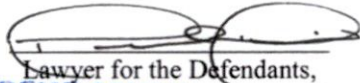
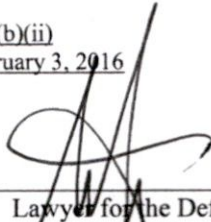


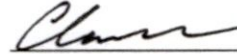
Further Amended pursuant to Rule 6-1(1)(b)(ii)  
Amended Notice of Civil Claim filed February 3, 2016  
Original filed April 3, 2013



Lawyer for the Defendants,  
Drs. Nazi, Pourvali, Ko, and  
Lindsay,  
Dan Reid



Lawyer for the Defendants,  
Providence Health Care,  
SPH, and Hughes,  
Marie Willcock



Lawyer for the Defendant,  
Nicholas Osuteye,  
Claire E. Hunter, QC

SUPREME COURT  
OF BRITISH COLUMBIA  
VANCOUVER REGISTRY

APR 01 2019



S  
NO.:132325  
VANCOUVER REGISTRY

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

BETWEEN:

**HIROKA D. CRAWFORD, also known as DONNA CRAWFORD**

PLAINTIFF

AND:

**~~NICHOLAS OSUTEYE, ST. PAUL'S HOSPITAL, PROVIDENCE HEALTH CARE,  
DR. REZA POURVALI, DR. ANNA NAZIF, DR. KRYSTALEAH LINDSAY,  
SEBASTIAN KO and JEN HUGHES~~**

DEFENDANTS

**~~NICHOLAS OSUTEYE, PROVIDENCE HEALTH CARE,  
DR. REZA POURVALI, DR. ANNA NAZIF, and DR. KRYSTALEAH LINDSAY~~**

THIRD PARTIES

**FURTHER AMENDED NOTICE OF CIVIL CLAIM**

**This action has been started by the Plaintiff for the relief set out in Part 2 below.**

If you intend to respond to this action, you or your lawyer must:

- (a) file a response to civil claim in Form 2 in the above-named registry of this court within the time for response to civil claim described below, and
- (b) serve a copy of the filed response to civil claim on the Plaintiff.

If you intend to make a counterclaim, you or your lawyer must

F 33

- (a) file a response to civil claim in Form 2 and a counterclaim in Form 3 in the above-named registry of this court within the time for response to civil claim described below, and
- (b) serve a copy of the filed response to civil claim and counterclaim on the Plaintiff and on any new parties named in the counterclaim.

JUDGMENT MAY BE PRONOUNCED AGAINST YOU IF YOU FAIL to file the response to civil claim within the time for response to civil claim described below.

### TIME FOR RESPONSE TO CIVIL CLAIM

A response to civil claim must be filed and served on the Plaintiff,

- (a) if you reside anywhere in Canada, within 21 days after the date on which a copy of the filed notice of civil claim was served on you,
- (b) if you reside in the United States of America, within 35 days after the date on which a copy of the filed notice of civil claim was served on you,
- (c) if you reside elsewhere, within 49 days after the date on which a copy of the filed notice of civil claim was served on you, or
- (d) if the time for response to civil claim has been set by order of the court, within that time.

### CLAIM OF THE PLAINTIFF

#### PART 1: STATEMENT OF FACTS

##### The Parties

1. The Plaintiff, Hiroka D. Crawford, also known as, Donna Crawford, has an address for delivery at #1900 – 570 Granville Street, Vancouver, British Columbia.

~~2. The Defendant, Nicholas Osuteye (“Osuteye”), whose occupation and address is unknown to the Plaintiff, resides in Edmonton, Alberta.~~

~~3. The Defendant, St. Paul’s Hospital (“St. Paul’s”), is a public hospital operating pursuant to the provisions of the *Hospital Act*, R.S.B.C. 1996, c. 200, as amended, and Regulations thereto, with a place of business at 1081 Burrard Street, Vancouver, British Columbia.~~

4. 2. The Defendant, Providence Health Care (“Providence Health PHC”), is a society incorporated under the laws of British Columbia and has a registered office at legal entity established pursuant to the *Health Authorities Act*, R.S.B.C. 1996, c. 180, and the owner and

~~operator of St. Paul's Hospital, with a place of business at 1081 Burrard Street, Vancouver, British Columbia. PHC owns and operates several health care facilities in Vancouver, including St. Paul's Hospital.~~

~~6. The Defendant, Dr. Reza Pourvali ("Dr. Pourvali"), was at all material times a physician licensed to practice medicine in British Columbia, and a member of the College of Physicians and Surgeons of British Columbia, with a place of business at 3080 Prince Edward Street, Vancouver, BC, V5T 3N4.~~

