According to Rose

Volume 12 Issue 2 April 2016

Inside this issue:

A Piece of My Mind

The Insurance Corporation of British Columbia, ICBC, is one of the largest litigants in the province of BC. They are one of the most common defendants in the court room, if not in name then in their position under our auto insurance contracts which requires them to defend their insured's when a personal injury claim is brought against them. They are often frequently a defendant in litigation by virtue of the provision of their insurance contracts, either due to an alleged failure to provide the insurance benefits that they are required to provide under those contracts or due to their stepping into litigation involved uninsured or under insured motorists. They are often frequently a plaintiff in law suits, most often with allegations of fraud. Due to this, they are seen as one of the largest stakeholders or consumers of legal services in the province. But should that position entitle them to have special say in how the court handles matters?

Recently what I consider a very controversial action by our Attorney General seems to be suggesting that ICBC does have a special position due to the amount of litigation that they are involved in. Our Court processes are governed by the *Rules of Court*. One of the rules provide

that successful litigants are entitled to their costs at the conclusion of litigation. Costs are not actual legal costs, but rather are a court ordered tariff to help offset some of the legal fees incurred. You may have noticed recently that an announced change to the rules regarding costs was suddenly repealed. Ian Mulgrew at the Vancouver Sun wrote an editorial in which he criticized this move and suggested that it was the government bowing to pressure from ICBC.

ICBC contacted the AG and expressed concern with the changes. The revisions were then repealed.

The background to this is that there existed a rules revision committee which would recommend changes to the rules to the government. That committee was made up of judges primarily as well as a couple of very senior, respected lawyers. The committee analysed the rules regime and suggested changes. Those suggested changes were seemingly accepted as the change to the rules were announced. Apparently at some time after the announcement, ICBC contacted the AG and expressed concern with the changes. The revisions were then repealed.

Although ICBC may be one of the biggest consumers of legal services in BC it seems to me that this is just wrong. I believe that in our system you should never have a litigant dictating the court processes. Court processes must be independent of the litigants, particularly litigants who are frequent users of the system, in order to maintain the fairness and impartiality of the system. We can all conclude that the reason that ICBC objected to the changes was because it was not in their interest. We can conclude that the changes likely would have resulted in increased cost awards to plaintiffs, something that ICBC would object to.

One of the great things about our Canadian legal system is the level of equality and access to justice that is given. Rights are protected and the interests of all are balanced. Increasing and improving access to justice is a constant aim and all in the system work to find ways to improve access. This latest action seems to me to be a potential assault on the very underpinnings of our great judicial system. This seems to have garnered at least some media attention which hopefully will result in pressure on our government to look at the process that is being undertaken and ensure that that process does not have the potential to threaten the checks and balances that are in place to ensure the fairness and equality of our system.

The Value of Pain and Suffering

When an individual is injured due to the fault or negligence of another, our law provides that they are entitled to damages with the purpose being to restore them to the position they would have been in if they had not been the victim of someone else's negligence. A component of this is compensation for the pain, suffering and loss of enjoyment of life that they suffer as a result of their injury. This is called non pecuniary damages. The award is based on the impact of the injuries on the particular plaintiff. Judges are guided in the amount that they award by referring to previous decisions in other, similar cases. Below are some recent awards of non pecuniary damages in the British Columbia Supreme Court.

Pololos v. Cinnamom-Lopez 2016 BCSC 81 – the 40 year old male plaintiff was injured in a significant motor vehicle accident which occurred eight years prior to trial. His injuries were largely soft tissue in nature and were to his neck, back and shoulders. In addition he suffered from anxiety and depression as a result of the injuries suffered in the accident. Non pecuniary damages of $180,000 were awarded after a finding by the trial judge that the injuries continued to affect all aspects of the plaintiff's life and that there was little chance of any improvement. The trial judge found that the accident had fundamentally transformed the plaintiff. He now lived with a considerable amount of pain and was socially isolated.

