



BOLAND ROMAINÉ^{LLP}

TRIAL LAWYERS FOR THE INJURED

Your Future is
Worth Fighting For

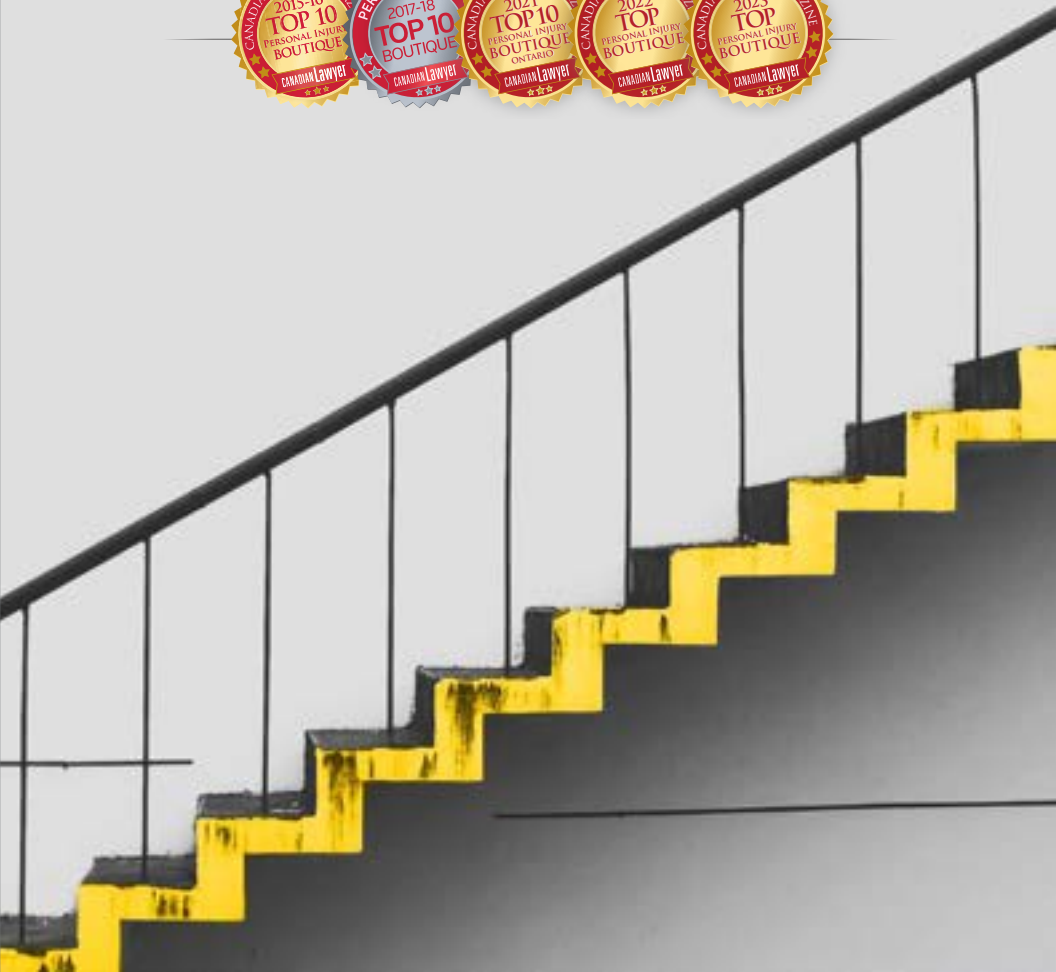
SELECTED BY CANADIAN LAWYER MAGAZINE AS ONE OF
THE TOP 10 PERSONAL INJURY LAW FIRMS IN ONTARIO



Our Philosophy is Simple

Trial experience settles cases fairly, and trial experience will protect the injured if negotiations break down. A lawyer for the injured needs the fortitude to say “no” to unreasonable offers and the commitment and skill to take the injured person’s case to trial.

