

**Automobile Injury Appeal Commission  
Province of Saskatchewan**

**Citation:** *E.T. v. Saskatchewan Government Insurance,*  
2007 SKAIA 008  
**Date:** 20070213  
**File:** 112 of 2005

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**BETWEEN**

**E.T., Applicant**

**and**

**Saskatchewan Government Insurance, Respondent**

**Appearances:**  
**K.I. for the Applicant**  
**Allan McLeod, for the Respondent**

**Before:** **Jane Lancaster, Q.C., Chair**  
**Darleen Topp, Commission Member**  
**Joy Dobko, Commission Member**

**THIS DECISION HAS BEEN EDITED TO PROTECT THE PERSONAL AND HEALTH  
INFORMATION OF INDIVIDUALS BY REMOVING PERSONAL IDENTIFIERS AND  
OTHER IDENTIFYING INFORMATION.**

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Heard at Saskatoon, Saskatchewan  
February 7, 2008

## DECISION

[1] The Appellant, E.T., has appealed a June 28, 2005 decision letter of Saskatchewan Government Insurance (“SGI”) which terminated benefits for the Appellant pending further medical information.

[2] The Appellant was injured in a motor vehicle accident on June 8, 2001.

[3] K.I., husband of the insured, acting on a power of attorney filed an application to appeal the June 28, 2005 decision letter. This appeal was received by the Automobile Injury Appeal Commission (“AIAC”) on September 22, 2005.

[4] Documents have been filed by both parties but there had been some delay in setting the matter for a hearing as the Appellant had left Saskatchewan and is residing in Russia.

[5] An appeal management hearing was held on August 23, 2007 with counsel for SGI, the Appellant’s husband appearing for the Appellant and Barbara Tomkins, Commission member of the AIAC.

[6] As a result of the appeal management hearing, this matter was set for a hearing on February 7, 2008 in Saskatoon, Saskatchewan commencing at 9:00 a.m. The Appellant’s husband was advised that if he wanted to provide additional information, he should file that material before the hearing date and if, for some reason, he required a further adjournment, he should advise the AIAC 30 days prior to February 7, 2008.

[7] The Appellant’s husband was sent a notice of hearing and a letter confirming the arrangements made at the appeal management hearing.

[8] On January 18, 2008, the Appellant’s husband was sent a Confirmation of Hearing notification from the AIAC. As a follow-up, he was contacted by administrative staff as to his readiness to proceed on February 7, 2008 and he advised that he would be seeking a further adjournment.

[9] On February 7, 2008, the Appellant's husband formally requested a further adjournment of his wife's appeal. He indicated that his wife is residing in Russia and is not able for health reasons to travel to Saskatchewan.

[10] This has hampered his efforts to have his wife assessed by a neuro-psychologist which is what, in his view, will provide the information needed for him to proceed with her appeal. He indicated that he had been in contact with a neuro-psychologist the evening before this hearing (February 6, 2008) but no firm commitments or appointments were possible because his wife was still in Russia.

[11] The Appellant's husband advised that his plans were to have his wife do whatever she could do in Russia to get well enough to travel to Saskatchewan. He indicated that he was confident in the medical services she was getting in Russia and thought that this would happen by September, 2008. At that time, he would then arrange for her to see a neuro-psychologist. He asked that this matter be adjourned to 2009 at which time, he was hopeful, he would have the information so he could proceed.

[12] Counsel for SGI indicated that they were prepared to consent to this lengthy adjournment.

[13] We are prepared to agree to this request for an adjournment and have set this matter to proceed on February 4, 2009 at 9:00 a.m. in Saskatoon. This adjournment is peremptory on the Appellant's husband. A peremptory adjournment means that this matter will proceed on the date set without further adjournment barring extra-ordinary unforeseen events.

Dated at Saskatoon, Saskatchewan, on February 13, 2008.

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Jane Lancaster, Q.C., Chair

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Darleen Topp, Commission Member

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Joy Dobko, Commission Member