Arletto v. Kin 2016 BCSC 77 – the 47 year old male plaintiff was injured in a motor vehicle accident six years prior to trial. The trial judge found that as a result of the motor vehicle accident the plaintiff suffered permanent pain in his neck and shoulder blade and had numbness and tingling down his left arm and into his fingers. He suffered a left sided disc protrusion at C5/6 with associated annular tear. The protrusion impinged the nerve and spinal cord, causing increasing pain. He had tinnitus and vertigo. He suffered headaches about three times per week that interrupted sleep. His family and other relationships suffered. He was limited in his work and faced early retirement. Non pecuniary damages of $110,000 were awarded,

Nahal v. Ram 2016 BCSC 39 – the 17 year old plaintiff suffered soft tissue injuries and a mild traumatic brain injury in a motor vehicle accident which occurred six years prior to trial. He was awarded $100,000 in non pecuniary damages after a finding by the trial judge that the injuries had had a profound effect on the intellect, spirit and lifestyle of the plaintiff who had gone from an outgoing, fun-seeking, active and caring young man to a shy, withdrawn and apparently depressed man who was suffering memory problems as a result of the injury. His abilities had been significantly compromised and his chances of a satisfying and successful future definitely reduced.

Scarfe v. Fernco Developments Ltd. 2015 BCSC 2310 – the male plaintiff sustained a meniscal tear and an ACL rupture when he slipped and fell at a Burger King restaurant. He experienced a high level of pain prior to surgery and continued at the time of trial to have persistent pain and restrictions due to the ongoing sequelae of the injury. Non pecuniary damages were assessed at $50,000.

Gunson v. Sekhon 2015 BCSC 2491 – the male plaintiff was 32 years old at the time that he suffered injury in a motor vehicle accident. At the trial to assess damages five years after the accident the trial judge found that he had suffered a soft tissue injury to his neck and back with symptoms including dizziness, headache and sleep

loss, most of which resolved within a year. He also suffered an exacerbation of situational depression and an injury to his lower back which had not resolved but rather had become chronic and the plaintiff was left with intermittent low back pain. Non pecuniary damages of $80,000 were awarded.

Preston v. Kontzamanis 2015 BCSC 2219 – the male plaintiff was 45 years old when he was injured in a motor vehicle accident which occurred 7 years prior to the trial. He was awarded $100,000 for pain and suffering after a judge found that as a result of the motor vehicle accident he suffered chronic low back pain. The judge found that there was little chance of improvement in the future and that as a result of the injuries he had been reduced from a very busy and active individual to a more sedentary observer. His activities, both in his profession and recreationally had been significantly curtailed.

Sangra (Guardian ad litem of) v. Lima 2015 BCSC 2350 – an 83 year old male plaintiff was awarded $315,000 for non pecuniary damages after he suffered devastating, life altering injuries in a motor vehicle accident which occurred one and one half years prior to trial. The injuries included a mild brain injury, unstable fractures to his cervical spine, skull fractures, facial fractures, pelvic fractures, trauma and injury to his liver and spleen, fractured ribs, a torn rotator cuff that could not be surgically repaired, multiple lacerations and significant aggravation of arthritis in his wrists and knees. The trial judge found that he suffered from severe pain, physical limitations and cognitive and psychological impairment. He underwent numerous surgeries and had to undergo the implantation of hardware. He continued to suffer from tinnitus, noise sensitivity and decreased hearing. He had difficulty communicating due to the brain injury and the hearing loss. He went from being an individual who was active in retirement and in a close relationship with his wife and three adult children to being incapacitated.. He embraced life and was active in the lives of his children and social events prior to the accident and after the accident was no longer capable of living independently as a result of his injuries.

Wong v. Toor 2015 BCSC 2367 – the 69 year old male plaintiff was injured in a motor vehicle accident that occurred two and a half years prior to trial. He suffered a soft tissue injury to his neck which had not completely resolved by the time of trial. He continued to suffer from periodic neck pain and stiffness. The plaintiff's physiatrist was of the opinion that the lingering effects of the accident were likely permanent. Non pecuniary damages were assessed at $45,000.

Odiane v. Carriere 2016 BCSC 112 – the 46 year old female plaintiff was injured in a car accident which occurred six years prior to trial. At the time of trial she continued to suffer from headaches and neck pain as a result. The medical experts agreed that the plaintiff's condition was chronic and not likely to improve. The judge found that as a result of the injuries the plaintiff had given up much of her recreational pastimes. Her relationship with her daughter and husband had been affected. She had become inpatient and short with people. She had lost confidence in herself and her abilities. Non pecuniary damages were assessed at $100,000.

McLean v. Kraft 2015 BCSC 2212 – Non pecuniary damages were assessed at $50,000 for a 41 year old female plaintiff who was injured in a motor vehicle accident which

had occurred five years prior to trial. The medical evidence established that she had suffered headaches and soft tissue injuries to her neck and upper and lower back as a result of the motor vehicle accident. She also experienced sciatic pain de to the back injury. The neck and upper back were substantially improved after two years and largely resolved by trial. The headaches, low back and sciatic pain were ongoing at the time of trial.