Insurance companies know which lawyers go to trial for their injured clients and which ones don’t... Shouldn’t you?





Trial Report Card: The Measure of a Lawyer

Successful trial verdicts are the only objective measure of a personal injury lawyer's judgment, confidence, commitment, and ability.

Settlements can't give you that insight: they don't tell you how much the lawyer compromised the injured person's claim. Settlements don't tell you who was in control of the negotiations, and on their own, they don't tell you if a lawyer stands their ground.

A lawyer's trial record is an essential factor in keeping cases out of court. It informs insurers that their risk of going to trial is real and discourages discounted offers. Trial experience guides the development and presentation of the case and hones a lawyer's ability to predict outcomes. A lawyer with a strong trial record will increase the value of your claim and improve the prospect of a fair settlement without having to go to trial.

This booklet is a sampling of some of our trial results.

The Proof is in the Precedents

Knowing the importance of trial experience, many personal injury lawyers imply that they have it when they don't. They may state that they "appear" at various court levels, but that doesn't mean they went to trial. They may say they "fight" or that they are "tough," but if they have never gone to trial for their clients in the past, what exactly did they fight, and just how tough are they?

Ask for proof: Jury trials have written verdicts and judge alone trials have reported decisions. They both have court file numbers.

We believe in backing up what we say. The symbol of our firm is the symbol of evidence. Your future will be decided based on evidence. We believe deciding who represents you should be as well.

We have won trials for those who have suffered:

- ◆ Traumatic brain injuries
- ◆ Spinal cord injuries
- ◆ Spinal fracture injuries
- ◆ Fatal injuries
- ◆ Burn injuries
- ◆ Polytraumatic injuries
- ◆ Orthopaedic injuries
- ◆ Joint ligament injuries
- ◆ Chronic pain
- ◆ Psychiatric injuries
- ◆ Scarring / disfiguring injuries
- ◆ Neurological injuries

We have won complicated liability trials involving:

- ◆ Pedestrians
- ◆ Cyclists
- ◆ Motorcyclists
- ◆ Motor vehicles
- ◆ Snowmobiles
- ◆ Road design
- ◆ Winter road maintenance
- ◆ Falls
- ◆ Animal attacks
- ◆ Police liability

Gather the Evidence: Make an Informed Decision

Putting your future into the hands of a personal injury lawyer is one of the most important decisions you will make. We encourage you to meet with other lawyers. Do your due diligence. Consider asking these questions.

Trial Experience Questions	Timothy Boland	Darcy Romaine
Do you, personally, regularly take cases to trial?	✓	✓
Have you, personally, won cases like mine at trial?	✓	✓
Do you, personally, have precedent-setting decisions?	✓	✓
Can I see your written decisions and jury verdicts?	✓	✓

After you learn about the lawyer’s trial experience, consider the following questions, which address the lawyer’s knowledge and general reputation amongst peers.


Other Helpful Questions	Timothy Boland	Darcy Romaine
Has the Law Society of Ontario certified you as a Specialist in Civil Litigation?	✓	✓
Have you won awards for your trial work from legal associations?	✓	✓
Have your peers endorsed you for your inclusion in the Canadian Legal Lexpert Directory?	✓	✓
Have your peers endorsed you for your inclusion in BestLawyers.com peer review directory?	✓	✓
Have legal publications, such as Canadian Lawyer Magazine, recognized your firm as a Top 10 Personal Injury Law Firm in Ontario?	✓	✓
Have you published extensively in the field of personal injury?	✓	✓
Do you teach other lawyers how to conduct trials?	✓	✓
Are you invited to speak at conferences regarding trial work?	✓	✓
Are you, or have you been, a board member of the Ontario Trial Lawyers Association?	✓	✓