~~7. The Defendant, Dr. Anna Nazif ("Dr. Nazif"), was at all material times a physician licensed to practice medicine in British Columbia, and a member of the College of Physicians and Surgeons of British Columbia, with a place of business at 1081 Burrard Street, Vancouver, BC, V6Z 1Y6.~~

~~8. The Defendant, Dr. Krystaleah Lindsay ("Dr. Lindsay"), was at all material times a physician licensed to practice medicine in British Columbia, and a member of the College of Physicians and Surgeons of British Columbia, with a place of business at 1081 Burrard Street, Vancouver, BC V6Z 1Y6.~~

~~9. The Defendant, Sebastian Ko, was at all material times a medical student practicing medicine in British Columbia, and a member of the College of Physicians and Surgeons of British Columbia, with a place of business at 1081 Burrard Street, Vancouver, BC V6Z 1Y6.~~

~~10. The Defendant, Jen Hughes, was at all material times a registered nurse authorized to practise in British Columbia and a member of the College of Registered Nurses of British Columbia with a place of business at 1081 Burrard Street, Vancouver, BC V6Z 1Y6.~~

~~11. 4. At all material times On or about December 6, 2012, the Defendants, Dr. Pourvali, Dr. Nazif, Dr. Lindsay, Sebastian Ko and Jen Hughes, were doctors, psychiatrists, students and treatment providers who assessed was involved in the care of Nicholas the Defendant Osuteye at St. Paul's Hospital and at all material times to this action, and was a were the servants, contractor, agents, or employees of the Defendant St. Paul's and/or the Defendant PHC, Providence Health and were acting within the course and scope of the execution of their her duties, St. Paul's Hospital and/or Providence Health Care.~~

## The Incident

5. Nicholas Osuteye was diagnosed with Schizophrenia in or around 2008.

6. At all material times, Osuteye was prescribed risperidone, an anti-psychotic medication.

7. Osuteye had a history of non-compliance with his risperidone prescription.

~~12.~~ 8. On or about December 6, 2012, the Defendant Osuteye was involuntarily admitted to the Defendant St. Paul's Hospital under a Form 4 pursuant to sections 22, 28, 29 and 42 of the Mental Health Act for acute psychosis and an assessed risk of mental and/or physical deterioration (the "Admission"). Under the Form 4 involuntary admission, St. Paul's was statutorily permitted to detain Osuteye for a 48-hour period without further review or a second medical certificate. While under the care of the Defendants, St. Paul's, Providence Health, Dr. Pourvali, Dr. Nazif, Dr. Lindsay, Sebastian Ko and Jen Hughes, the Defendant Osuteye warned the Defendants, Dr. Pourvali, Dr. Nazif, Dr. Lindsay, Sebastian Ko and Jen Hughes that he intended to commit violent acts upon others.

~~13.~~ 9. On or about December 6, 2012, the Defendant Osuteye was released from the care of the Defendants St. Paul's, Providence Health, Dr. Pourvali, Dr. Nazif, Dr. Lindsay, Sebastian Ko and Jen Hughes discharged from St. Paul's following his assessment and decertification by Dr. Nazif.

~~14.~~ 10. On or about December 7, 2012, the Plaintiff was in the 700 block of Pacific Boulevard, in the City of Vancouver, BC when she was brutally attacked by the Defendant Osuteye. The brutal attack on the Plaintiff by the Defendant Osuteye was unprovoked (the "Assault").

~~15.~~ 11. The aforesaid Assault and all consequent injury, loss, damage and expense to the Plaintiff were sustained and incurred as a result of the of the Assault committed by the Defendant Osuteye and the negligence, breach of fiduciary duty and/or breach of statutory duty of the Defendants PHC St. Paul's, Providence Health, Dr. Pourvali, and Dr. Nazif, Dr. Lindsay, Sebastian Ko and Jen Hughes.

