

NOVA SCOTIA COURT OF APPEAL
Citation: *Szendroi v. Vogler*, 2011 NSCA 98

Date: 20111025
Docket: CA 343734
Registry: Halifax

Between:

Christopher Szendroi and Carole Sheehan

Appellants

v.

Richard Vogler

Respondent

Judge: The Honourable Justice David P.S. Farrar

Appeal Heard: October 17, 2011

Subject: **Assessment of Damages. General Damages. Loss of Future Earning Capacity.**

Summary: The appellant's appeal the decision of a trial judge awarding general damages in the amount of \$150,000 and loss of future earning capacity in the amount of \$180,000 to the respondents. The appellants allege that he failed to give proper consideration to the evidence or misapprehended the evidence in coming to the conclusions that he did.

Issues: Whether damage awards should be varied?

Result: Appeal dismissed with costs to the respondent. The appeal amounted to the appellants seeking to have the Court of Appeal downgrade the credibility of certain witnesses and reweigh the evidence which is the exclusive province of the trial judge.

This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 4 pages.