

## **School didn't dash Ont. teen's acting dreams, judge says in dismissing lawsuit; School dashed teen's acting dream, suit alleged**

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### **Body**

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TORONTO - An Ontario judge has dismissed a lawsuit from a teen who partially blamed her former high school for **dashing** her **dreams** of becoming a dancer and actress.

The lawsuit filed by Tiffany Peters alleged that negligence on the part of staff at Bramalea Secondary School in Brampton, Ont. led to a knee injury she sustained while taking part on the track and field team.

She alleged that injury led to chronic pain and a permanent disability that prevented her from pursuing her aspirations of stardom.

Justice David Edwards of the Superior Court of Justice dismissed Peters' claim in full, repeatedly describing her testimony as unreliable and her career hopes as "speculation."

Edwards accepted the testimony of various doctors saying Peters' current disability has more to do with her current weight than with a sports injury sustained in 2005.

Edwards also cited Peters' failure to pursue classes or training to further her prospective performing arts career.

"I find that the tear of her lateral meniscus in April 2005 and subsequent surgery, had no material impact upon the likelihood of Ms. Peters attaining her **dream** of being an actor, dancer and singer," Edwards wrote in his Aug. 2 decision. "The lack of preparation by her meant that her **dream** remained only a **dream**. It was mere speculation."

Peters' Lawyer, John Legge, said she "respectfully disagrees" with the decision and is weighing whether or not to challenge the ruling.

"As an appeal is being considered, and may be brought, neither my client nor I can say more at this time," Legge wrote in an email.

The teen's troubles began in the spring of 2005 when she joined the school track and field team as a sprinter and long-jumper, according to an agreed statement of facts presented in the ruling.

On the afternoon of April 19, Peters alleged she was practising long jumps at the school's pit when she injured her left knee. X-rays taken the next day showed some "joint effusion," and she was sent home after having her knee iced and wrapped in a tensor bandage.

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Continuing discomfort sent her to her doctor three months later, and a subsequent MRI revealed a tear in the knee.

The decision stated that she underwent a partial lateral meniscus meniscectomy in January 2006.

Various medical experts were called as part of the suit and confirmed that Peters' knee had deteriorated over the years. Most of them, however, cited her weight as a key factor in the decline and concluded her current struggles were not related to her previous track and field injury.

Peters' legal action was focused on employees at her former high school, whom she accused of being negligent before, during and after the injury.

She alleged that coach Lana Del Maestro did not instruct her on safe jumping techniques, did not inspect the condition of the long jump pit prior to the injury, and did not check on her while she waited for transport home.

Edwards dismissed Peters claims in this and nearly every other facet of her testimony, noting that her evidence changed noticeably at various phases of the trial process.

"I have concluded that Ms. Peters' evidence is not reliable," he wrote of her overall testimony. "Her evidence was replete with inconsistencies, some insignificant; some very significant."

Edwards also pointed to times at which Peters' evidence was contradicted by third-party documents, such as school and hospital records that indicate her recollection of key dates was faulty.

For instance, Peters claimed missing weeks of class after sustaining her injury, while documents from the school suggest she missed only a handful of courses the day afterwards.

Those documents, in turn, tally with provincial health records showing she sought treatment at the hospital on that day, a fact Peters had denied.

Edwards was equally candid in Peters' assessment of the impact her injury had on her artistic goals.

She said she abandoned her acting dreams in university after securing a role that required her to throw herself to the ground while on stage. She contended her physical limitation prevented her from executing that move and said she nearly lost the part as a result.

A guest speaker at the American university she attended later advised her to abandon acting due both to her weight and her previous knee injury.

Edwards said Peters undertook minimal training to achieve her career goals even before her injury, citing enrolment in a single hip hop dance class, a few years of private vocal coaching and one year of high school drama.

In dismissing Peters' lawsuit and declining to award damages, Edwards was blunt in his assessment: "I find that there is no reason to calculate the differential between the earnings of an actor, dancer and singer to what occupations Ms. Peters can now likely attain."

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