

IN THE MATTER OF AN ARBITRATION

BETWEEN:

WALKERTON COMPENSATION PLAN

(The “Administrator”)

- and -

(The “Claimant”)

MARTIN TEPLITSKY, Q.C.
Arbitrator

APPEARANCES:

**On behalf of the
Administrator** **Milena Protich**
Kim Chalmers

On behalf of the
Claimant: Self-represented

Hearing held December 5, 2013

████████ is a pursuing several claims, the largest of which is for economic loss which he defines as "Loss of Chosen Profession", "Loss of the Amenities of my Professional Life" and "Loss of my Practice Value".

In my view, these claims, however characterized, were included in my order dated May 28, 2008 which incorporated a settlement between the parties. █████ was represented by counsel on the settlement. This award was unsuccessfully appealed. █████ signed a release that he accepted the settlement for all compensation for economic loss under the Plan.

If █████ could bring himself under Sec 2.3 of the Plan, he could advance further claims. However, prior to the settlement, he knew that his █████ was unsustainable because his patient flow had diminished from 160 patients a week to 30. Accordingly, there is no basis on the evidence to meet the Sec 2.3 criteria.

As for the claims for infrared sauna and steroid injection in his knee and travel allowance, █████ needs to submit evidence that these are necessary expenses connected to this reactive arthritis which was caused by the contaminated water. If the parties cannot agree after all evidence is presented (the Administrator will review the mileage claims and advise █████), I will conduct a further hearing by teleconference.

DATED the 6th day of December, 2013.



MARTIN TEPLITSKY, Q.C.
Arbitrator