

JANUARY 2009
on record

INSURANCE
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Undertaking to Obtain One's Employment File Denied

by Jeff Weidman and Kristian Hildebrand, Student-at-law



Introduction

When examining a plaintiff on his or her income loss claim, traditional practice of Defence counsel has been to request an undertaking for the production of the Plaintiff's employment file. However, recent case law has established that such a request is unenforceable since the plaintiff has no power over provision of material from his or her employer.

Discussion

In *Brown v. Malik*¹ ("Brown"), Mr. Justice LoVecchio considered the request of Defence counsel for a number of documents in the possession of third parties, including the employment records of two former employers of the Plaintiff in British Columbia. Rule 208 of the Alberta *Rules of Court*, was the Rule relevant to the request.

Rule 208 provides:

A person who admits, on examination, that they have in **their possession, custody or power** a record that is not privileged or protected from production must produce it for the inspection of the examining party in accordance with an order of the Court or the direction of the examiner. (emphasis added)

Employment files are inevitably in the possession of a third party employer. As such, the issue is not whether they are in a person's possession or custody, but rather whether they are in his "power". The Defendants argued that the employment files were in the Plaintiff's power since the employee has a "unique" ability to request these records from his employer, given privacy legislation and other related issues.

...the law is now clear that the plaintiff is not required to request his or her employment records when asked to do so by the defendant and a Rule 208 application attempting to force such a request will be denied.

However, in terms of what is meant by being in one's power to produce a file, Mr. Justice LoVecchio concluded, "power in Rule 208 must be interpreted to mean having a legal right to obtain the record in question."² In Alberta the employee does not have a general right of access to any file which their employer may keep about them.

This conclusion is supported by the reasoning in *Price v. Labossiere*³ ("Price"), and *Wright v. Schultz*⁴, ("Wright"). In *Labossiere*, Mr. Justice Sinclair found that a person's medical records were within the Plaintiff's "power" in the sense it would be reasonable for her to request them from her physician. This was based on the theory that while the physician may be the owner of the records, the medical information contained on the file belong to the patient; in turn based on the theory that the information in the record is part of what the patient purchases from the physician. The Plaintiff was ordered her to request the documents.

In *Wright*, the brain damaged Plaintiff was asked at Examinations for Discovery to respond to questions about what he had been told by others. The Court of Appeal held that there was an obligation on the Plaintiff to inform himself of matters within the knowledge of those people over whom he had control. However, in that an employee has no control over the information kept by an employer, the Defendant was not entitled to demand that the Plaintiff produce his or her employment file.

In *Kachowski v. Vogt*⁵, Mr. Justice Wilson considered this issue and found that the Plaintiff was not required to request his complete personal file from his employer, as the documents were not in the Plaintiff's power. In coming to this conclusion, Mr. Justice Wilson preferred the position in *Wright* (employment records not being in the Plaintiff's power) to the position in *Labossiere* (medical records being in the Plaintiff's control).

This scenario was again recently considered in *Proprietary Industries Inc. v. Workum*⁶, with the same conclusion. As a practical matter, and as commented upon by Mr. Justice LoVecchio in *Brown*, nothing in Rule 208 prevents voluntary production of documents. As it is the Plaintiff who has the burden of proof at trial, commented Mr. Justice LoVecchio, the request by the plaintiff of an employer, voluntarily, may go a long way to clarify facts and assist in settlement. Madam Justice Kent recognized the practicality as well when she noted in *Workum* as follows:

I am bound by the decision in *Wright* so that the undertakings requested regarding Ms. Workum's employer and brokerage firm are denied. I would say that it is common practice, particularly in personal injury litigation, to have the plaintiff request certain information relevant to his or her medical condition or employment history. This makes perfect sense given the increased expense in requiring the defendant to make a Rule 209 application for documents that are usually relevant. However, for now, the decision in *Wright* is binding on me.⁷

The reference to Rule 209 is to that Rule which directs production of documents directly from a third party and reads as follows:

Rule 209(1):

- (1) On application, the Court may, with or without conditions, direct the production of a record at a date, time and place specified when
 - (a) the record is in the possession, custody or power of a person who is not a party to the action,
 - (b) a party to the action has reason to believe that the record is relevant and material, and
 - (c) the person in possession, custody or power of the record might be compelled to produce it at the trial.