**The Plaintiff's Injuries**

~~16.~~ 12. As a consequence of the ~~Assault committed by the Defendant Osuteye, and/or the~~ negligence, breach of fiduciary duty and/or breach of statutory duty of the Defendants, PHC St. Paul's, Providence Health, Dr. Pourvali, and Dr. Nazif, Dr. Lindsay, Sebastian Ko and Jen Hughes, the Plaintiff has sustained personal injuries, the particulars of which include:

- a) Brain injury;
- b) Facial fractures;
- c) Shoulder injury;
- d) Fracture of the left ulna;
- e) Subdural hemorrhages;
- f) Depression;
- g) Fatigue;
- h) Bruises and lacerations;
- i) Post-traumatic stress;
- j) Depression; and
- k) Such further and other injuries as the Plaintiff may advise.

all of which injuries, loss and damage have caused and will continue to cause the Plaintiff pain, suffering, loss of enjoyment of life, permanent physical disability, loss of earnings, past and prospective, loss of income earning capacity and loss of opportunity to earn income.

~~17.~~ 13. As a further result of the injuries sustained by the Plaintiff, she will be more susceptible to future injury and degenerative changes.

~~18.~~ 14. As a further result of the ~~Assault committed by the Defendant Osuteye, and the~~ negligence, breach of fiduciary duty and/or breach of statutory duty of the Defendants, PHC St. Paul's, Providence Health, Dr. Pourvali, and Dr. Nazif, Dr. Lindsay, Sebastian Ko and Jen Hughes, the Plaintiff has sustained certain special damages, loss and expense for medical treatment and the Plaintiff continues to undergo such medical care and treatment and continues to sustain loss and expense thereby, particulars of which will be provided by the Plaintiff at the trial of the action herein.

### **Causation and Damages**

~~19.~~ 15. As a result of the ~~Assault committed by the Defendant Osuteye, and/or the negligence, breach of fiduciary duty and/or breach of statutory duty of the Defendants, PHC and St. Paul's, Providence Health, Dr. Pourvali, Dr. Nazif, Dr. Lindsay, Sebastian Ko and Jen Hughes,~~ and the resulting injuries sustained by the Plaintiff, all of which are hereinbefore described, the Plaintiff has suffered the following loss and damage;

- a) General damages for:
  - i. Pain, suffering, loss of enjoyment of life, permanent physical and psychological disability;
  - ii. Loss of earnings past and perspective;
  - iii. Loss of income earning capacity;
  - iv. Loss of opportunity to earn income;
  - v. Past and future loss of housekeeping capacity;
  - vi. Cost of future care; and
  - vii. Further particulars of general damages to be determined.
  
- b) Special Damages for:
  - i. Past loss of income, employment benefits, business income, business opportunities, and gratuities;
  - ii. Cost of transportation to and from medical treatments;
  - iii. Cost of Medication and rehabilitation expenses;
  - iv. Wages lost and expenses incurred by third parties on behalf of the Plaintiff, either voluntarily or for remuneration, amount to be determined; and
  - v. Further particulars of special damages to be determined..

~~20.~~ 16. The Plaintiff is a beneficiary as defined in Section 1 of the *Health Care Costs Recovery Act*, S.B.C. 2008, Chapter 27, who has received health care services as defined in section 2(1) of the said Act, and who claims in this Act for the past cost and future cost of health care services required as a result of the negligence of the Defendants pursuant to section 3 of the Act.

**Part 2: RELIEF SOUGHT**

~~21-~~ 17. The Plaintiff claims against the Defendants for:

- a) general damages;
- b) special damages;
- c) ~~punitive~~ damages;
- d) interest pursuant to the Court Order Interest Act;
- e) costs;
- f) such further and other relief as this Honourable Court may decide.

18. As a further result of her injuries, the Plaintiff claims general and special damages as a Trustee for and on behalf of her spouse and/or family members in relation to services which were rendered, and/or will be rendered, in the future, for and on behalf of the Plaintiff following the Accident, which services resulted in wage loss and other losses suffered by her spouse and/or family members.

**Part 3: LEGAL BASIS**

Nicholas Osuteye

~~22. The Defendant Osuteye committed assault and battery on December 7, 2012 when he threatened, punched and kicked the Plaintiff causing the injuries listed at paragraph 16 of this Notice of Civil Claim~~

19. The plaintiff expressly waives any and all right to recover from Nicholas Osuteye, or any other person or organization, any portion of the damage or loss which the Court may attribute to the fault of Nicholas Osuteye, or his servants, agents, employees, directors, officers, principals, heirs, executors, administrators, affiliates, partners, successors, assigns and insurers.

Several Liability

~~23-~~ 20. The Assault and the Plaintiff's resulting injuries, losses, and damages were caused solely by the negligence, breach of fiduciary duty and/or breach of statutory duty, jointly and severally, of the Defendants PHC St. Paul's, Providence Health, Dr. Pourvali, and Dr. Nazif, Dr. Lindsay,

~~Sebastian Ke and Jon Hughes.~~ The plaintiff pleads and relies on the *Negligence Act*, R.S.B.C. 1996, c. 333 and the *Mental Health Act*, R.S.B.C. 1996, c. 288.