Suthaker v. Humble 2016 BCSC 155 – the female plaintiff was awarded $70,000 for non pecuniary damages after a finding by the trial judge that as a result of the accident the plaintiff suffered soft tissue injuries to her neck, low back and left shoulder region. By the time of trial, four years after the accident, the plaintiff continued to regularly experience pain in her neck and back and to a lesser extent her left shoulder region. The treating medical practitioners were of the opinion that a complete recovery was unlikely. Of noted significance was that her injuries had interfered with her intimate relationship with her husband.

Ferguson v. McLaughlin 2015 BCSC 2432 – the 21 year old male plaintiff was injured in a motor vehicle accident which occurred six years prior to trial. The court found that the injuries included chronic pain to his back which was continuing at the time of trial and would continue into the future. The injuries caused the plaintiff back pain that became intolerable with prolonged standing, sitting, bending or heavy lifting. Non pecuniary damages were assessed at $80,000.

Carlisle v. Vanthof 2015 BCSC 2427 – the 27 year old female plaintiff suffered moderate soft tissue injuries to her neck, shoulder, back and hip in a motor vehicle accident which occurred six years prior to trial. The injuries developed into a chronic and widespread pain condition requiring ongoing medication and physiotherapy. The pain condition was exacerbated when the plaintiff engaged in anything other than sedentary activity. The pain condition also made it difficult for the plaintiff to concentrate. Non pecuniary damages were assessed at $90,000.

Bricker v. Danyk 2015 BCSC 2404 – the 37 year old female plaintiff suffered soft tissue injuries to her neck and shoulder, headaches, PTSD, major depression and related cognitive complaints as a result of a motor vehicle accident which occurred five years prior to trial. The injuries continued at trial and were expected to continue into the future. Non pecuniary damages were assessed at $100,000 with a finding that the plaintiff was significantly and adversely affected by the accident.

Tomana v. Galvin 2015 BCSC 2451 - $75,000 for pain and suffering was awarded to a 28 year old female plaintiff who was injured in a car accident that occurred six years prior to trial. At the time of trial the plaintiff continued to suffer accident related neck, back and shoulder pain. The trial judge concluded that the injuries had become chronic and that although the pain was not debilitating it was generally constant. The trial judge noted that the impact on the plaintiff's life had been dramatic. She was not as free as she was prior to the accident to engage in physical activities either at work or socially. She was anxious when driving and had lost some of her emotional zeal and drive.

By the time of trial, four years after the accident, the plaintiff continued to regularly experience pain in her neck and back...

Valuing Future Loss of Income

When there are aspects to an injury that are either permanent or will last after the resolution of a person's claim for damages, consideration must be given to whether there will be an impact on the earnings of the individual in the future. If a plaintiff establishes that there is a substantial possibility of a future loss due to their injury, judges will assess what the value of that loss is. There are a variety of approaches which can be taken to this assessment. The approach in any particular case is driven by the facts in the particular case. The process by which a loss of earnings is to be quantified was summarized by the Court of Appeal in *Jurcazk v. Mauro,* 2013 BCCA 507:

> [35] Quantifying a loss may be aided by some mathematical calculation, but there is no particular formula. As stated in *Rosvold v. Dunlop,* 2001 BCCA 1:
>
> > [8] The most basic of those principles is that a plaintiff is entitled to be put into the position he would have been in but for the accident so far as money can do that. An award for loss of earning capacity is based on the recognition that a plaintiff's capacity to earn income is an asset which has been taken away. Where a plaintiff's permanent injury limits him in his capacity to perform certain activities and consequently impairs his income earning capacity, he is entitled to compensation. What is being compensated is not lost projected future earnings but the loss or impairment of earning capacity as a capital asset. In some cases, projections from past earnings may be a useful factor to consider in valuing the loss but past earnings are not the only factor to consider.
>
> [11] The task of the court is to assess damages, not to calculate them according to some mathematical formula. Once impairment of a plaintiff's earning capacity as a capital asset has been established, that impairment must be valued. The valuation may involve a comparison of the likely future of the plaintiff if the accident had not happened with the plaintiff's likely future after the accident has happened. As a starting point, a trial judge may determine the present value of the difference between the amounts earned under those two scenarios. But if this is done, it is not to be the end of the inquiry. The overall fairness and reasonableness of the award must be considered taking into account all the evidence.