Timothy P. Boland

Certifications | Recognitions | Awards

- ◆ 2008: H. Bruce Hillyer Award: “Awarded to an individual who exemplifies the spirit of OTLA in fearlessly advancing the cause of individual rights by the effective use of trial advocacy”
- ◆ 2014: Honoured at OTLA’s Annual President’s Dinner celebrating his achievements and recognizing him as a leader of the personal injury bar
- ◆ OTLA annually presents the Tim Boland Award for Best Overall Advocate at the OTLA Cup
- ◆ Chosen by peers for inclusion in the Canadian Legal Lexpert Directory
- ◆ Consistently recommended as one of the leading lawyers in the area of personal injury law by Canadian Legal Lexpert Directory
- ◆ 2015 – 2018, 2021-2023: Canadian Lawyer Magazine recognized our firm as one of the Top 10 Personal Injury Firms in Canada
- ◆ Certified by the Law Society of Ontario as a Specialist in Civil Litigation
- ◆ Chosen by peers for inclusion in Best Lawyers in Canada
- ◆ Former Director of OTLA, chaired many important committees



Tim is an award-winning trial lawyer for the seriously injured. He has extensive trial experience and precedent-setting verdicts. Tim has won trials on behalf of those with traumatic brain injuries, spinal cord trauma, severe orthopaedic injuries, and psychological injuries. He has also won trials for families who have lost loved ones.

Tim is among a select group of lawyers certified as a Specialist in Civil Litigation by the Law Society of Ontario, the governing body of Ontario lawyers. This certification guarantees that the recipient has “met established standards of experience and knowledge and maintained exemplary standards of professional practice.”

Tim has co-chaired, presented, and demonstrated at many conferences dedicated to personal injury law and trial advocacy and has lectured at many continuing legal education seminars.

Tim has published extensively in personal injury law and trial advocacy, including as co-author of the chapter on municipal liability in the Oatley McLeish Guide to Personal Injury Practice in Motor Vehicle Cases. He is involved in a number of community activities, including the Lids on Kids program sponsored by his firm to provide bicycle helmets for children from disadvantaged backgrounds in York Region.






Darcy W. Romaine

Certifications | Recognition | Awards

- ◆ 2017 – Present: Director/Treasurer of the York Region Law Association
- ◆ 2021 – Law Society of Ontario Certified Specialist
- ◆ 2021 – Selected by peers for inclusion in the Lexpert Directory
- ◆ 2019 – Selected by peers for inclusion in Best Lawyers in Canada
- ◆ 2010 – 2017: Director of the Ontario Trial Lawyers Association (OTLA)
- ◆ 2015 – 2018, 2021: Canadian Lawyer Magazine Recognized our firm as one of the Top 10 Personal Injury Firms in Canada
- ◆ 2015: OTLA representative selected to review Ontario’s proposed Protocol for Traffic Injury Management, to question its research scientists and make submissions to the province
- ◆ 2012: Recipient of the *Martin Wunder, Q.C. Outstanding Young Lawyer Award*, given to an OTLA member in recognition of exceptional commitment to and promotion of the advancement of OTLA’s Mission: “To fearlessly champion through the pursuit of the highest standards of advocacy the cause of those who have suffered injury or injustice”



Darcy is a trial lawyer for the seriously injured. He has won trials where liability is complex, and the injuries are profound. He is known for trials involving municipal negligence and his efforts to have unsafe winter roadway maintenance regulations eliminated.

He has acted as counsel on behalf of the Ontario Public Guardian and Trustee (PGT), representing those whose injuries render them incapable of making legal decisions. Such cases include a successful 22-day trial against the Ontario Provincial Police, *Pelletier v. Her Majesty the Queen*, involving a catastrophically injured cyclist. Darcy also represented a catastrophically injured motorcyclist on behalf of the PGT in *Youssef v. Redi-Mix Ltd.* The case went to the Supreme Court of Canada for leave after his victories at the Court of Appeal and Superior Court.

