

IN THE MATTER OF AN ARBITRATION PROCEEDINGS  
UNDER THE CLASS PROCEEDINGS ACT, 1992

BETWEEN:

JAMIE SMITH, ALANA DALTON, JAMIE McDONALD  
and IRENE SALES INC., OPERATING AS  
THE HARTLEY HOUSE

Plaintiffs

- and -

THE CORPORATION OF THE MUNICIPALITY OF  
BROCKTON, THE BRUCE-GREY OWEN SOUND  
HEALTH UNIT, STAN KOEBEL,  
THE WALKERTON PUBLIC UTILITIES COMMISSION and  
HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO

Defendants

- and -

IAN D. WILSON ASSOCIATES LIMITED,  
DAVIDSON WELL DRILLING LIMITED EARTH TECH (CANADA) INC.,  
CONESTOGA-ROVERS & ASSOCIATES LIMITED,  
B.M. ROSS AND ASSOCIATES LIMITED,  
GAP ENVIROMICROBIAL SERVICES INC.,  
A & L CANADA LABORATORIES EAST, INC.,  
DAVID BIESENTHAL and CAROLYN BIESENTHAL

Third Parties

Heard: July 30, 2003

Counsel:

Claimant in Person

Dan Fife - for The Plan Administrator, Crawford Adjusters Canada

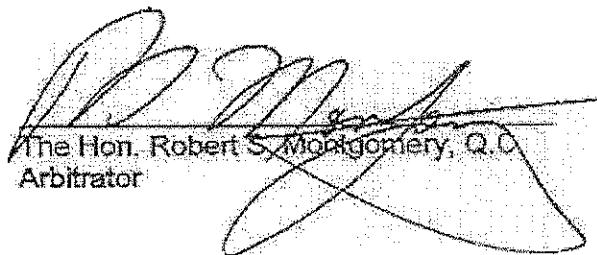
DECISION

This arbitration involves claimant [REDACTED]

Ms. [REDACTED] appeals from the decision of the Administrator dismissing a *Family Law Act* claim as a result of a minor illness to her daughter, nine years of age at the time. This claim for *FLA* benefits must be dismissed as *de minimis*.

However, Ms. [REDACTED] failed to make a claim earlier for three lost days due to the child's illness. The Administrator has no objection to that claim being added to this arbitration. I, therefore, allow the claimant \$100 a day for three days, and appropriate prejudgment interest.

Dated at Toronto, this 12<sup>th</sup> day of August 2003.



The Hon. Robert S. Montgomery, Q.C.  
Arbitrator