Conclusion

In conclusion, the law is now clear that the plaintiff is not required to request his or her employment records when asked to do so by the defendant and a Rule 208 application attempting to force such a request will be denied. However, off the record discussions between counsel in regards to the voluntary request for production of those records by the plaintiff are appropriate, and often successful, as the plaintiff is likely to want to avoid the costs of a Rule 209 application by the defendant.

Footnotes

¹2007 ABQB 270

²Ibid, at para.25

³(1985), 22 D.L.R. (4th) 629 (Alta. Q.B.)

⁴(1992), 135 A.R. 58 (Alta. C.A.)

⁵(1997), 48 Alta. L.R. (3d) 247 (Alta. Q.B.)

⁶2005 ABQB 610

⁷Ibid at para. 22

\$4,000 Cap For Minor Injuries Struck Down

by Perminder Basran

As most of you are aware, early in 2008, Alberta Court of Queen's Bench Associate Chief Justice Neil Wittmann rendered his long anticipated decision in the constitutional challenge to the Alberta *Minor Injury Regulation* ("MIR"). The effect of the decision, that of *Morrow vs. Zhang*¹ was to strike down the \$4,000 cap on non-pecuniary damages for "minor injuries". In fact, the entire MIR was struck as being "unconstitutional".

Justice Wittmann's decision held that the MIR violated Section 15 of the Canadian *Charter of Rights and Freedoms* because it discriminated against a particular class of people on the basis of a physical disability. In addition, he held the MIR could not be "saved" under Section 1 of the Charter. Section 1 of the Charter is the section which guarantees citizens' rights and freedoms only within such reasonable limits as can be justified in a free and democratic society. Justice Wittman's reasoning was that the primary objective of the MIR was to reduce insurance premiums, and such an objective was not sufficient to "save" the MIR under Section 1.

Justice Wittmann obviously felt strongly about the issue, in the sense that after declaring the MIR to be of no force and effect, he then dismissed the Alberta Government's and Insurance Bureau of Canada's ("IBC") submissions that his decision should be suspended for one year or more or alternatively only apply from February 8, 2008 onwards. Justice Wittmann confirmed that his decision to strike down the MIR was to be *retroactive*. This means that any claims that would have fallen under the MIR and have not settled by the time of his decision are to be treated as regular tort claims. A question then arises as to what effect the decision will have on "minor injury" claims that settled pursuant to the cap after the MIR came into force on October 1, 2004. As of late 2008, however, the Alberta courts have not issued any decisions addressing this question.

Justice Wittmann subsequently heard an application by the government to "stay" his decision, or in other words to keep the \$4,000 cap in place until an appeal of his decision is heard. He dismissed this application. The government has responded by declaring that it intends to appeal any rulings against its MIR to the Supreme Court of Canada. It has also taken the position that if it loses at the Supreme Court of Canada, it may draft replacement legislation to keep the insurance scheme in place. State Farm also sought a broad stay of all claims, in a case called *Pedersen v. Van Thournout*.² In that case, however, Madame Justice Rowbotham indicated that the Court of Appeal agreed with Justice Wittman's decision not to stay the impact of the *Morrow*. Justice Rowbotham found that the concerns over settlements and damage awards could be easily dealt with by paying the amounts into trust, that insurance companies could not be forced to settle at amounts higher than the cap amount, and that stays were better addressed between the parties and their lawyers in each case individually.

We have not yet heard the last word on the cap in Alberta, as Justice Wittmann's decision was appealed, and the appeal heard before a panel of three judges on September 12, 2008. The appeal decision is still pending, and the law may change again, however in the meantime, Justice Wittmann's strongly worded decision is clear that the \$4,000 cap for "minor injuries" is not currently the law in Alberta.

Footnotes

¹2008 ABQB 98

²2008 ABCA 248



2008 Whiplash Cases

Summary of Three Recent Cases:

Style of Cause, Citation & Type of Action

Kassian v. Roy, 2008 ABQB 80
Motor Vehicle

Age, Sex & Occupation

Female, 42
Author & Speaker

Duration of Injury

Ongoing

Description of Injury

Plaintiff was injured in motor vehicle accident in December 2002 when vehicle in which she was passenger collided with Defendant's vehicle. Plaintiff suffered neck and shoulder pain, temporomandibular joint ("TMJ") pain, and headaches. Plaintiff had ongoing upper back and neck problems for which she required treatment from date of accident until May 2004. Plaintiff suffered prolonged and aggravated effect of injuries as result of accident due to her failure to consult appropriate medical experts, and engaging in inappropriate treatment regime of massage therapy and intramuscular stimulation after May 2004. The Court considered these actions a failure to mitigate and accordingly reduced several heads of damages by 22.2 percent after a certain date.