Darcy is a frequent speaker at conferences. He has published numerous trade papers and co-authored the chapter on municipal liability in the Oatley McLeish Guide to Personal Injury Practice in Motor Vehicle Cases.

The Law Society of Ontario has certified Darcy as a Specialist in Civil Litigation. It recognizes that he has “met established standards of experience and knowledge and maintained exemplary standards of professional practice.”





Michael Connolly

Michael is an impactful advocate for the seriously injured. His appeal and motion wins at the Supreme Court of Canada and the Ontario Court of Appeal evidence his effective navigation of legal complexities to ensure the court reaches a just outcome.

Notable examples include:

- ◆ Appearances at the Supreme Court of Canada and Ontario Court of Appeal to argue the interpretation of the *Insurance Act* and its intersection with exclusion clauses applicable to the cultivation of marijuana (2023 CanLII 8268 (SCC))
- ◆ Representation at the Ontario Court of Appeal of a pharmacy's insurance company to determine whether its insurer was obligated to cover the legal fees in a lawsuit against its employee (2022 ONCA 519)
- ◆ Successfully overturning a trial judge's assessment of damages at the Ontario Court of Appeal on behalf of a municipality (2022 ONCA 246)



B R



Our Trial Record
Sets Us Apart. Period.

Municipal Liability / Catastrophic Injuries

Trial Lawyers: Tim Boland and Darcy Romaine

In this \$16 million successful trial verdict, we represented Melinda, a catastrophically injured 18-year-old nursing student whose vehicle, on a winter night, lost control on County Road 88 between HWY400 and Bradford, crossing the centerline into oncoming traffic. Melinda sustained a severe brain injury. She was in a coma and remained in hospital for more than a year. Melinda would require extensive support, including 24-hour care, for the remainder of her life. Simcoe blamed the accident on Melinda, arguing that she lost control and that Simcoe's winter maintenance units had properly cleared and treated the roadway. We disagreed.

We interviewed every first responder and retraced every plough's movement, minute by minute. We revealed significant inconsistencies in Simcoe's records and numerous breaches of its Salt Management Plan. We found flaws in Simcoe's operations, including a decrease in plough operators during rush hour and neglect of County Road 88 resulting in sporadic salting and refreezing. During cross-examinations at trial, we successfully challenged the opinions of Simcoe's hired mechanical engineer and municipal engineer, who supported Simcoe's position that it had properly maintained the roadway.

In the end, the trial judge found that Melinda "lost control because of the conditions of the roadway, not the way she was driving."





Roycroft v. Kyte
1999 OJ NO 296 (Sup Ct.)

Dangerous Road Design / Quadriplegia, Cervical Fracture, and Fatality

Trial Lawyers: Tim Boland

This 17-day trial involved a tragic single motor vehicle accident. Bill Goff and Jonathan Roycroft were passengers in a vehicle that left the roadway at the crest of an old hill in the Town of East Gwillimbury. Bill sustained catastrophic injuries, including paralysis from his chest down and a brain injury. Jonathan sustained fatal injuries.

The Town denied liability and maintained its position throughout that the accident's sole cause was the negligent operation of the vehicle by the driver.

A lawyer who was aware of our expertise in municipal liability referred the case to us.

We succeeded in proving at trial that numerous roadway design deficiencies contributed to the driver's loss of control, including inadequate width, restricted sightlines, and a steep downslope on the north side. We also demonstrated that the reduced speed limit sign was insufficient to warn motorists of the hill's dangerous conditions.

The trial judge found it significant that the Town knew of previous accidents on the hill but only made changes following Bill and Jonathan's accident. The case broadened the admissibility of subsequent repair evidence. It also established that poor driving is not a bar to recovery against a municipality.

Immediately following the trial, the hill was flattened and made safer for the travelling public.

