

NOVA SCOTIA COURT OF APPEAL

Citation: *Haggart v. Nova Scotia Public Service Long Term Disability Plan Trust Fund*, 2003 NSCA 132

Date: 20031205
Docket: CA194437
Registry: Halifax

Between:

William Haggart

Appellant

v.

The Nova Scotia Public Service
Long Term Disability Plan Trust Fund

Respondent

Judge: Saunders, J.A.

Appeal Heard: December 2, 2003

Subject: **Interpretation of an insurance contract. Long term disability benefits.**

Summary: Mr. Haggart appealed the trial judge's dismissal of his claim wherein he sued his long term disability insurer claiming breach of contract for termination of his benefits after he refused to submit to a psychological assessment as recommended. He also claimed bad faith and sought aggravated and punitive damages against the insurer.

Held: Appeal dismissed.
The trial judge conducted a careful assessment of the material evidence and provided a well-articulated and reasoned analysis for dismissing the claim. No error found in his interpretation of the contract and guidelines or its application to the evidence. His strong findings of fact were all supported by the evidence and there was nothing to warrant this court's intervention.

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.

