

Dog Bite Damages: 10 Separate Bites = \$30,000 Damage Award for Plaintiff

The Issue

What is the valuation of several ‘minor’ dog bites, where the plaintiff “received a tetanus shot, antibiotics and the wounds were cleaned and stapled”?

Specifically, the adult male plaintiff suffered these physical injuries:

- 1) Right inner arm:
 - 3 cm. bite requiring 3 staples
- 2) Outer arm:
 - 1 cm. bite requiring 2 staples
- 3) Right forearm:
 - Scratch from a bite
- 4) Left calf:
 - 2 cm. bite requiring 3 staples
 - 1 cm. bite requiring 2 staples
 - 2 cm. and 1 cm. bites requiring no staples
- 5) Right flank:
 - 5 - 1 cm. bites

Why This Matters

If you are hurt by a dog bite and choose to sue, then your lawyer will first seek to determine whether there is an insurance policy to claim against with your lawsuit. The target is whether the owner of the dog has a homeowner's insurance policy

If there is no insurance policy, then your lawyer will seek to determine whether the dog owner has assets (i.e. a house, stocks, etc) to pursue.

If the dog owner does not have an insurance policy nor assets, then often, the dog owner will simply fail to respond to a lawsuit against them, as was the situation in the recent case of [Liu and Yi v. Demasi, 2012 ONSC 4061 \(CanLII\)](#).

The Details

In this case, the entire lawsuit was uncontested. The plaintiffs decided to proceed to a Trial decision, likely, in the hope that the defendant actually did have assets or to keep up pursuit of the defendant to ensure that he did not obtain assets in the future (without first going bankrupt to extinguish the lawsuit award of damages against him).

At Trial, the two plaintiffs sought approximately \$73,000 in damages and were awarded approximately \$52,000 in damages.



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For more information on dog bites, see our March/2011 blog: [Dog Bites and Lawsuits Go Hand in Hand](#)

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