General Damages

\$40,000

Style of Cause, Citation & Type of Action

Morrow v. Zhang, 2008 ABQB 98
Motor Vehicle

Age, Sex & Occupation

Morrow, Female, 30
Telus employee, flight attendant trainee and part time student at various times since the accident

Duration of Injury

Ongoing periodically

Description of Injury

Plaintiff Morrow suffered soft tissue injuries. Accident was probable cause of her upper back strain. Morrow was in pain five to six days per week and most of time when sitting and was still experiencing pain 10 months after accident. She showed gradual improvement 18 months after accident but further therapy was recommended as needed. Morrow had moderate whiplash before the accident which had a minor impact on post-accident symptoms.

General Damages

\$20,000

Style of Cause, Citation & Type of Action

Marchand v. Brar, 2008 ABQB 470
Motor Vehicle

Age, Sex & Occupation

Female, 40
Psychologist

Duration of Injury

2 years for the first accident and 5 additional years after the second accident

Description of Injury

Plaintiff was involved in two different motor vehicle accidents, two years apart. In the first accident, Plaintiff suffered very serious soft tissue injuries throughout most of her body, causing muscular pain, worsened migraines, as well as psychological trauma. The second accident caused mild whiplash and exacerbated the injuries and psychological trauma from the previous accident.

General Damages

1st accident: \$50,000
2nd accident: \$10,000

Loss of Opportunity Awards

When an exact future loss of income claim cannot be calculated, the courts will often grant what has become to be known as a “loss of opportunity” award where the court determines that the Plaintiff has experienced some loss. These awards are also known by the terms of “loss of earning capacity” and “loss of competitive advantage”. The range of damages awarded for loss of opportunity is significant. The Alberta


courts often look to the B.C. case law for guidance as loss of opportunity awards appear to be more common in B.C.

The Alberta courts are reluctant to grant such awards without proof of a lasting impairment or without certainty of loss of future income.

The chart below is intended to provide a summary of case law where no award or a mid range award of loss of opportunity is made. While larger awards have been granted, they are not included here.

Loss of Opportunity Awards of Zero to Mid-Range

Case	Damages	Reasons/Law
FACTS/INJURIES		
<i>Willeson v. Calgary (City)</i>, [2007] A.J. No. 527 (Q.B.), affirmed at 2008 ABCA 197	\$15,000	Given that the Plaintiff did have a career path that she was working toward, the Court acknowledged that the accident had, in some small measure, denied her the opportunity to pursue her career and prevented her from the potential of greater income and a more rewarding job.
The plaintiff asserted that she could no longer access the Network Technician Apprenticeship Program which she had planned to apply for prior to the accident.		
<i>Wensel v. Calgary (City)</i>, 2007 ABQB 229	\$10,000	The Court accepted that the Plaintiff had suffered a mild traumatic brain injury, and that her confidence, memory and mental alertness had suffered to a small degree because of the low impact accident.
At the time of the accident, the Plaintiff was a trained RN and was applying to work with the Calgary Health Region. Following the accident she did not attend her orientation with the CHR because the confusion, dizziness and pain she was experiencing made her unable to cope with the job.		
<i>Gerlitz v. Lee</i>, 2007 ABQB 495	\$0	Although the Plaintiff was unable to teach martial arts at the same level, and had lost income from a delay in the expansion of his business, his future income would be derived more from management of his martial arts and fitness business than from actually teaching martial arts classes. The Plaintiff suffered no lasting impairment in his ability to run his business.
The Plaintiff was a martial arts instructor, and although the accident was minor, the Plaintiff relied on a higher than average degree of physical functioning for his job.		
The Plaintiff had just started to implement expansion plans for his martial arts instruction and fitness business.		
<i>Laroye v. Chung</i>, 2007 CarswellBC 2368	\$40,000	The Court accepted that in the event that the Plaintiff’s chronic bursitis remained permanent, there would be a range of careers or positions foreclosed to him as being too physically demanding.
The Plaintiff remained employed as an architect intern.		
<i>Thiessen v. Selke</i>, 2007 ABQB 217	\$40,000	The Court found that even if the Plaintiff was able to earn as much as she could have prior to the accident, she was entitled to some compensation for the impairment. This was so because for the rest of her life some occupations would be closed to the Plaintiff and on balance, it was probable that over her working life this impairment would cause her some loss of competitive advantage or loss of earning capacity.
After the accident, the plaintiff could not return to her full-time duties as a meat trimmer as her injuries would not allow her to perform her job.		
<i>Sluth v. Kostyniuk</i>, [2004] A.J. No. 1577 (Q.B.)	\$0	The Court found that all that was lost to the Plaintiff was the ability to work outdoors, lifting heavy objects. While in one sense that might be the loss of a life style choice, it also justified a search for more reasonable employment for life ease purposes unrelated to the collision, which might be a blessing in disguise. There was no reason why the Plaintiff could not be employed in excess of his historical income levels based on his current and expected medical condition.
The basis for the Plaintiff’s claim for future loss of income capacity was that he had worked on a “vac truck”, but that, following the collision, he did not have the physical strength to hold the vacuum truck hose. He had also expected to graduate to a larger vac truck and, upon obtaining his Class 1 driver’s license, earn greater income.		
<i>Chiacig v. Chiacig Estate</i>, [2001] B.C.J. No. 2599	\$50,000	The Court accepted that the Plaintiff was not capable of fulfilling her duties, and would most likely be required to retrain for less physically demanding employment. The Court listed some considerations to take into account when making the assessment of the value of the asset lost as follows:
At the time of the trial the Plaintiff was employed as an Early Childhood educator. Because of the pain in her lower back and right hip area, she avoided doing some of the lifting required in her profession and felt she might have to retrain as a primary school teacher, a less physically demanding position.		
		<ul style="list-style-type: none"> • The plaintiff has been rendered less capable overall from earning income from all types of employment; • The plaintiff is less marketable or attractive as an employee to potential employers; • The plaintiff has lost the ability to take advantage of all job opportunities which might otherwise have been open to him, had he not been injured; and • The plaintiff is less valuable to himself as a person capable of earning income in a competitive market



