

June 9, 2016

DELIVERED VIA EMAIL

Mr. Alan Stanley
295 Wynn Rd.
P.O. Box 812, Cornwall
Elmwood PEI C0A 1H0

Dear Alan:

Re: Stanley v. Aresnault-Loeman
Our File No. 50304

This letter will serve to update you on our progress with your litigation.

Status of the Action

We have as you know, completed the Examinations for Discovery.

We are now engaged in the process of answering the several undertakings given on your examination and making sure the other side does likewise. I anticipate we will have completed this process by approximately the end of this month. Either side may then seek some relatively brief oral discovery on matters arising out of the answers to undertakings. Either side may also seek to move before the court to force the other party to answer questions refused on the Examinations for Discovery.

I view it as reasonably likely that we will have completed all such steps by mid September or so. We will then be in a position to set the action down for trial following which the court will arrange a pretrial conference before a judge to explore trial management issues and possible settlement. A date will then be set for trial.

I continue to be of the view that your action will be disposed of by in or around the first quarter of 2017.

Mediation

It is entirely likely (and perhaps mandatory in PEI) that the parties will agree to a mediation in an effort to get the action settled.

I will shortly be communicating with both Cynthia Taylor and the other lawyer in an effort to line up a mediation for November or so. I will keep you posted in this regard.

Experts

We are in the process of retaining experts to provide opinions on the following topics:

1. Liability for the accident including most particularly the opportunity for the defendant to have seen you before commencing his left hand turn. The accident reconstruction experts we have consulted in this regard are Dr. Stewart Smith of CR Tyner & Associates and Ken Zwicker (Atlanticrash.com). A decision on which one to retain will be made very shortly.
2. Your prospective future loss of income. I have retained Jessie Gmeiner, an expert actuary to prepare a report providing her opinions in this regard.
3. Your expected future care costs. I have retained Linda Stanley of Stanley & Associates to prepare this report.

I carefully selected these experts after reviewing their CVs and a number of cases each has testified in to determine judicial reaction to the quality of their opinions. I anticipate that both Ms. Gmeiner and Ms. Stanley will be in touch with you within the next several weeks in order to arrange a meeting with you to obtain information necessary for the formation of their opinions and the preparation of their reports.

I expect all of these reports to be in hand by late September. They will be carefully reviewed with you once they are in hand.

Opinion on your Case

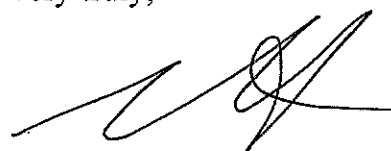
I continue to be of the view that you have a very strong case on liability and that your quantum of damages is such that it will exceed the available policy limits.

Offer to Settle

I will shortly be preparing an Offer to Settle. I will provide you with a copy of same once that has been done. This is all as discussed with you in March in Charlottetown.

Call me if you have any questions or issues you wish to discuss otherwise I will carry on and continue to report to you.

Yours very truly,

A handwritten signature in black ink, appearing to be 'GDEA', written in a cursive style.

Geoffrey D. E. Adair, Q.C.

GDEA/dg

cc. Ms. Cynthia Taylor