**Providence Health Care**

24. ~~21.~~ Particulars of the negligence of the Defendants ~~PHC, St. Paul's and Providence~~ include but are not limited to the following:

- a) ~~Failing~~ in their duty of care to the Plaintiff and the Defendant Osuteye;
- b) Breach of the *Mental Health Act*;
- c) ~~Failing~~ in their duty to ensure the protocols with respect to mentally disordered patients were followed;
- d) ~~Failing~~ in their duty of care to ensure that the Defendant Osuteye was supervised and all necessary care in place for his protection or the protection of others, including the Plaintiff;
- e) Discharging the Defendant Osuteye when they knew or ought to have known that he was not appropriately recuperated;
- f) Discharging the Defendant Osuteye when they knew or ought to have known he was a threat to public safety;
- g) ~~Discharging the Defendant Osuteye when they knew or ought to have known he was at risk of physical or mental deterioration;~~
- g) h) Failing to admit the Defendant Osuteye as a voluntary patient under s. 20 of the *Mental Health Act*;
- h) i) Failing to certify the Defendant Osuteye under the *Mental Health Act*;
- i) j) Failing to employ competent physicians, nurses and other hospital staff and to ensure their continuing competence;
- j) k) ~~Failing~~ in their duty to create any or any adequate protocols with respect to mentally disordered patients at risk of physical or mental deterioration;
- l) Failing to ensure an independent mental status examination of Osuteye was performed by a registered psychiatric nurse or registered nurse;



- m) Failing to document or adequately document any observations of acute psychosis and/or deterioration of the Defendant Osuteye's mental or physical state;
- n) Failing to communicate or adequately communicate to the Defendant Osuteye's treating physician(s) any observations of psychosis and/or deterioration of his mental state;
- o) Failing to communicate or adequately communicate to the Defendant Osuteye's treating physician(s) any report or inconsistent report by him suggesting non-compliance with his risperidone dosage;
- p) Failing to administer to the Defendant Osuteye his dose of risperidone;
- q) Failing to continue to detain the Defendant Osuteye under his Form 4 involuntary admission for the full 48 hour period authorized by the *Mental Health Act*;
- r) Failing to assign or direct a Clinical Nurse Leader to the care team for Osuteye during his Admission;
- s) Failing to assign or direct a Registered Psychiatric Nurse to the care team for Osuteye during his Admission;
- t) Failing to assign or direct a Social Worker to the care team for Osuteye during his Admission;
- u) Failing to assign the responsibility for collecting collateral records and/or other information to one treatment provider or administrator;
- v) Failing to identify, locate, and/or gather all collateral information reasonably available regarding the Defendant Osuteye's recent hospital admission; and
- u) Such further and other particulars as counsel may advise.

~~25. Particulars of the negligence, breach of fiduciary duty and/or breach of statutory duty of the Defendants, Dr. Pourvali, include but are not limited to the following:~~

- ~~a) Knew or ought to have known that the Defendant Osuteye was a person with a mental disorder requiring treatment;~~

- ~~b) — Knew or ought to have known that the Defendant Osuteye needed treatment for his care, supervision and control of for his protection or the protection of others including the Plaintiff;~~
- ~~c) — Knew or ought to have known that the Defendant Osuteye was mentally disordered and required medical treatment and control in a provincial mental facility or psychiatric unit for his own protection or welfare or the protection of others;~~
- ~~d) — Discharging the Defendant Osuteye when he knew or ought to have known that he was not appropriately recuperated;~~
- ~~e) — Discharging the Defendant Osuteye when they knew or ought to have known that he was a threat to public safety;~~
- ~~f) — Knew or ought to have known that the Defendant Osuteye might have possible psychological or psychiatric issues that required further investigation;~~
- ~~g) — Failing to admit the Defendant Osuteye as a voluntary patient under s. 20 of the *Mental Health Act*;~~
- ~~h) — Failing to certify the Defendant Osuteye under the *Mental Health Act*;~~
- ~~i) — Failure in the duty to ensure the protocols with respect to mentally disordered patients were followed;~~
- ~~j) — Failing to instruct and/or make certain that Jen Hughes and/or Sebastian Ke contacted the Defendant Osuteye's mother; and~~
- ~~k) — Such further and other particulars as counsel may advise.~~

