Class Action Certified in Mall Collapse Lawsuit



A roof parking deck collapsed, killing two workers and injuring others. Business closed as a result. The owners of one such business sued the mall owners and others for negligence and asked the court to certify the lawsuit as a class action. The court ruled that this lawsuit is exactly the kind of case for which class actions were designed. All the prerequisites under the law were satisfied. There are fully particularized claims in negligence and under the *Occupiers' Liability Act*. The class is defined objectively and consists of about 300 individuals and businesses affected by the collapse. The common issues will significantly advance the claims of the class members. Thus, a class proceeding is a fair and efficient procedure, concluded the court [*Quinte v. Eastwood Mall*, [2014] ONSC 249 (CanLII), Feb. 13, 2014].