

Cv-13-484071

FORM 14E
Courts of Justice Act
NOTICE OF APPLICATION

Paul Taylor

(General heading)

U.S.

Work place Safety & Insurance Board

NOTICE OF APPLICATION

Work place Appeals Tribunal

(Court seal)



TO THE RESPONDENT

A LEGAL PROCEEDING HAS BEEN COMMENCED by the applicant. The claim made by the applicant appears on the following page.

THIS APPLICATION will come on for a hearing on (day), (date), at (time), at (address of court house).

6 November 10am 393 University Toronto, ON

IF YOU WISH TO OPPOSE THIS APPLICATION, to receive notice of any step in the application or to be served with any documents in the application, you or an Ontario lawyer acting for you must forthwith prepare a notice of appearance in Form 38A prescribed by the Rules of Civil Procedure, serve it on the applicant's lawyer or, where the applicant does not have a lawyer, serve it on the applicant, and file it, with proof of service, in this court office, and you or your lawyer must appear at the hearing.

IF YOU WISH TO PRESENT AFFIDAVIT OR OTHER DOCUMENTARY EVIDENCE TO THE COURT OR TO EXAMINE OR CROSS-EXAMINE WITNESSES ON THE APPLICATION, you or your lawyer must, in addition to serving your notice of appearance, serve a copy of the evidence on the applicant's lawyer or, where the applicant does not have a lawyer, serve it on the applicant, and file it, with proof of service, in the court office where the application is to be heard as soon as possible, but at least four days before the hearing.

IF YOU FAIL TO APPEAR AT THE HEARING, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO OPPOSE THIS APPLICATION BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

Date July 4th / 2013

Issued by [Signature]

Local registrar

Address of court office

393 University Ave.
Toronto ON M5G 1E6

TO *Workplace Safety and Insurance Appeals Tribunal*
505 University Avenue
7th Floor
Toronto, ON M5G 2P2
Tel: 416-314-8800
Fax: 416-326-5164

AND TO *Workplace Safety & Insurance Board*
200 Front Street West
Toronto, Ontario M5V 3J1
Tel: 416-344-1000
Fax: 416-344-4684

AND TO *Attorney General of Ontario*
Crown Law Office - Civil
720 Bay Street
8th Floor
Toronto, Ontario M7A 2S9
Tel: 416-326-4008
Fax: 416-326-4181

APPLICATION

1. The applicant makes application for: *hat the Workplace Safety & Insurance Appeals Tribunal - WSIAT Decisions 691/05 and 691/05 R, be set aside. That the following be ordered:*

- a) *Injury entitlement be granted for the mid and upper back*
- b) *Permanent impairment be granted for the mid, & upper back and neck*
- c) *That the Suitable Employment and/or Business – “SEB of Civil Mechanical and Electrical Engineers – 213” and “Technical Occupations in Computers and Information Systems – 218, both be deemed unsuitable*
- d) *That the workers medical restrictions are as stated as follows:*
 - i. *Lifting: no more than 5kg*
 - ii. *Carrying: no more than 5kg*
 - iii. *Pushing/Pulling: No repetitive pushing/pulling weights greater than 10kg*
 - iv. *Sitting/Standing: Rotate sitting standing positions, provide lumbar support stool*
 - v. *Climbing Stairs & Ladder: as tolerated*
 - vi. *Kneeling: minimal due to low back effort*
 - vii. *Crouching & Crawling: Minimal due to low back effort*
 - viii. *Reaching Forward & Overhead: as tolerated*
 - ix. *Reaching Bending: minimal repetitive reaching when bent from waist*
 - x. *Handling: with weight less than 5kg*
- e) *That the worker be compensated for all expenses for his new Labour Market Re-Entry Program – LMR program (LMR is commonly known as career training)*
- f) *That full benefits be paid for:*
 - i. *From March 8, 2000 to Prior to the LMR program*
 - ii. *During the LMR program*
 - iii. *up to 1 year after completion of LMR program*
- g) *Redetermination of FEL award at D1 and R1.*

2. *The grounds for the application are:*

- a) *That the WSIB and WSIAT did not comply with the Workers' Compensation Insurance Act, RSO 1990. They acted in bad faith under section 88 subsections (2) and (3).*
 - i. *The WSIB acted in bad faith by failing to comply with WSIB policies in rendering decisions - WCB ACT 1990 RSO 1990*
 - ii. *The WSIB did withhold pertinent information from the worker in regards to the LMR plan selection process*
 - iii. *The WSIB acted in bad faith by changed crucial facts in the claim file when it suited their interests and in doing so violated Board policy and law*
 - iv. *The WSIAT acted in bad faith by not following the Workers Compensation Board policies in rendering their decisions – Benefit of doubt*
 - v. *The WSIAT acted in bad faith, by not following and complying with the Ontario Human Rights Code – dealing with a person with a prior disability. Part 1 section (1) of the Ontario Human Rights Code RSO 1990*

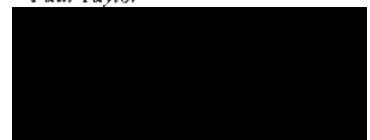
iii. *The WSIAT acted in bad faith, by not following and complying with the Ontario Human Rights Code section 10 subsection (3)*
- b) *The WSIB violated contract law*
 - i. *when they signed an agreement knowing it contained major discrepancies they later changed the information and terms of the contract*

3. *The following documentary evidence will be used at the hearing of the application:*

*WSIAT Volumes 1 &2,
WSIAT Addendums 1-13,
WSIAT Decision 691/05 & 691/05 R, and
Other documentation that was submitted to WSIAT for reconsideration decision 695/01 R.*

(Date)

Paul Taylor



Paul Taylor v. WSIA + WSIB

Court file no. CV-13-484071

ONARIO SUPERIOR COURT
OF JUSTICE
Proceedings commenced at

Natick et Applicables

Name, address and telephone number of petitioner

Paul Taylor

