

**CASE NO.**

WANDA ELAINE DAY

Appellant

C.A. No. 155965

**VOL. NO.**

- and -

Halifax

**PAGE**

J. W. "BUD" RICE

Respondent

ROSCOE, J.A.

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[Cite as: Day v. Rice, 2000 NSCA 12]**APPEAL HEARD:**

January 14, 2000

**JUDGMENT DELIVERED:**

January 14, 2000

**WRITTEN RELEASE OF ORAL:**

January 18, 2000

**SUBJECT:****Torts, Negligence, Causation - motor vehicle accident, apportionment of liability, damages for personal injury****SUMMARY:**

The trial judge found the appellant 70% responsible for a collision in which she suffered a mild lumbar sprain. He found that the motor vehicle accident did not materially contribute to any of the serious mental and physical difficulties from which she suffered. General non-pecuniary damages were assessed at \$15,000.

**ISSUES:**

Whether the trial judge erred in making findings of fact or erred in law in apportioning liability, determining causation and assessment of damages.

**RESULT:**

Appeal and cross-appeal dismissed. There was sufficient evidence to support the findings of fact and conclusions of the trial judge. No error of law.

<p><b>THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S JUDGMENT. QUOTES MUST BE FROM THE JUDGMENT, NOT FROM THIS COVER SHEET. THE FULL COURT JUDGMENT CONSISTS OF 4 PAGES.</b></p>
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