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## GUY BROWN QUOTED IN "LAWYERS WEEKLY" ARTICLE REGARDING COURT AWARDING MEDICAL MARIJUANA COSTS IN CIVIL CASE

August 19, 2011

The British Columbia Supreme Court has included the cost of medical marijuana in an award in a recent medical malpractice case.

Harper Grey's [Guy Brown](#) clarifies the significance of the ruling in an article about this case which was published in the August 19, 2011 edition of *The Lawyers Weekly*.

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*by Christopher Guly*

August 19, 2011– The British Columbia Supreme Court has included the cost of medical marijuana in an award in a recent medical malpractice case.

In *Joinson v. Heran* [2011] B.C.J. No. 1010, Justice Neill Brown awarded the plaintiff \$30,000 in costs to purchase medical marijuana. "For the first time in Canadian law, a judge ordered that the cost of care included medical marijuana," explains civil litigator Gene Fraser, who practices personal injury and medical malpractice law at Becker & Company Lawyers in the Vancouver-area community of Pitt Meadows. "In the past, the issue of medical marijuana has only come up in criminal cases involving possession and whether or not someone should have been charged. Here, we have a civil case where the judge actually ordered the cost of medical marijuana be covered by the defendant – and that makes a landmark case."

..."The case will be of interest to any insurance provider, explains Guy Brown, a senior civil litigation partner with Harper Grey LLP in Vancouver, who represented [the surgeon] in a 21-day trial that began in July 2010 and concluded in December. "As far as I know, medical marijuana is not covered in any provincial medical plans, so this is something defendants could be facing in the future in terms of exposure."

The full story can be found in the August 19, 2011 edition of [The Lawyers Weekly](#).