The below cases are some recent examples from the British Columbia Supreme Court of how the court quantifies future loss of earnings.

In the case of *Arletto v. Kim* 2016 BCSC 77 the 47 year old male plaintiff was a longshoreman at the time of the motor vehicle accident. He was earning approximately $100,000 per year in his work prior to the accident. He returned to work after a short period of time of recovery following the accident although his work resulted in increased pain. Ultimately he had to reduce his work days from five to four due to his accident. He also would have to retire at age 60 rather than 65 due to his injuries. Future loss of earning capacity was assessed at $500,000.

In the case of *Gunson v. Sekhon* 2015 BCSC

2491 the trial judge found that there was a 25% chance that chronic low back pain would hasten the end of the plaintiff's career doing physically demanding work. To determine an award for future loss of income the trial judge applied that 25% to the present value of three years income at the end of the plaintiff's working life and awarded him that percentage amount as compensation for future loss of income.

$75,000 for loss of earning capacity was awarded in *Carlisle v. Vanthof* 2015 BCSC 2427 when the trial judge found that the soft tissue injuries and resulting chronic pain that the plaintiff suffered as a result of the accident which had occurred six years prior to trial were permanent and that there was a likelihood of her working less effectively as a result. The trial judge concluded that due to this there was a real and substantial possibility of a future loss of earnings. The award was assessed using the loss of capital asset approach.

A comparison between self employed earnings pre accident and post accident was used as the foundation for an award of future loss of income in the case of *Bricker v. Danyk* 2015 BCSC 2404. In that case the trial judge found that but for the accident the plaintiff would have earned $52,000 per year in her business. $35,000 were the likely annual revenues given the injuries that she suffered in the accident. At the time of trial the plaintiff was 42 years old. The judge used these figures as the basis for an award of $170,000 for future loss of income,, extending the plaintiff's loss to age 65.

Tomana v. Galvin 2015 BCSC 2451 is an example of a case where no award was made for future loss of earning capacity. In this case the plaintiff was 28 years old at the time that she was injured in a car accident. She was found to have suffered soft tissue injuries which were continuing at the time of trial and had become chronic. The trial judge found that she suffered from constant but not debilitating pain. In denying the claim for future loss the judge noted that the plaintiff had returned to the position that she held prior to the accident. There was no evidence of any complaints about her work performance and although she had not been successful in obtaining a promotion there was no evidence linking that failure to the accident injuries. This decision demonstrates that vital to a claim for future loss of earnings and satisfying the court that there is a substantial possibility that the injuries will lead to a future loss. If there is a failure to establish this, no award will be made.

Our Core Values:

We will seek for all clients the highest protection of the law possible and will do so with respect, integrity, compassion and transparency

Notice and the Duty to Mitigate in a Without Cause Termination

An employer can terminate an employee at any time. When they do so without just cause, they are required to provide reasonable notice of the termination, or pay in lieu of notice. The factors that are taken into consideration in assessing what is reasonable notice, in circumstances where there is no agreement specifying the period of notice, are the age of the employee, the nature and length of the employment and any other factors that may affect re employment.

A dismissed employee has a duty to mitigate their damages, or take all reasonable steps to find re employment. If they fail to do so this will impact the amount of damages that they are entitled to. The onus is on the employer to prove not only that the dismissed employee has failed to take reasonable steps to find re employment but also that if they had taken certain steps they would have found re employment.

A recent British Columbia Supreme Court decision demonstrates both the determination of notice and also the application of the principles relating to mitigation. *O'Dea v. Ricoh Canada Inc.*2016 BCSC 235 involved consideration of the claim for damages of a 57 year old man. He had worked for the employer for 8 years and was involved in office equipment sales. He did not supervise anyone in his role. The trial judge found that appropriate notice in the circumstances was nine months, noting that it was a matter of common sense that the plaintiff's age would make him less marketable as a sales person than if he were younger.

The employer alleged that the plaintiff had failed to mitigate his damages. In rejecting that argument, the trial judge found that the employer did not prove that the plaintiff would likely have obtained equivalent or alternate employment had ne contacted the one company he did not contact. The trial judge also held that the plaintiff was not required to take a junior sales position to mitigate his damages.

Our Mission:

At Rose Keith Law Corporation our mission is to exceed the expectations of our clients by:

- Responding promptly
- Managing all matters in an efficient, caring and proactive manner
- Communicating clearly and regularly
- Doing all things with an aim to achieving the end result desired by our clients

Times Up!