~~26. Particulars of the negligence, breach of fiduciary duty and/or breach of statutory duty of the Defendants, Sebastian Ke, include but are not limited to the following:~~

- ~~a) — Failed in his duty of care to the Plaintiff and the Defendant Osuteye;~~
- ~~b) — Failed in his duty to ensure the protocols with respect to mentally disordered patients were followed;~~

- e) ~~Failed in his duty of care to ensure that the Defendant Osuteye was supervised and all necessary care in place for his protection to the protection of others, including the plaintiff;~~
- d) ~~Failing to advise the supervising doctors that the Defendant Osuteye was homeless, threatening to hurt himself and or others; and, that the Defendant Osuteye had provided contact information for his mother in Edmonton Alberta;~~
- e) ~~Failing to contact the Defendant Osuteye's mother despite knowing or ought to have known that the Defendant Osuteye was homeless; threatening to hurt himself or others; and allowing him to be released to into the public; and;~~
- f) ~~Such further and other particulars as counsel may advise.~~

~~27. Particulars of the negligence, breach of fiduciary duty and/or breach of statutory duty of the Defendants, Dr. Lindsay, include but are not limited to the following:~~

- a) ~~Knew or ought to have known that the Defendant Osuteye was a person with a mental disorder requiring treatment;~~
- b) ~~Knew or ought to have known that the Defendant Osuteye needed treatment for his care, supervision and control of for his protection or the protection of others including the Plaintiff;~~
- e) ~~Knew or ought to have known that the Defendant Osuteye was mentally disordered and required medical treatment and control in a provincial mental facility or psychiatric unit for his own protection or welfare or the protection of others;~~
- d) ~~Discharging the Defendant Osuteye when they knew or ought to have known that he was not appropriately recuperated;~~
- e) ~~Discharging the Defendant Osuteye when they knew or ought to have known that he was a threat to public safety;~~
- f) ~~Knew or ought to have known that the Defendant Osuteye might have possible psychological or psychiatric issues that need further investigation;~~

- ~~g) Failing to admit the Defendant Osuteye as a voluntary patient under s. 20 of the *Mental Health Act*;~~
- ~~h) Failing to certify the Defendant Osuteye under the *Mental Health Act*;~~
- ~~i) Failure in the duty to ensure the protocols with respect to mentally disordered patients were followed;~~
- ~~j) Failing to instruct and/or make certain that Jen Hughes and/or Sebastian Ke contacted the Defendant Osuteye's mother; and~~
- ~~k) Such further and other particulars as counsel may advise.~~

**Dr. Anna Nazif**

**28. 22. Particulars of the negligence, breach of fiduciary duty and/or breach of statutory duty of the Defendant, Dr. Nazif, include but are not limited to the following:**

- a) Failing to review or adequately review all available information in the Defendant Osuteye's patient file prior to decertifying him;
- b) Failing to consider or adequately consider all available information in assessing whether the Defendant Osuteye was at risk for non-compliance with his risperidone prescription;
- c) Failing to assess or adequately assess the Defendant Osuteye for indications or symptoms of acute psychosis and the risk of physical and/or mental deterioration;
- d) Failing to identify or adequately identify indications or symptoms of the Defendant Osuteye's acute psychosis and the risk of physical and/or mental deterioration;
- e) Failing to interview or adequately interview the Defendant Osuteye for indications or symptoms of psychosis and the risk of physical and/or mental deterioration;
- e) f) Knew or ought to have known that the Defendant Osuteye was a person with a mental disorder, specifically acute psychosis with a risk of physical and/or mental deterioration, requiring treatment and/or hospitalization;

- b) g) Knew or ought to have known that the Defendant Osuteye needed treatment and hospitalization for his care, supervision and control, of necessary to prevent his physical and/or mental deterioration, for his protection and/or the protection of others in downtown Vancouver and/or the downtown eastside, including the Plaintiff;
- e) h) Knew or ought to have known that the Defendant Osuteye was mentally disordered and required medical treatment, monitoring, and control in a provincial mental facility or psychiatric unit for his own protection and/or welfare and/or the protection of others in downtown Vancouver and/or the downtown eastside, including the Plaintiff;
- d) i) Discharging the Defendant Osuteye when they she knew or ought to have known that his psychosis was at risk of physical and/or mental deterioration he was not appropriately recuperated;
- e) j) Discharging the Defendant Osuteye when they she knew or ought to have known that he was or could become a threat to public the safety of other persons in downtown Vancouver and/or the downtown eastside, including the Plaintiff;
- f) k) Knew or ought to have known that the Defendant Osuteye might have possible psychological or psychiatric issues that need further investigation;
- g) l) Failing to admit the Defendant Osuteye as a voluntary patient under s. 20 of the *Mental Health Act*;
- h) m) Failing to certify the Defendant Osuteye under the *Mental Health Act* with a second medical certificate when she knew or ought to have known that a second medical certificate was necessary to prevent his physical or mental deterioration;
- n) Decertifying and discharging Osuteye from St. Paul's when he was already admitted under a Form 4 certificate issued by another assessing physician, permitting his involuntary admission at St. Paul's for up to 48 hours;
- o) Failing to administer risperidone to the Defendant Osuteye in-hospital, prior to his discharge;