**Pelletier v. Ontario Provincial Police
2013 ONSC 6898 (Sup Ct)**

Cyclist Collision / Catastrophic Brain Injury

Trial Lawyers: Darcy Romaine and Tim Boland

This 22-day trial pitted Jerry, a young man with a troubled past, against an O.P.P. officer and his five colleagues.

Jerry was riding his bike at night without lights or reflectors, on the wrong side of the street, while wearing dark clothes and no helmet. He was struck by a police cruiser making a right turn at an intersection. The police claimed the collision occurred away from the intersection; Jerry's brief memory was that he was in the cross-walk.

Jerry sustained a catastrophic brain injury. His cognitive impairments were so profound that he could not provide legal advice. So the court appointed the Ontario Public Guardian and Trustee to act as his legal decision-maker.

In the end, we succeeded in proving that the accident happened as Jerry described, and not as the officer, the investigators and forensic engineer said that it had occurred. We recovered enough compensation for him that he will be able to live the remainder of his life with 24 hours of assistance, guidance, and care. The case also broadened the recovery rights of Good Samaritans.





Thornhill v. Shadid
2008 CanLII 3404 (ONSC)
Municipal Liability

Orthopaedic Injuries / Municipal Winter Maintenance

Trial Lawyers: Tim Boland and Darcy Romaine

The plaintiff, a nurse, was hit head-on by a motorist who lost control on snow-covered roads on Christmas Day.

The Regional Municipality of York relied on inaccurate records suggesting the road had been ploughed. It also relied on new regulations, O.Reg 239/02, *Minimum Maintenance Standards for Municipal Highways*, that set very low patrolling and ploughing standards.

We established that the records were implausible after-the-fact reconstructions and exposed the flaws and gaps in the Ontario regulation that put motorists at risk. Our efforts included hiring an American scientist who helped design the Apollo Lunar Roving Vehicle tires and developed Goodyear's test track to testify and inform the court about tire traction. Justice Howden's decision became the precedent-setting decision for all winter road maintenance cases in Ontario.

Following this trial, Ontario made changes to the regulation, mandating improved inspection practices in winter conditions. This case also represents the highest pain and suffering award given for an orthopaedic knee injury in Canada.

Silveira v. Regional Municipality of York
2014 ONSC 65 (CanLII)
2011 ONSC 4272 (CanLII)
2011 ONSC 4991 (CanLII)
2011 ONSC 6122 (CanLII)
2011 ONSC 4991 (CanLII)
2010 ONSC 969 (CanLII)
Silveira v. Her Majesty the Queen
2012 ONSC 3328 (CanLII) Div. Ct.

Challenging the Provincial Government / Traumatic Brain Injury

Trial Lawyers: Tim Boland and Darcy Romaine

Following the *Thornhill* case, we launched an Application against the Province of Ontario and the Regional Municipality of York on behalf of Ms. Silveira. She had lost control of her vehicle on the downslope of a snow-covered hill and came into a head-on collision with an oncoming motorist. Our mission was to have the regulation governing winter road maintenance declared invalid because it set dangerously low standards for municipal ploughs and sanders that put the motoring public at risk.

After numerous motions and appeals, the Province of Ontario redrafted the regulations, again. The Regional Municipality of York withdrew its reliance on the regulations as a defence in Ms. Silveira's case.





Jones v. Ross

(24 October 1991) Newmarket 4073/87 (ON SC)

Snowmobile Accident / Lumbar Spinal Fracture

Trial Lawyer: Tim Boland

Tim represented a snowmobile driver, Rob Jones, who was driving along a remote roadside when he was struck by an oncoming motorist who had crested a hill and sent Rob into a tree. The police charged Rob.

Rob fractured his lumbar spine, which required fusion surgery and Harrington rods. Tim represented him at Provincial Offences Court, where he was acquitted.

