

CASE NO.

VOL. NO.

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WILLIAM MARSHALL
(Appellant)

- and -

DANIEL SCOTT LANGTHORN
(Respondent)

CA 141365

Halifax, N.S.

CLARKE, C.J.N.S.
(orally)

Cite as: Marshall v. Langthorn, 1998 NSCA 43

APPEAL HEARD:

January 8, 1998

JUDGMENT DELIVERED:

January 8, 1998

WRITTEN RELEASE OF ORAL:

January 15, 1998

SUBJECT:

Damages Arising from Motor Vehicle Collision - General, Past Loss of Income, Loss of Future Income

SUMMARY:

While making a left turn across the path of oncoming traffic, the appellant collided with the respondent who was driving his motor cycle. Liability was admitted. A trial was held to determine the claim made by the respondent for damages. The trial judge awarded general (\$30,000), past loss of income (\$26,000), loss of future income (\$40,000) and some other heads including interest and costs for a grand total of \$112,971.43.

ISSUE(S):

On appeal, the appellant contended the trial judge erred in making excessive awards for loss of income, both past and future. The respondent cross appealed claiming the trial judge erred by failing to award a larger sum for past loss of income, by failing to make an award for cost of future care and by failing to determine the general damages based on a higher range.

RESULT:

The Court dismissed both the appeal and the cross appeal. The Court referred to **White v. Slawter** (1996), 149 N.S.R. (2d) 321, at p. 339, paragraphs 77 and 78.

This information sheet does not form part of the court's decision. Quotes must be from the decision, not this cover sheet. The full court decision consists of 5 pages.