

news

# Fairness for damage claims varies with each individual

We are all, each of us, unique, with our own unique personalities, strengths and weaknesses.

Some of us seem more equipped than others to respond to what life throws our way.

Life events that devastate one person might, like water off a duck's back, not phase another.

A huge dump of snow for one person might be a fun way to get exercise.

For another, it is an impenetrable barrier to leaving their home.

The death of a close friend or family member will throw some into a debilitating depression.

Others are able to carry on after a brief period of mourning. Some of our elderly parents will never recover from a broken

## Achieving Justice

PAUL HERGOTT



What if the "life event" is your fault? What if it is something you did that, instead of water off a duck's back, caused another person devastating

consequences?

Do you accept full responsibility for the consequences of your actions? Or, do you instead try to avoid responsibility by blaming your victim for being more vulnerable to the impact of your actions?

These questions come up all the time in personal injury cases.

You crash into the back of a car that was just sitting there, waiting for a light to change.

Your victim might be a fit, flexible, young person whose body can withstand and bounce back from a whiplash injury. Alternatively, the crash might be that straw that breaks the back of a particularly susceptible camel.

The law is very clear. You (your insurance company) take full responsibility for what your negligent driving has caused.

It's a legal principle that's known as the "thin skull rule." Bash someone over the head with a bat, and you (your insurance company) "pay the piper," even if your victim's skull happens to be particularly thin and he suffers a more serious injury than someone with a thicker skull. It's a rule of law that fits with common sense morality.

There is another rule that deals with those who are more susceptible to injury from every day events, where stepping off a curb or shoveling snow would be enough of a "straw" to cause serious consequences.

That situation is referred to as "crumbling skull." A crumbling skull victim is entitled only to compensation to the extent a crash accelerates an otherwise inevitable outcome.

If an insurance adjuster tries to get away with blaming you for taking longer to recover than it might take others, hand over a copy of this column. We are all unique, and entitled to fair financial compensation for however a negligent driver's actions impact on each of us.

### This week's feature:

Montreal starts the auto show season...



drivewaycanada.ca

**WHAT COULD BE MORE IMPORTANT?**

Call to schedule **EYE EXAMS** for your family

**Visionfirst Optometry**  
Dr. Noel Erhardt & Associates

<b>West Kelowna</b> 15-2475 Dobbin Road <b>250-768-4020</b>	<b>Kelowna</b> 102-160 Dougall Road S. <b>250-765-1424</b>
<a href="http://www.visionfirst.ca">www.visionfirst.ca</a>	

**ASSA ABLOY**

ASSA ABLOY Entrance Systems

At Myron's Door and Gate Systems we are proud to announce that we have officially changed our name to ASSA ABLOY Entrance Systems. We are still the same great company with the same great people and products, just a new name to better reflect our capabilities! Our team could not be happier and in the coming months you will see our branding transform to reflect our new name. Keep a look out for our new trucks on the road!

250-860-0516
#9- 1925 Kirschner Road, Kelowna

# YOUR HEALTH

President's own story: 15 years ago I started to have arthritis, prostate, kidney, snoring and sleep apnea problems, which were all helped quickly with natural health products. I made it my life's purpose to help others. **Nick A. Jerch**



## ARTHRITIS



**Pain free in 2 weeks.** This is what happened to me personally. I tried drugs, acupuncture, magnets and many other methods. Finally after taking a specially processed shark cartilage I was pain free in 2 weeks. It gave me the idea that I could help thousands of the 5 million men and women suffering daily in Canada with the worst pain on earth to have less pain or no pain at all. *Nick A. Jerch, President of Bell Lifestyle.*

■ **For 40 years** I had injections and drugs and finally Bell Shark Cartilage #1 spared me the endless torture I suffered day and night with 3 bottles costing less than \$100. *Pat Laughlin, Coldwater, ON.* ■ **Cancelled knee replacement.** I was in pain and limping. Have no more pain now. Can square dance for hours. *Anton Melnychuk, Porcupine Plain, SK.* ■ **At first I was skeptical.** I gradually noticed an improvement. Then I took another brand. I was surprised having so much pain again. Eventually I realized that I needed to re-order Bell. Found relief again. *Marie Ciraulo, 72, Oakland, CA.* ■ **Many people on our website write:** "Can walk again for hours"; "Can climb stairs without hanging on to railing"; "First time in 15 years can

#1 NPN 80042283

sleep at night" **Rheumatoid arthritis** in joints down 90%, same for my sister... **Also guaranteed for sciatica.** Hundreds of testimonials all with full names and towns. Shark bones/cartilage was a previously thrown away by-product of the food industry. No sharks are caught for their cartilage. Don't let any activist confuse you.

