

Appeal filed in frostbite lawsuit

Posted By GALEN EAGLE, EXAMINER STAFF WRITER

A lawyer representing a 28-year-old Havelock woman who lost her \$15-million lawsuit against Douro-Dummer Township has appealed the decision.

The township won the landmark lawsuit last month after a judge ruled the municipality was not to blame for serious frostbite injuries sustained by the then-18-year-old woman on a frigid January night in 2000.

Plaintiff Jessica Greenhalgh and her parents argued the township was responsible for Greenhalgh's life-altering injuries because it failed to post signs on Rusaw Lane warning motorists of the dead-end road.

In his more than 100-page decision, which took nearly a year to complete, Mr. Justice Peter Lauwers dismissed the claim completely, arguing the township had no duty to post the signs and was not liable.

Peter Griffin of Toronto firm Lenczner Slaght has been retained as Greenhalgh's appeal counsel. He filed notice of appeal to the Ontario Court of Appeal earlier this month.

At this point, the parties have to agree on what portions of evidence from the previous trial will go into the appeal process, Griffin said.

That process can typically take between three to six months, he said.

"The question mark is how much evidence has to be transcribed and when we'll have it," Griffin said.

Both parties will then make written submissions to the appeal court and a date will be set for oral submissions, he said.

The court can choose to reverse the original judgment, toss the appeal or order a new trial, Griffin said.