

**Automobile Injury Appeal Commission
Province of Saskatchewan**

Citation: *G.R. v. Saskatchewan Government
Insurance, 2011 SKAIA 036*

Date: 20110623

File: 070 of 2009

BETWEEN

G.R., Appellant

and

Saskatchewan Government Insurance, Respondent

Appearances:
G.R., Appellant
Lori Sandstrom, for the Respondent

Before: Joy Dobko, Chair

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

Heard at Saskatoon, Saskatchewan
June 21, 2011

DECISION

[1] An appeal hearing was convened in the matter of [Appellant] (the “Appellant”) vs. Saskatchewan Government Insurance (“SGI”) on June 21, 2011. The Appellant appealed SGI decisions dated December 8, 2008 and June 19, 2009 in which the insurer denied that the appellant was entitled to any further death benefits other than the minimum death benefit paid to him pursuant to Section 144(4) of *The Automobile Accident Insurance Act*.

[2] At the beginning of the appeal it became apparent that the Appellant mistakenly believed that SGI was disputing whether he was the common law spouse of [Common Law Spouse] at the time of her death. However, it was explained to the Appellant by SGI legal counsel and the Appellant’s brother, Mr. [Appellant’s brother] that SGI in fact accepted the appellant was living common law with [Common Law Spouse] at the time of the death and they paid the minimum death benefit accordingly.

[3] The only issue that remained outstanding was whether the Appellant may have a larger claim to death benefits beyond the minimum death benefit already paid. This type of calculation was reliant upon obtaining the amount of the yearly employment income of [Common Law Spouse] at the time of the accident. SGI submitted that based upon the financial information provided to them with respect to [Common Law Spouse]’s income at the time of the accident, no increased benefit was available to the Appellant. SGI, in discussions with the Appellant and his brother, explained how there was no entitlement to an increased benefit.

[4] After discussions with SGI legal counsel the Appellant and his brother were prepared to withdraw the appeal in the above noted matter.

[5] Accordingly, the appeal of [Appellant] against SGI has been withdrawn and the matter is closed.

[6] As the Appellant has withdrawn his appeal he is not entitled to any costs with respect to this appeal.

Dated at Saskatoon, Saskatchewan, on June 23, 2011.

Joy Dobko, Chair