, and the action should proceed to trial." He stated that they will now have an opportunity to get access to Manulife's documents and then to examine them.

The Canadian official also said that to date 2 000 of the 8 043 policyholders had signed up to participate in the action and he is advising the others to do so. He promised to return to Barbados next February for another public forum.

The plaintiffs assert that had Manulife not acted negligently and in breach of its fiduciary duty, on demutualisation the Barbadian policholders would have been paid in excess of \$100 000.

In this action the class members seek compensatory damages in excess of \$1 million against Manulife and in addition, punitive damages of \$50 million because the plaintiffs assert that manulife's conduct in its dealings with them and their ownership interests was arrogant, high handed and outrageous.

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