Lee v. Dawson
The Final Word on the
Cap for General Damages?

by Patricia E. Olyslager



Introduction

On October 20, 2006 the Supreme Court of Canada decided not to hear an appeal on the issue of the “upper limit” or “cap” for general damages for personal injuries. The cap was originally laid down in 1978 in three cases, known as the trilogy cases, *Thornton (next friend of) v. Prince George School District No. 57*¹, *Andrews v. Grand & Toy Alberta Ltd.*² and *Arnold v. Teno (next friend of)*³ which defined the law that the maximum recovery of general damages in personal injury cases is \$100,000.00, adjusted for inflation. This means that in 2008, the maximum recovery for general damages in personal injury cases is just over \$300,000.00.

Background & Discussion of the Case

In 2003, the British Columbia Supreme Court (“the Court”) in the case of *Lee v. Dawson*⁴ reduced a significant general damage award of \$2,000,000.00, determined by a jury, to \$100,000.00 adjusted for inflation, which resulted in a total award of \$294,000.00. The Plaintiff, Sang Lee, had at the age of 15, suffered a traumatic brain injury, severe depression, stunted psychological growth and permanent facial scarring arising from a serious motor vehicle accident. The Plaintiff argued at that time that the award should not be a set aside on the basis that the award made by the jury was a finding of fact within the meaning of Section 6 of the *Negligence Act* of British Columbia, and not appealable. The Court rejected that argument, relying on the case of *ter Neuzen v. Korn*⁵, which had determined that the rough upper limit was a matter of law, not fact.

The Plaintiff in *Lee v. Dawson* also argued unsuccessfully at trial that the rough upper limit was no longer appropriate as it had been severely criticized in recent years and was too low for the circumstances of the case, i.e. given the Plaintiff’s 60 year life expectancy and the existing upper limit, he would receive the equivalent of \$13.69 a day, less than the current price of a movie and a bag of popcorn.

The Court of Appeal Decision

The Plaintiff appealed to the British Columbia Court of Appeal (“BCCA”).⁶ The Plaintiff’s main argument was that the application of the rough upper limit in cases in which plaintiffs receive near catastrophic or catastrophic injuries does not accord with the values of the *Charter of Rights and Freedoms*, specifically Section 15 because the effect of its application is to discriminate between classes of persons injured in court actions founded in negligence.

The Plaintiff also argued that the trial judge erred in applying the rough upper limit as a strict rule of law binding upon her, when it should have been viewed as a guideline. The BCCA said that while it found that the Plaintiff’s and intervenor’s arguments for revisiting the conceptual bases for the rough upper limit persuasive, it was bound by the trilogy, with the rough upper limit to be applied as a rule of law. The BCCA also rejected the Plaintiff’s argument that the rough upper limit set out in the trilogy is a common law rule, which must now be interpreted in accordance with *Charter* values.

