

SUPREME COURT OF NOVA SCOTIA

Citation: Trenholm v. H & C Trucking Ltd., 2014 NSSC 90

Date: 20140321

Docket: Hfx No. 253018

Registry: Halifax

Between:

Melissa Mae Louise Trenholm

Plaintiff

v.

H & C Trucking Ltd., a body corporate, and
Robert Daniel Izzard

Respondent

LIBRARY HEADING

Judge: The Honourable Justice Michael J. Wood

Heard: June 3, 4, 5, 6, 10, 11, 12, 17, 18, 19, 20, 24 and 25,
December 2, 3, 6, 9, 10, 11 and 12, 2013, in Halifax,
Nova Scotia

Written Decision: March 21, 2014

Subject: Damages - Recovery for Nervous Shock
Evidence - Medical Records

Summary: The plaintiff was present when a friend was killed in a motor vehicle collision. She suffered no physical injury, but claimed damages for nervous shock. Defendants denied that she suffered a sufficient psychiatric injury.

Issue: Did the plaintiff prove a sufficient injury to recover damages and, if so, in what amount?

Result: The medical evidence proved that the plaintiff suffered post traumatic stress and associated depression from the accident. General damages of \$75,000.00 were awarded, along with \$20,000.00 for past wage loss and diminished earning capacity.

The parties filed all of the plaintiff's medical records as evidence, but did not identify the purpose in doing so. The Court criticized this practice and commented on the manner in which such evidence should be presented and the use which can be made of it.

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