In legal actions there is a limitation period, or a time by which legal action must have been started or you lose the right to claim damages. In most cases, the limitation period is two years. For example two years after you are injured in a car accident you have to either have settled your claim with ICBC or you have to have started litigation against the other involved motorist. If you haven't done this within two years of the accident, you lose your right to any compensation for the injuries that you have suffered.

There are certain circumstances however where the amount of time that you have to bring your claim can be extended. Those circumstances are described in the *Limitations Act*. One of these is if you are a minor at the time that the injury has occurred. Another exception is that the time for bringing the claim does not begin to run until the existence of the claim has been "discovered". The *Act* provides that a claim is "discovered" and time begins to run on the first day on which a person knew or reasonably ought to have known the following:

a) That the injury, loss or damage has occurred;
b) That the injury, loss or damage was caused by or contributed to by an act or omission;
c) That the act or omission was that of the person against whom the claim is or may be made;
d) That having regard to the nature of the injury, loss or damage, a court proceeding wold be an appropriate means to seek to remedy the injury, loss or damage.

This discoverability rule leads to litigation where claims are made that the limitation period extends further than two years after the injury occurred. Two recent decisions in the British Columbia Supreme Court demonstrate how this rule is applied. In the first case *Bell v. Ries* 2016 BCSC 309, the plaintiff argued that the running of time should be postponed because it took four years after the injury for him to learn that what he had thought was a transient injury was in fact permanent. In denying the claim the trial judge found that a necessary component to discoverability was not the existence of a permanent injury, rather the question was whether a reasonable person in the position of the plaintiff with his knowledge of the injuries suffered, the ongoing symptoms and the need for surgery would regard the facts as showing that an action would have a reasonable prospect of success. The plaintiff's claim was dismissed due to the amount of time that had passed since the original injury.

In the second case, *Cameron v. British Columbia* 2016 BCSC 279 the plaintiff's claim was governed by the prior limitations act. He argued that under that *Act* that his limitation period did not start to run at the time of his injury. His injury occurred while he was incarcerated. He was subjected to a serious assault by other inmates and his claim was that the employees of the correctional centre did nothing to intervene or protect him during the assault. He argued that he could not bring the claim while he remained in custody and that the running of his limitation period was postponed due to this. The judge disagreed finding that the plaintiff failed to meet the test of "serious, significant and compelling" circumstances to justify the postponement of the limitation period.

Preventing Competition

Employment agreements often include non-competition clauses. This is to prevent ex employees from being able to utilize information that they gained during their employment to give them a competitive edge or an ability to unfairly compete once they have moved on. Non-competition agreements will be enforceable if they are not overly broad. But what if, despite the non-competition agreement, an ex-employee is using customer lists or something similar in their new employment? Is there any way to stop this?

A recent British Columbia Supreme Court decision provided an example of the powers of the court to prevent this type of unfair competition. There was nothing new in the way that the Court dealt with the case however it did provide a great example of the type of remedies available to employers. *Cambridge Mercantile Corp. v. Cook* 2016 BCSC 11 involved the claim of the past employer for an injunction requiring the return of customer lists and an order that the ex-employee cease solicitation of its customers and employees. This application was being brought in advance of a trial to determine whether there was a breach of the non-competition agreement and for assessment of damages. The defendant ex-employee argued that the non-competition clause was unenforceable because it was overly broad and ambiguous.

The trial judge disagreed with the ex-employee and ordered the injunction requested by the employer. In doing so the trial judge said as follows:

> Even where a contract of employment is deficient, in its absence an employer may still seek to protect proprietary information from being taken by former employees. Given that the object of an interloculatory injunction includes protection of the rights of the parties pending a final determination, it is unwise to embark on more than a provisional weighing of the merits.

This allowed the trial judge to provide the employer some protections while awaiting the outcome of the trial relating to the merits of the claim itself. The trial judge did so based in part on the limited nature of the injunction being sought by the employer.

Liability for Slips and Falls

When someone slips and falls in a premise the occupier of that premise will not always be liable for the damages that are suffered as a result of the fall. The occupier of the premises is not an insurer and not required to ensure that no accidents happen on the premises. They are required however to ensure that there is a reasonable system of maintenance and inspection in place and to ensure that that system is being complied with by employees.

