

Case No.

11690302948

DISP
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Provincial Court of Alberta
(Civil)

Dr. Cory Toth Professional Corporation

Plaintiff



and
 Ms. Michelle J. Reeves of Attia Reeves, 10525 Jasper Ave. N.W., Suite 200, Edmonton, AB T5J 1Z4
 and WESTERN MEDICAL ASSESSMENTS CORP., 17204 106A Avenue, Edmonton, AB, T5S1E6
 Defendant

Dispute Note

on behalf of the following parties:

WESTERN MEDICAL ASSESSMENTS CORP., 17204 106A Avenue, Edmonton, AB, T5S1E6
(c/o Dr. ROGER G. HODKINSON)

1. I dispute the Plaintiff's Civil Claim for the following reasons:

Please see schedule "A"

2. I Counterclaim or Claim a set-off for \$ 5,000.00, for the following reasons:

I will be calling 1 witnesses.

I abandon that part of my Counterclaim that exceeds the financial jurisdiction of this Court.
I understand and agree that I cannot recover in this Court or in any other Court the part of my Counterclaim that is abandoned.

3. My address for service is:

City	Province	Postal Code	Res. Phone	Bus. Phone
17204-106A Avenue	Edmonton	Alberta	T5S 1E6	780-433-1191 / 780-433-1191

Dated 20th June 2016

at Edmonton, Alberta.

Signature of Defendant / Agent / Solicitor

Dr R HODKINSON
Print Name

Western Medical Assessments Corp.

Schedule "A"

Western Medical Assessments (WMA) disputes for the following reasons:

1. WMA expects all professionals working as providers of medical opinions to disclose details of their professional and personal lives that would be adverse, negative, or contradictory when being selected as an expert.
2. Dr Toth failed to disclose that he had committed a breach of integrity in his relationship with the University of Calgary.
3. In consequence of Dr Toth's failure to disclose, WMA has suffered damages to the company's reputation, which we estimate at \$5,000.00

Dr Toth was found by the University of Calgary to have committed a breach of research integrity and that he manipulated data. Had this information been disclosed to WMA, as it ought to have been, he would not have been selected as an expert for this case. He had an ethical obligation to disclose that he knew, or ought to have known, that he was in breach of integrity. He should have known that his opinion would not be accepted by the court.

Western Medical Assessments Corporation



Dr Roger Hodkinson M.A., M.B. (Cantab), FRCPC
Medical Director
RGH/paw