- ~~i) p)~~ Failing in the duty to ensure the protocols with respect to mentally disordered patients were followed;
- ~~j) q)~~ Failing to instruct and/or make certain that Jen Hughes and/ or Sebastian Ke other treatment providers to contacted the Defendant Osuteye's mother for collateral information;
- ~~r)~~ Failing to contact the Defendant Osuteye's mother for collateral information;
- ~~s)~~ Failing to instruct other treatment providers to obtain collateral information in the form of records with regard to the Defendant Osuteye's recent hospital admission;
- ~~t)~~ Failing to otherwise identify, locate, and/or gather all collateral information reasonably available regarding the Defendant Osuteye's last hospital admission, history of medication compliance, and/or history of violence during psychosis; and
- ~~k) u)~~ Such further and other particulars as counsel may advise.

~~29. Particulars of the negligence, breach of fiduciary duty and/or breach of statutory duty of the Defendant, Jen Hughes, include but are not limited to the following:~~

- ~~a) — Failing in her duty of care to the Plaintiff and the Defendant Osuteye;~~
- ~~b) — Breach of the *Mental Health Act*;~~
- ~~c) — Failure in her duty to ensure the protocols with respect to mentally disordered patients were followed;~~
- ~~d) — Failing in her duty of care to ensure that the Defendant Osuteye was supervised and that all necessary care was in place for his protection of the protection of others, including the Plaintiff;~~
- ~~e) — Failing to advise the supervising doctors that the Defendant Osuteye was homeless, threatening to hurt himself and or others and that he had been provided contact information for his mother in Edmonton Alberta;~~
- ~~f) — Failing to contact the Defendant Osuteye's mother when she knew or ought to have known that the Defendant Osuteye was homeless and threatening to hurt himself or others and allowing him to be released into the public; and;~~

~~g) — Such further and other particulars as counsel may advise.~~

PLACE OF TRIAL: Vancouver, British Columbia

AMENDED: 29/MAR/2019



Solicitor for the Plaintiff

**THIS FURTHER AMENDED NOTICE OF CIVIL CLAIM** is filed by Sandra L. Kovacs of the firm **Kazimirski Law Corporation**, whose place of business and address for delivery is #1400 – 570 Granville Street, Vancouver, B.C. V6C 1W6. Telephone: (604)681-9344; Fax: (604)682-3844

Rule 7-1(1) of the Supreme Court Civil Rules states:

- (1) Unless all parties of record consent or the court otherwise orders, each party of record to an action must, within 35 days after the end of the pleading period,
- (a) prepare a list of documents in Form 22 that lists
    - (i) all documents that are or have been in the party's possession or control and that could, if available, be used by any party at trial to prove or disprove a material fact, and
    - (ii) all other documents to which the party intends to refer at trial, and
  - (b) serve the list on all parties of record.

**APPENDIX****Part 1: CONCISE SUMMARY OF NATURE OF CLAIM:**

The Plaintiff claims against the Defendants for pain and suffering, general damages, special damages, costs and interest arising out of an assault.

The Plaintiff has suffered and continues to suffer damage, loss and expense, due to the negligence of the Defendants.

**Part 2: THIS CLAIM ARISES FROM THE FOLLOWING:**

- a motor vehicle accident
- personal injury, other than one arising from a motor vehicle accident
- a dispute about real property (real estate)
- a dispute about personal property
- the lending of money
- the provision of goods or services or other general commercial matters
- an employment relationship
- a dispute about a will or other issues concerning the probate of an estate
- a matter not listed here

**Part 3: ENACTMENTS RELIED ON**

1. *Negligence Act*, R.S.B.C. 1996 c. 333;
2. *Mental Health Act*, R.S.B.C. 1996, c. 288; and
3. *Court Order Interest Act*, R.S.B.C. 1996 c.79