Scarfe v. Fernco Developments Ltd. 2015 BCSC 2310 involved a claim by the plaintiff for damages that he suffered when he slipped and fell in the washroom of a Burger King. The plaintiff was not in a hurry at the time. He opened the washroom door, walked a step or two and then was on the floor. While on the floor he noticed that it was wet. There were no caution signs alerting him to the possibility of a slippery floor.

The trial judge found the defendant occupier liable for the damages suffered by the plaintiff, noting that although they had a reasonable system in place to ensure that the washrooms were clean and dry, they did not have a system to ensure compliance by the people who were responsible for carrying out the system that was in place. This case provides a good example of how courts apply the duty on an occupier in determining whether they will be responsible for injuries that result on their premises.

Employer Liability for Lack of Insurance Coverage

The recent decision of *Feldstein v 364 Northern Development Corp.* 2016 BCSC 108 presented the consideration of a unique set of facts and a warning to employers of potential liability. The plaintiff in *Feldstein* was a man who had been diagnosed with Cystic Fibrosis. The existence of a comprehensive disability insurance plan as a component of his employment compensation was of great importance to him. The plaintiff applied for work with the defendant and in the course of negotiations was advised by the employer that the requirement for "proof of good health" in the employer's disability coverage required only completion of the probationary period of employment. The plaintiff relied on the information from the employer and accepted the offered job. Shortly after starting work with the employer the employee ended up disabled. Contrary to the representations made by the employer the plaintiff's health condition resulted in him being entitled to very minimal disability benefits rather than the benefits that he had expected. Rather than being entitled to the $4,669 per month in disability benefits that he had anticipated due to the representations of the employer the plaintiff was entitled to only $1,000 per month.

The trial judge found that the employer was liable for the difference in entitlement to disability benefits. The judge found that the statement made by the employer was inaccurate, untrue and misleading. The judge found that the employer's representative in making the statement fell below the standard of care expected of the employer and that the statement was negligently made. The judge found that it was reasonable for the plaintiff to have relied on the statement and that it was a factor in the plaintiff's decision to accept the offer of employment. The judge also found that it was practically certain that if the statement had not been made the plaintiff would have found employment with benefits similar to that which the employer represented it was offering and providing to him.

The trial judge awarded the plaintiff 40 months of disability benefits calculated based on the difference between the represented amount of disability benefit and the amount that the plaintiff actually was entitled to. As well, the judge found that the plaintiff suffered considerable stress and anxiety as a result of the statements that were made by the employer and the resultant loss of disability insurance coverage. The judge awarded $10,000 for aggravated damages to account for this.

Rose Keith
Trial Lawyer

1486 West Hastings Street
Vancouver BC V6G 3J6

Phone: (604) 669-2126
Fax: (604) 669-5668
Email:
Rose:
rkeith@rosekeith.bc.ca
Romila:
romila@rosekeith.bc.ca
Artak:
artak@rosekeith.bc.ca

If you would like to receive this publication via email, please contact our office and your name and email address will be added to the distribution list. If you do not wish to receive this publication, please contact our office and your name will be removed from the distribution list.

NOTABLE QUOTES

"Such is the supreme folly of man that he labours so as to labour no more"

Leonardo DaVinci

"Or greatest glory is not in never failing, but in rising every time we fail."

Confuscious

"Its better to be absolutely ridiculous than to be absolutely boring"

Marilyn Monroe

"If opportunity doesn't knock, build a door" *Milton Berle*

"Never, never be afraid to do what's right, especially if the well-being of a person or animal is at stake. Society's punishments are small compared to the wounds we inflict on or soul when we look the other way."

Martin Luther King Jr.

"Peace and friendship with all mankind is our wisest policy, and I wish we may be permitted to purse it." *Thomas Jefferson*

"Some cause happiness wherever they go; others whenever they go."

Oscar Wilde

"I destroy my enemy when I make him my friend." *Abraham Lincoln*

OUR AREAS OF PRACTICE

Depending on your experience with our office you may or may not be aware of the types of problems that we routinely assist clients with. We have experience assisting clients with the following types of problems:

- injuries resulting from motor vehicle accidents
- injuries resulting from slips and falls
- injuries resulting from sexual abuse
- loss of employment
- discrimination and harassment
- damages resulting from breach of contract

Referrals in any of the above areas are welcome. If you have friends or family that require legal assistance, please refer them to our office. If we are unable to help them we usually know someone who is able.

ROSE KEITH
TRIAL LAWYER