## Frequent BATHROOM TRIPS?

### Men Bell Prostate Ezee Flow Tea

Men have relief in 3-5 days from dribbling, burning and rushing to the toilet. Relaxes blood flow for better erections. **Helps also with male incontinence.** Works in virtually every case. If you are considering surgery, try this tea first. Hundreds of delighted men testifying on our web site: ■ **Had to get up every hour** at night. Now I get up once a night. *Joseph Whittaker, Sewell, NJ* ■ **I cancelled my prostate surgery.** Get up once a night. I'm so happy not to have to face the torment of a prostate operation and possible incontinence and impotence. *Albert E. Blain, 74, Schumacher, ON* ■ **Even after TURP prostate surgery** and microwave therapy had to get up many times. Now down to 1-2 times. Tea is 100% better than drugs. *Robert G. Stocker, Eustasis, FL* ■ **After 1st year drinking tea** my PSA went down to 4.5; after 2nd year to 2.9; after 3rd year to 2.3. I highly recommend the tea. A real life saver. *Thomas M. Thurston, Forsyth, GA.* **Women** Ask for #4b Bladder Control Tea for Women. It seems so



#4a NPN 80051642

unbelievable, most women don't know there is a delicious tasting herbal tea available in all health food stores that stops incontinence, bladder infections, UTIs within days and women keep on wearing costly pads and diapers. Try the tea. It is guaranteed. Go shopping and travelling again worry free. We have helped tens of thousands of women.

## Shape and Health

**A new and improved natural product with the proven ocean kelp bladderwrack. Many men and women wrote us that this ocean kelp reduced cravings and hunger for sweets and starchy food.**

■ **Lost 15 lbs in 3 months.** Bell Shape & Health naturally curbed my appetite and actually gave me more energy for workouts. My friends and family are on it now too. *Latoya Daniella Scott, 29, Shuterville, SC.* ■ **Shape & Health decreased my appetite for sugary food.** Lost 5 lbs this month. I feel I have more energy. *Thank you. Barbara Huether, 66, Soper, OK.* ■ **Finally lost the extra weight I wanted to lose for years.** The instructions with Shape & Health helped to be more selective in non-fattening food choices. *Krystyne Petermann, 23, Pensacola, FL.*



#5-SH NPN 80051637

**AVAILABLE HERE** ■ **KELOWNA:** Abaco Health Ltd. 3818 Gordon Dr.; Mission Park Naturals 14 - 3151 Lakeshore Rd.; Natural Resources 525 Bernard Ave.; Nature's Fare Markets Orchard Plaza 1876 Cooper Rd.; Nutrition+ 140 Rutland Rd. S. ■ **ARMSTRONG:** Armstrong Pharmacy 3300 Smith Dr. ■ **BARRIERE:** Barriere IDA Pharmacy 4480 Barriere Town Rd. ■ **CHASE:** The Willows Natural Foods 729 Shuswap Ave. ■ **ENDERBY:** The Stocking Up Shop 702 Cliff Ave. ■ **FERNIE:** Cottonwood Tree 602 2nd Ave. ■ **KAMLOOPS:** Always Healthy 665 Tranquille Rd.; Fortune Health Foods 750 Fortune Dr.; Healthylife Nutrition 440 Victoria St.; Herbsana 450 Lansdowne St. ■ **Nature's Fare Markets** 1350 Summit Dr. ■ **LOGAN LAKE:** Logan Lake I.D.A. Pharmacy 108 Chartrand Ave. ■ **LUMBY:** Lumby Health Foods 1998 Vernon St. ■ **MERRITT:** Pharmasave 1800 Garcia St.; Tree house Health Foods 1998 Quilchena Ave. ■ **OSOYOOS:** Bonnie Doon Health Supplies 8511 B Main St.; First Choice Health Foods 8511 Main St. ■ **PENTICTON:** Nature's Fare Markets 2210 Main St.; Sangster's Health Centre 2111 Main St.; Vitamin King 354 Main St.; Whole Foods Market 1770 Main St. ■ **SALMON ARM:** Askew's Food Service 2701 11th Ave.; Nutter's Bulk & Natural Foods 360 Trans Canada Hwy. SW; Pharmasave Natural Health 270 Hudson Ave. NE; Shuswap Health Foods 1151 10th Ave. SW ■ **SORRENTO:** Nature's Bounty 1257 Transcanada Hwy. ■ **VALEMOUNT:** Valemount IDA 1163 5th Ave. ■ **VERNON:** Anna's Vitamin Plus Ltd 3803 27th St.; Lifestyle Natural Foods Village Green Mall 4900 27th St.; Nature's Fare Markets 3400 30th Ave.; Simply Delicious 3419 31st Ave. ■ **WESTBANK:** Thrive Naturals 2454 Dobbin Rd. Hy97; Nature's Fare Markets 3480 Carrington Rd.

Try your local health food stores first. If they don't have it and don't want to order it for you, order on our website or call us with Visa or Mastercard. Also available in many pharmacies.



**1-800-333-7995 www.BellLifestyle.ca**

Natural medicines are not altering the chemistry of our body and cause virtually no side effects.

100% Truthful testimonials with full name and towns. Real people you can call, if you want more reassurance. More testimonials on the Bell website. No money is paid for testimonials. To ensure this product is right for you, always read label and follow the instructions.

See videos: On Bell website and YouTube