Court File No. 2200/93

ONTARIO COURT OF JUSTICE
(General Division)

B E T W E E N :

LEONARD RENAUD, HEATHER RENAUD, and DONALD RENAUD, BILLY-SUE RENAUD, JAMIE RENAUD and JASON RENAUD, infants under the age of 18 years, by their Litigation Guardian, HEATHER RENAUD

Plaintiffs

- and -

ROBERT JOHN ORR and DONALD BARONS

Defendants

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P R O C E E D I N G S A T T R I A L

(Ruling on Motion)

BEFORE THE HONOURABLE MR. JUSTICE E. LOUKIDELIS
on June 9, 1997, at NORTH BAY, Ontario.

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APPEARANCES:

R. Oatley, Esq. — Co-counsel for the plaintiffs
G. Brock, Ms. — Co-counsel for the plaintiffs

B. Percival, Esq. — Counsel for the defendants

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provide could not be said to be so prejudicial that it would outweigh the present assistance it might provide to the jury. A jury is reminded more than once that counsel's opening address is not evidence itself.

Mr. Percival's objection to the coloured medical drawings gave me some concern. The artist's explanation will no doubt be required as to the accuracy of his or her scale. Also, the proposed Exhibit includes a copy of the actual scan, which provides a proper perspective. Again, the two drawings could be of assistance to the jury's understanding of the cause of the plaintiff's problem and should also be allowed to be produced during counsel's opening address.

On counsel's undertaking to prove the aids in evidence, I am prepared to allow him to produce the Exhibits which have been marked A, B, C, D-1 and -2 and E-1 and -2.

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THIS IS TO CERTIFY that the foregoing is a true and accurate transcription of the notes and recordings of S. Giroux to the best of my skill and ability.

Gayle Gilmore

Gayle Gilmore, Certified Court Reporter

Transcript Order Received: July 3, 1997
Transcript Completed: July 7, 1997
Counsel Notified: July 8, 1997