We then represented him in his civil action and took his case to trial. The other motorist was found 75% at-fault for travelling at an excessive speed and not keeping to the right side of the road. As an autobody mechanic, Rob relied on his physical wellbeing to earn his livelihood. The court awarded him compensation to reflect the negative impact his injuries would have on his ability to continue working as an autobody mechanic for the remainder of his career.

Cockburn v. Holmes

(28 April 2014) Newmarket, CV-08-091101-00, (ON SC)

Motorcycle Collision / Pelvic Fracture

Trial Lawyers: Tim Boland and Darcy Romaine

Hit the brake – Swerve left – Dump the bike! These were the split-second decisions Ron made as a van pulled out from a stop sign, turned right, then left across Ron’s path, at an off-set intersection. Ron went into the side of the van and was dragged 50’ across the road. The van driver was charged but acquitted at traffic court.

After the traffic court decision, Ron came to us. He had severe orthopaedic injuries that ended his career as a produce manager.

Following a month-long trial, the jury found the van’s driver to be 90% at-fault for the collision and awarded Ron enough compensation to fund his future care needs and replace the income he lost by having to retire early.





Gorman v. Falardeau
[2002] O.J. No. 5492 (ON SC)
[2003] O.J. No. 3317 (ON SC)
[2004] O.J. No. 1698 (ON SC)
[2005] O.J. No. 2213 (ON CA)

Multiple Collisions / Lawyer Referral

Trial Lawyer: Tim Boland

Bill Gorman was injured in three separate collisions under three different insurance compensation regimes. The trial was complex and pitted Bill against three defence lawyers.

Bill was fortunate enough to have a brother, John Gorman Q.C., who was himself a personal injury lawyer of 30 years and a former senior crown prosecutor. John referred his brother to Tim Boland. Go to bolandromaine.com to hear John tell you why he hired Tim and what factors are essential to consider when hiring a personal injury lawyer.

Following a lengthy trial in North Bay, the court recognized Bill's injuries and awarded him the highest award for chronic pain in the country up to that point. The defendants appealed. The Ontario Court of Appeal upheld the trial decision.

Taylor v. Allard
2009 OJ NO 1062 (Sup Ct.)
2010 ONCA 596 (ON CA)

Landlord Responsibility / Burn Injury

Trial Lawyer: Darcy Romaine

Lorne Taylor suffered 2nd and 3rd degree burns to his shoulder and arm when he fell into a 10' wide and 3' deep bonfire pit in the backyard of a rental property. No police or ambulance was called to the scene. The property owners concealed the bonfire pit and amassed statements from every guest that the incident happened at someone else's property. They later sold their property, which was bulldozed for the Highway 404 extension.

We secured permits from the provincial government and conducted a forensic excavation, locating the concealed bonfire pit. We proceeded to trial against the tenant who threw the party and the landlord who built the pit. Justice Marchand found liability against the tenant but not against the landlord, who made the pit but attempted to contract out of any responsibility for it.

We proceeded to the Court of Appeal, which reversed the trial decision and found liability against the landlord. The Court of Appeal established that a landlord could not contract out of his/her duty to keep the property safe.





Barbeau v. Ruchetta

(1 June 2012) Newmarket, CV-07-083931-00 (ON SC)

Pedestrian Collision / Orthopaedic Injuries

Trial Lawyers: Tim Boland and Darcy Romaine

We represented a pedestrian, Nancy, who was walking in a crosswalk when an inattentive truck driver struck her. As a result of the accident, Nancy suffered a significant fracture of her left tibia and fibula, which required emergent surgery and three additional surgeries, including a fusion. It was expected that she would require an additional three surgeries throughout her lifetime.

Nancy returned to her administrative job because she loved what she did, but she struggled with pain. The defendant's insurer refused to acknowledge that she would ever have a loss of income. We proceeded to trial. We called on Nancy's treating orthopaedic surgeon and family doctor to testify to her ongoing limitations, and we flew an independent witness in from Texas to tell the jury about the severity of the impact.

