

CASE NO.

VOL. NO.

PAGE

LEONARD MacDONNELL

PLAINTIFF

- and -

MARK CAMPBELL & UAP INC.

DEFENDANT

1995

S. H. No. 120930

Halifax, Nova Scotia

Hamilton, J.

[Cite as: MacDonnell v. Campbell, 2001 NSSC 4]

HEARD: The Honourable Justice M. Jill Hamilton, Supreme Court of Nova Scotia, on October 4th, 5th, 6th, 10th, 11th & 12th, 2000.

DECISION: January 8th, 2001

SUBJECT: Negligence. Motor Vehicle.

SUMMARY: The plaintiff sued for damages for alleged injury to his neck and back from a mild rear end collision. He claimed special damages plus a total of \$658,158.56 for general damages, past loss of income, loss of future earning capacity, future care costs and loss of valuable services. An actuarial report was provided which was not helpful since there was no evidence to support a finding of any permanent disability, either partial or full.

ISSUES: (1) What, if any, injuries did Mr. MacDonnell suffer as a result of the accident? (2) What is the appropriate amount of damages for those injuries?

FINDING: Based on the plaintiff's lack of credibility, I awarded \$10,000.00 for general damages, \$960.00 for past lost income and no damages for loss of earning capacity, future care costs or loss of valuable services. This case is fact specific.

*THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.
QUOTES MUST BE FROM THE DECISION, NOT FROM THE COVER SHEET.*

