

**SUPREME COURT OF NOVA SCOTIA**

**Citation:** *Mielke v. Harbour Ridge Apartment Suites Ltd.*, 2011 NSSC 313

**Date:** 20110815

**Docket:** Hfx. No. 275515

**Registry:** Halifax

**Between:**

Christopher Thomas Mielke

Plaintiff

- and -

Harbour Ridge Apartment Suites Ltd.

Respondent

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**Judge:** The Honourable Justice Peter P. Rosinski.

**Heard:** June 13, 14, 2011, in Halifax, Nova Scotia

**Subject:** Negligence/slip and fall on municipal sidewalk during commercial construction - liability and damages for Achilles tendon rupture

**Summary:** Plaintiff ruptured his Achilles tendon while walking on sidewalk in front of commercial construction occupied by defendant, yet open to pedestrian travel. Accumulated construction debris cause of the plaintiff's injury.

**Issue:** Whether defendant was liable, and the amount of damages appropriate in the circumstances.

**Result:** Defendant 100% liable - general damages awarded \$35,000.