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**From:**  
**Sent:** March 12, 2024 12:08 PM  
**To:** Andrew C. Murray, C.S.  
**Subject:** \*EXT\*-Re: Teams videoconference of March 11, 2024 (as summarized by Copilot)

Hi Andrew,

Yes this looks accurate.

Thanks,

Katie

On Mar 11, 2024, at 11:02 AM, Andrew C. Murray, C.S. <AMurray@lerner.ca> wrote:

Katie – see the meeting as summarized by Copilot. Is this accurate from your perspective?

*Generated by Copilot. Be sure to check for accuracy.*

**Key Topics:**

1. **Statement of claim:** Andrew explained the purpose and process of issuing a statement of claim to Katie, who agreed to proceed with it. 1
2. **Limitation period:** Andrew advised Katie that issuing the claim before September 2024 would avoid the risk of the two-year limitation period expiring. 2
3. **Plaintiff and defendant:** Andrew informed Katie that he only named her as the plaintiff and as the defendant, based on his assessment of the damages and the statutory deductible. 3
4. **Next steps and expectations:** Andrew discussed the possible scenarios and timelines after issuing the claim, and how he would communicate with the adjuster and the defense lawyer. He also cautioned Katie that the statement of claim is not evidence and that she might see some allegations in the statement of defense that would upset her. 4
5. **Filing fee and disbursements:** Andrew explained that there would be a filing fee and other out-of-pocket costs associated with the claim, which he would pay on Katie's behalf and recover from the defendant's insurance company if successful. 5
6. **Update on Katie's condition and treatment:** Katie gave Andrew a detailed update on her physical, cognitive, and emotional symptoms, as well as her work and leisure activities that have been affected by the accident. She also mentioned the medications and therapies she has been taking and the challenges she faces with her insurance coverage and her employer's accommodation. 6
7. **Expert report:** Andrew suggested that he would send Katie to a specialist who deals with post-concussion complaints to get an opinion that would help with her treatment, her accident benefits, and her lawsuit. 7

Some of Katie's complaints related to her day to day activities are:

1. She cannot golf because the horizontal head movement causes dizziness. She tried it once under the supervision of her physiotherapist and it did not work. She also missed the last few months of her parents owning a golf course and she has a membership that she cannot use. 1
2. She cannot ski because the chair lift and the balance issues also trigger dizziness and headaches. This is the second winter since she was two that she has not been able to ski. Her dad is the \_\_\_\_\_ at \_\_\_\_\_ a ski resort and she lives 10 minutes away from it. 2
3. She cannot paddle board or participate in work events like volleyball or baseball leagues because of her dizziness and headaches. She also has trouble with some in-office team bonding activities that involve spinning or moving around. 3
4. She cannot walk her dog without getting dizzy because of the sudden neck movements when he stops or sniffs things. She has had to call her parents to pick her up a few times when she was not near her house. 4
5. She has headaches throughout the day that affect her concentration and performance at work. She has been taking Tylenol and amitriptyline, but they are not fully effective and have side effects. She also has cognitive delays and memory problems that make it harder for her to use technical language or teach co-ops. 5
6. She has vision problems that make her sensitive to light and cause her to wear rose-colored glasses. She cannot go to the office as much as she used to because of the lights and the noises. 2
7. Katie said that cooking often brings her symptoms because of the movement of going back and forth, and that she does not have enough "spoons" (meaning, if she starts out with 20 spoons for the day, she uses them all up just for work, which is her priority) for meal preparation after working long hours. She said that her parents help her with cooking and sometimes bring her food to her apartment, or she eats bag salads. 1
- 8.

Some of the ways in which Katie's complaints negatively impact her work as an accountant are:

1. She has headaches throughout the day that affect her concentration and performance. She has been taking Tylenol and amitriptyline, but they are not fully effective and have side effects. She also has cognitive delays and memory problems that make it harder for her to use technical language or teach co-ops. 1
2. She has vision problems that make her sensitive to light and cause her to wear rose-colored glasses. She cannot go to the office as much as she used to because of the lights and the noises. 2
3. She has dizziness that is triggered by horizontal head movement, balance issues, or physical exertion. She cannot participate in work events like golfing, skiing, volleyball, or baseball leagues, or some in-office team bonding activities that involve spinning or moving around. She also cannot walk her dog without getting dizzy because of the sudden neck movements when he stops or sniffs things. 3
4. She has to rely on her parents to drive her to her therapy appointments, which are twice or three times a week, because they bring on symptoms. She also stays at her parents' house more often because the elevator in her apartment drives her head insane. 4
5. She has to manage her energy and "spoons" according to the "red light green light theory". She has to prioritize her work over her activities and sometimes cannot do anything after work.

According to the transcript, Katie's employer is very accommodating of her concussion-related problems. Some examples of the accommodations they provide are:

1. They allow her to do as much therapy as she wants during the week and adjust her work hours accordingly. 1
2. They are trying to make her work schedule easier by reducing her deadlines and hours, especially during the busy season. 2
3. They are supportive and understanding of her symptoms and limitations, and do not pressure her to go to networking events or other activities that might worsen her condition. 3
4. They are supportive of her need to work at home to accommodate her photophobia and she has a sit-stand desk at her apartment to help her with her neck pain. 4
5. They have other staff members who have experienced concussions and can relate to her situation and advocate for her. 5

6. Andrew's advice about speaking to her doctor about nortriptyline was to ask if she could switch from amitriptyline to nortriptyline, which is a similar medication but with fewer side effects of fatigue and drowsiness. He also suggested that she could try taking it earlier in the day, instead of before bedtime, to avoid feeling groggy the next morning. He shared his own experience of taking nortriptyline for headache prevention and how it helped him. 1

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## **ANDREW C. MURRAY, C.S.**

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