The BCCA stated that non-pecuniary damages are not, by their nature, capable of fulfilling the function of full recovery for non-pecuniary losses as contended by the Plaintiff and that there was more to the rationale for the cap than full compensation for pecuniary loss. The BCCA observed that the Plaintiff attacked the premise that the cap imposes an artificial limit on an otherwise appropriate non-pecuniary

damage award, and pointed out that this argument ignores the fact that non-pecuniary damage awards, by their nature are arbitrary figures, which do not fit with the concept of “full” or “adequate” compensation. The BCCA referred to *Lindal v. Lindal*⁷, in which the Supreme Court of Canada emphasized that non-pecuniary damages are intended to provide solace, and they are not dependant solely upon on the severity of the injuries sustained by the plaintiff. Further, the purpose of general damages is not compensatory; rather, the objective is to provide a substitute for loss of amenities in an effort to improve the plaintiff’s condition and make the plaintiff’s life more bearable.

Finally, the BCCA noted that it agreed with the Plaintiff and the intervenor that the time may have come for the rationalization or conceptual under-pinning for having a rough upper limit on non-pecuniary damages to be re-examined. However, the BCCA was not persuaded that it was open for it to proceed on the footing that the trilogy establishing the rough upper limit was not binding on them. In the end, the BCCA was not prepared to overturn the trilogy.

In a similar case, that of *Li (Litigation Guardian of) v. Sandhu*⁸, the British Columbia Court in June 2006 followed the BCCA decision in *Lee v. Dawson* and reduced a jury award of \$600,000.00 for general damages to \$100,000.00 plus inflation.

The Final Say?

The Supreme Court of Canada, on October 20, 2006, dismissed the Plaintiff’s application for a leave to appeal in *Lee v. Dawson* without reasons, thereby confirming that for now, the cap on general damages for personal injury actions remains the law.

Since the Supreme Court of Canada decision, a number of cases have mentioned or considered the decision in *Lee v. Dawson*. Of note, it was specifically followed recently in the B.C. Supreme Court case of *Aberdeen v. Langley*⁹, in which the Court was assessing injuries of a former athlete and “Ironman”. He suffered a spinal cord injury resulting in him becoming a paraplegic, and sustaining a mild traumatic brain injury—and was awarded \$311,000.00 for general damages.

Closer to home, the Court of Queen’s Bench in Alberta considered *Lee v. Dawson* in the 2008 decision in *Morrow v. Zhang* (currently under appeal and expecting a decision in early 2009). *Morrow v. Zhang* was the case that successfully challenged the constitutionality of the Provincial *Minor Injury Regulations* and the \$4,000.00 cap for soft tissue injuries on the basis that the cap violated Section 15 of the *Charter of Rights and Freedoms*. Interestingly, the same argument was made in *Lee v. Dawson*, but not accepted by the BCCA. It may be that we haven’t heard the last word yet on the cap for general damages in cases of catastrophic personal injury.

Footnotes

¹(1978), 81 D.L.R. (3d) 480 (SCC)

²(1978), 83 D.L.R. (3d) 452 (SCC)

³(1978), 83 D.L.R. (3d) 609 (SCC)

⁴2003 BCSC 1012

⁵(1995), 127 D.L.R. (4th) 577 (SCC)

⁶*Lee v. Dawson* (2006), 267 DLR (4th) 138 (BCCA)

⁷(1981), 129 D.L.R.(3d)263(SCC)

⁸[2006] B.C.J. No. 1403

⁹2007 B.C.J. No.1515



Guns



Flies



& Boulders

Three Cases to “Insure” Your Interest

by Kristen Dick, Summer Student

Herbison v. Lumbermens Mutual Casualty Co., [2007] S.C.R. 393

Mr. Herbison was shot in the leg and badly injured by another member of his hunting party, Mr. Wolfe, who thought Mr. Herbison was a deer. Mr. Wolfe glimpsed a flash of white 1000 feet away in the headlights of his truck during early morning darkness and took a shot, hitting Mr. Herbison.

