



Tribunal File Number: **17-006070/AABS**

In the matter of an Application pursuant to subsection 280(2) of the Insurance Act, RSO 1990, c I.8, in relation to statutory accident benefits.

Between:

[REDACTED]

Applicant

And

Aviva Insurance Canada

Respondent

ORDER

Order made by: **Sandeep Johal, Adjudicator**

Date of Order: **May 1, 2018**

ORDER

- [1] A case conference took place on February 15, 2018 whereby the applicant did not attend contrary to Rule 14.6 of the Licence Appeal Tribunal Rules of Practice and Procedure (the "Rules").
- [2] The order dated February 21, 2018 scheduled a second case conference for March 1, 2018 and put the applicant on notice that should he fail to attend the case conference for March 1, 2018 he will be provided with a formal notice that his appeal may be dismissed without a hearing pursuant to Rule 3.5 of the Rules.
- [3] On March 1, 2018 the applicant did not attend via teleconference for the case conference.
- [4] The order dated March 5, 2018 provided notice to the applicant that the

Tribunal may dismiss the applicant's appeal as abandoned in accordance with Rule 3.4(d) and that the parties have the right to make written submissions on the Tribunal's intention to dismiss the applicant's appeal without a hearing.

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- [5] The parties had until March 22, 2018 to provide their written submissions to each other and the Tribunal. Should the applicant fail to provide any submissions in accordance with Rule 3.5(c) the Tribunal will consider the applicant's appeal as abandoned and the application will be dismissed.
- [6] The applicant failed to attend at two scheduled case conferences and failed to provide any written submissions on the Tribunal's intention to dismiss the application under Rule 3.5. Accordingly, the applicant's appeal is considered abandoned and the application is dismissed.

Date of Issue: May 4, 2018

Sandeep Johal, Adjudicator