The jury returned a verdict awarding Nancy enough compensation to allow her to work significantly reduced hours until her retirement.

J. v. Jocko

(21 November 2012) Newmarket, CV-08-088760-00

(O.N. Sup. Ct.).

Dog Attack / Disfigurement and Psychological Injuries

Trial Lawyer: Darcy Romaine

This case involved a young boy who was viciously attacked by a dog and bitten about his face and neck. Sadly, the child was physically and psychologically scarred from the event. The challenge in the case was establishing the impact the emotional damage would have on his ability to earn income in the future.

Following the trial, the court awarded the child \$920,000 for the young boy's losses.





Derry v. C.F. Realty Holdings
(2 June 2016), Newmarket, Court File No. CV-09-093546-00
(ON SC)

Fall on Ice / Orthopaedic Injuries

Trial Lawyers: Tim Boland and Darcy Romaine

Gloria was an employee of The Bay at the Georgian Mall in Barrie. After her shift, she exited the mall and slipped on ice that had formed on the sidewalk. The defendants argued that Gloria's boots were the cause of her fall, as was her inattention.

We hired an expert tribometrist to measure the level of friction created between Gloria's rubber-soled boots to show they were of no consequence. We focused on a leak coming from the mall's roof, which it knew about, and was the cause of the ice.

Gloria sustained multiple complicated ankle fractures, which required surgery and extensive treatment. Her injuries were so severe that they eventually took her out of the workforce entirely.

The jury determined that the Georgian Mall was 90% responsible for the accident and returned a verdict that was more than double the amount that the defendants offered to settle for before trial.

Elder v. Rizzardo Bros Holdings Inc.
(22 November, 2016) Newmarket, CV-11-102525 (ON SC)

Fall on Ice / Fractured Elbow

Trial Lawyers: Tim Boland and Darcy Romaine

Helen fractured her elbow while walking through a grocery store parking lot. She slipped and fell on an icy concrete island beside a wheelchair accessible parking space.

The value of Helen's claim was agreed upon by the parties. Still, the defendant property owner and maintenance contractor did not accept any responsibility for the accident. They did not make any offer to settle. It was their position that Helen was 100% to blame. They came to a secret agreement to join forces against Helen. She had no choice but to concede or fight at trial. Helen chose to fight.

Through the trial, we established that the property owner's contractor's records were made-up and that the engineer's reconstruction was critically flawed and misrepresentative of the work that was actually performed.

The jury found the property owner 50% at-fault, the contractor 40% at-fault, and Helen 10% at-fault.





Nairn v. Merlino

(8 June 2017) Newmarket, CV-14-118923-00 (ON SC)

T-bone Collision / Neck Injury with Pre-Existing Conditions

Trial Lawyers: Tim Boland and Darcy Romaine

Tim was a union glazier who was T-boned at an intersection. He suffered soft-tissue injuries to his neck that prevented him from returning to his job, hanging large glass panels on skyscrapers. With the opinion of a neuro-surgeon, the defendant argued that his inability to work was due to a pre-existing condition, spinal stenosis, of which Mr. Nairn was unaware but was visible on diagnostic imaging.

After hearing from an expert orthopaedic surgeon at trial and from people who knew Mr. Nairn best, both before and after the accident, the jury awarded enough compensation to replace his inability to work and to compensate him for his pension losses.

Icy Driveway, Municipal Negligence, and Lawyer Negligence / Severe Knee Injury

Trial Lawyer: Darcy Romaine

Stanley Johnson, a water softener installer, slipped and fell on ice that had accumulated on the lower portion of a driveway – the apron – on a residential street in Newmarket. Mr. Johnson’s prior lawyer mistakenly released the Town from the action, unaware that the apron was within the road allowance and Newmarket’s responsibility.

To prove the case against the lawyer, we had to prove the case against the municipality as well, which included distinguishing a Court of Appeal decision that found a Town had no obligation to clear the apron of driveways. The defendant’s lawyer made a “zero” offer.

