

NOVA SCOTIA COURT OF APPEAL

Cite as: Haley v. Air Canada, 1999 NSCA 92

Chipman, Hallett and Bateman, JJ.A.

BETWEEN:

MARTHA HALEY	)	David S. Green and
	)	S. Bruce Outhouse, Q.C.
	)	for the appellant
Appellant)	
)	
- and -)	
)	
AIR CANADA	)	A. Douglas Tupper, Q.C. and
	)	Patricia Mitchell
	)	for the respondent
Respondent)	
)	
)	
	)	Date heard:
	)	May 26, 1999
)	
	)	Judgment delivered:
	)	May 26, 1999
)	
)	

THE COURT: Appeal dismissed with costs which are fixed at 40% of the trial costs, together with disbursements, and cross-appeal dismissed without costs, per oral reasons for judgment of Chipman, J.A.; Hallett and Bateman, JJ.A. concurring.

The reasons of the Court were delivered orally by:

CHIPMAN, J.A.:

[1] This is an appeal from a decision of the Honourable Justice Linda Lee Oland dismissing an action for damages for personal injuries.

[2] Having regard to the record and to the submissions of counsel, we are satisfied that Oland, J. made no error of law or of fact in reaching her decision. We are in agreement with her reasons for judgment.

[3] The appeal is dismissed with costs which are fixed at 40% of the trial costs together with disbursements.

[4] It is not necessary to deal with the cross-appeal. It is dismissed without costs.

Chipman, J.A.

Concurred in:

Hallett, J.A.

Bateman, J.A.