The Supreme Court of Canada had to consider whether the injury was covered by a policy of automobile insurance. Mr. Justice Binnie posed the question this way: “Can it be said that when a hunter steps away from his pick-up truck under cover of darkness, leaving the engine running, and negligently shoots at a target he cannot see 1000 feet away, and hits a companion in the leg thinking him to be a deer, that the injury arose ‘directly or indirectly from the use or operation’ of the insured truck within the meaning of s. 239(1) of the *Insurance Act*, R.S.O. 1990, c. 1.8?” The Court concluded that the shooting was an independent, separate, intervening act that broke the required chain of causation, finding that Herbison was unable to recover under the auto insurance policy.

Mustapha v. Culligan of Canada Ltd., [2008] S.C.C. 27

Mr. Mustapha alleged that he suffered significant psychological damage when he observed dead flies in a bottle of Culligan of Canada Ltd.’s (“Cullen”) drinking water. Mr. Mustapha claimed to have developed serious depression and obsession with the “revolting implications” of the event, as well as associated anxiety and phobia about showering. Mr. Mustapha sued Culligan for his psychological suffering, and the question before the Supreme Court of Canada was whether or not a cause of action in negligence had been successfully made out.

Mr. Mustapha did successfully show that Culligan owed a duty of care to drinkers of the water and had breached the standard of care. However, Mr. Mustapha also had to establish that the damages suffered were foreseeable. The Court held that the threshold for determining foreseeability is based on the reasonably foreseeable reaction of a person of ordinary fortitude. While Mr. Mustapha had suffered damages, he failed to establish that his damage was caused in law by the Culligan’s negligence because his unusual, extreme reaction to the relatively mild event was imaginable, but not reasonably foreseeable in the circumstances.

Vytlingam (Litigation Guardian of) v. Farmer, [2007] S.C.R. 373

A teenage driver from Ontario was motoring along Interstate 95 with his mother and sister, near Fayetteville, North Carolina, when their vehicle was struck by a large boulder that had been dropped off an overpass. The driver, Michael Vytlingam was devastatingly injured, and his mother and sister suffered severe psychological harm. The two culprits were local thrill seekers Todd Farmer and Anthony Raynor, both high on alcohol and drugs. Farmer and Raynor were prosecuted, convicted, and received significant prison sentences. The Vytlingams received “no-fault” benefits exceeding one million dollars from their own Ontario insurer, but the question before the Supreme Court of Canada was whether the involvement of the culprit Farmer vehicle in transporting Farmer, Raynor and the boulder to the scene of the crime was sufficient to also require the Ontario insurer to pay under inadequately insured motorist coverage.

Mr. Justice Binnie found that the Vytlingams could not recover further benefits from their insurer, stating that insurance policies must be interpreted in a way that gives effect to the reasonable expectations of both the insured and the insurer. The Court found that for coverage to exist, there had to be an unbroken chain of causation linking Farmer, as a motorist, to the injuries in a way that was more than incidental or fortuitous. Even though Farmer’s car had contributed “in some manner” to Farmer’s ability to throw the boulder, he did not commit the tort in his capacity as an at-fault motorist. The rock throwing activity was found to be entirely severable from the use or operation of his vehicle.

BD&P Assists Calgary Community Christmas 2008

Ronald McDonald House Southern Alberta

BD&P successfully raised over \$8,000.00 to sponsor three deserving families who will be staying at Ronald McDonald House while their children receive treatment at the Alberta Children's Hospital during the Christmas period. The families' wish lists (and more) were fulfilled. Our staff worked diligently to fill 20 large stockings for all of the families staying at the house during the Christmas period; supplying them with everything they would possibly need in their temporary home.

Our Lady Queen of Peace Ranch

BD&P staff donated gifts in kind to help continue improving the programs currently offered to children up to 18 years of age who may be physically, mentally or financially challenged. This non-denominational, non-profit organization is governed by a small but dedicated volunteer Board of Directors made up of a combination of the founding family and other prominent Calgarians whose vision for the Ranch is of continual growth to further install confidence, coping skills, self-acceptance and a sense of belonging to the young people of tomorrow. BD&P staff pulled together a large number of the items requested by Our Lady Queen of Peace Ranch including 65 pairs of new gloves, 65 new hats and 19 new scarves. The staff also generously gathered an abundance of gently used and new toys, games, books and clothing that will be put to good use.

Project Warmth Society

BD&P staff donated 33 hats, 32 gloves, 31 scarves, 26 coats, 5 snowsuits, 3 blankets and 5 sweaters. The Project Warmth Society volunteers (in partnership with the Calgary Fire Department) will be distributing these items to a number of Calgary's underprivileged and homeless over the Christmas season..

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