Through the evidence of homeowners and a climatologist, we established that the ice had persisted for at least five days. We exposed that Newmarket had received complaints about the state of its sidewalks and made empty promises to residents that it would take action, all the while having a policy of not clearing sidewalks.

The court determined that Newmarket was responsible for the apron and owed Mr. Johnson a duty of care, and by extension, that the predecessor lawyer was negligent for releasing the Town. No fault was found against Mr. Johnson, and he was awarded full compensation for his injuries.





Pedestrian Collision / Insurance Coverage

Trial Lawyer: Darcy Romaine

Ryan Holtzhauer was a pedestrian that suffered a brain injury and several fractures after being hit by a drunk uninsured motorist. He came to us after four previous lawyers were unable to resolve his claim and allowed it to be dismissed for delay. We were able to revive his lawsuit and add the Ontario Motor Vehicle Claims Fund – a public fund of last resort but with only \$200,000 of coverage – as an additional defendant.

Because the driver that hit Ryan did not have insurance, Ryan claimed against Intact Insurance, the insurance company of the mother of Ryan's child. Intact denied coverage to Ryan, arguing that their spousal relationship had severed so that he did not fall under the definition of a "spouse" in the insurance policy.

At trial, we drew from modern conceptions of "spousal" and "conjugal" relationships developed in other areas of insurance law to establish the permanence of the relationship between Ryan and his spouse, despite a history of separations and reconciliations. Through our cross-examination, an Intact claims adjuster admitted that Intact's approval of Ryan's accident benefits claim was based on an understanding that he met the definition of "spouse" under the policy.

As a result, the trial judge agreed with our position and ordered judgment against Intact.

(J.D. v F)

(November 2005) Court File No. 56900/00 (ON SC)

Rear-end Collision / Chronic Pain

Trial Lawyers: Tim Boland and Darcy Romaine

We represented a surgical nurse that suffered back injuries following a rear-end collision that threatened her ability to work up until normal retirement. She returned to her job after the accident but struggled with chronic back pain. The defendant's insurance company refused to recognize the risk to her future ability to earn income.

Following a 16-day jury trial, we succeeded in obtaining a verdict that surpassed our client's compromising offer to settle that was rejected by the insurance company. The judge described the trial as *"a hard-fought battle between the parties with 'no quarter asked and no quarter given'"* noting that the case *"became very complicated by the attitude adopted by the Defence which necessarily required counsel for the Plaintiff to prepare for and to conduct the trial in the manner as they did."*



How Much Does it Cost to Hire a Personal Injury Lawyer?

We only get paid when your claim is successfully resolved

The Law Society of Ontario strictly regulates personal injury contingency fee agreements. We will provide you with our contingency fee agreement during our initial meeting and discuss it with you in detail. It will include the following significant provisions:

- ◆ There is no upfront financial retainer
- ◆ You only pay legal fees when your case settles or after your successful trial
- ◆ The fee you pay is a percentage of the amount we recover for you
- ◆ The defendant will reimburse you for a significant portion of your fees
- ◆ If your claim is unsuccessful, you will not pay us any fees
- ◆ We carry the cost of obtaining the evidence to prove your case (disbursements)
- ◆ The defendant will reimburse you for the majority of your disbursements

Be careful of misleading “no win no fee guarantee” claims, implying no downside risk. Such claims only tell half the story. In the event of a loss, while you won’t pay your own lawyer’s fees, unsuccessful lawsuits can expose you to paying a portion of the defendant’s legal costs. However, at Boland Romaine, we help you obtain cost protection insurance to protect you from this outcome.

Your Future is Worth Fighting For

If you need our help, we would like to meet with you.

Call us for a free virtual or
in-person consultation at 905-841-5717.

We represent injured people across Ontario.
We only get paid upon a successful resolution of your claim.



www.bolandromaine.com



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