



Affidavit #1 Krystiana Corrado
Sworn September 25, 2012
No. S090663
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

**CAMBIE SURGERIES CORPORATION, CHRIS CHIAVATTI by his litigation guardian
RITA CHIAVATTI, MANDY MARTENS, KRYSTIANA CORRADO by her litigation
guardian ANTONIO CORRADO and ERMA KRAHN**

PLAINTIFF

AND:

**MEDICAL SERVICES COMMISSION OF BRITISH COLUMBIA, MINISTER OF
HEALTH SERVICES OF BRITISH COLUMBIA AND ATTORNEY GENERAL OF
BRITISH COLUMBIA**

DEFENDANTS

AND:

SPECIALIST REFERRAL CLINIC (VANCOUVER) INC.

DEFENDANT BY COUNTERCLAIM

**DUNCAN ETCHES, GLYN TOWNSON, THOMAS MACGREGOR, THE BRITISH
COLUMBIA FRIENDS OF MEDICARE SOCIETY, CANADIAN DOCTORS FOR
MEDICARE, MARIËL SCHOOFF, DAPHNE LANG, JOYCE HAMER, MYRNA
ALLISON, and CAROL WELCH**

INTERVENERS

AFFIDAVIT #1 OF KRYSTIANA CORRADO

I, KRYSTIANA CORRADO, high school student, of Vancouver, British Columbia,
MAKE OATH AND SAY AS FOLLOWS THAT:

1. I am a plaintiff in this action and as such have personal knowledge of the facts deposed to herein except where those facts are stated to be based upon information and belief, which facts I believe to be true.

2. I am currently 17 years old. I am a grade 12 student at Notre Dame Regional Secondary School in Vancouver, British Columbia. I live in Vancouver with my parents, Antonio and Anna Corrado.
3. I am aware that the defendant, the Medical Services Commission (the "Commission"), has applied for an injunction against the Plaintiff Cambie Surgeries Corporation ("CSC") and the Defendant by Counterclaim Specialist Referral Clinic ("SRC") to prohibit the contravention of the *Medicare Protection Act* (the "Act"), specifically sections 17(1) and 18(3), which relate to billing practices for benefits under the *Act*. I understand that if the injunction is granted, it will prevent individuals like me from seeking treatment at CSC and SRC, even when faced with unreasonable wait times in the public health care system.
4. I make this affidavit in support of the CSC's and SRC's opposition to the Commission's injunction application.
5. I believe that individuals in British Columbia who are experiencing symptoms that have a serious negative impact on them, and are faced with unreasonable wait times in the public health care system, should have the same access that I had to the timely medical services provided by the CSC and the SRC. I also believe that this should not be altered or changed until it is determined whether this is a constitutional right for all citizens of British Columbia.
6. As I will explain below, following a serious knee injury in April 2011, I learned that I would have to wait several months before I could have the surgery I required in the public health care system. The physical pain I experienced at this time affected all aspects of my life, including my school work, my ability to play sports, and my emotional well-being. Ultimately, I had the required surgery at the Cambie Surgery Centre (operated by CSC), six months earlier than I could have had in the public health care system.
7. Prior to my injury in April 2011, I was a competitive soccer player. I started playing soccer when I was 5 years old, and since then I have played at the highest level possible

for me. In addition to playing on my school team at Notre Dame Regional Secondary School, for several years I have played on a summer team called "Mountain FC", as well as a City-wide metro team called "Vancouver FC".

8. During my grade 10 year at Notre Dame Regional Secondary School, and up until my injury, I played on the City-wide metro soccer team, and had started to play on my school's senior soccer team. I also played on my school's junior volleyball team and junior basketball team. At that time, to maintain my soccer skills, I attended a minimum of two to three soccer practices per week (depending on the time of year), in addition to games.
9. When I started grade 10, I was also eager to obtain a soccer scholarship to a Canadian university. Growing up, I watched my older brother obtain a football scholarship to play on the Simon Fraser University football team. This opened my eyes to the possibility of obtaining a sports scholarship, particularly the possibility of a soccer scholarship. Having seen my brother's experiences, I knew that in order for me to be eligible to obtain a soccer scholarship, I need to work hard on my soccer skills, while studying hard and achieving great grades. I had always wanted to go to university, but to play soccer at the university level became a goal for me in grade 10.
10. On April 14th, 2011, while I was playing in a soccer game in Coquitlam, I twisted my right knee as I planted my right foot down to turn. I immediately felt intense pain in and around my knee. I was unable to walk, let alone put weight on my knee. My father was watching the soccer game and he took me right away to the emergency department at Eagle Ridge Hospital in Port Moody, where I had X-rays taken of my knee. The physician I met with told me that the X-rays showed no evidence of bone-chips and that he did not suspect I had damaged ligaments in my knee. He briefly talked about how there are many ligaments in my knee but he was not sure if I had injured any. At the hospital I was given some Tylenol and told by the physician to take more if I needed to relieve the pain. I was then sent home with crutches. When I left the Eagle Ridge Hospital my knee was very swollen and the pain continued.

11. As the physician at the hospital had been unsure of my injury and could not immediately tell me the diagnosis, he told me to follow up with my family doctor. Later that same day, I went to my family doctor, Dr. Mary Weckworth, for further examination. Dr. Weckworth told me to return for another appointment with her once the swelling in my knee had subsided.
12. Approximately one month later, in mid-May 2011, my knee remained swollen and I was still experiencing pain. I could only walk with crutches. I made another appointment with Dr. Weckworth. At my appointment with Dr. Weckworth in mid to late May 2011, Dr. Weckworth advised me that she was concerned with my knee and the pain I was experiencing, and believed that I should have an MRI. Dr. Weckworth told me that there was a great possibility that I had torn or partially torn a ligament in my knee, which might require surgery, but she was not certain. Dr. Weckworth arranged for me to have an MRI at Burnaby Hospital on June 2, 2011.
13. On June 2, 2011, I attended at Burnaby Hospital for an MRI scheduled for me by Dr. Weckworth. Following the MRI, I had an appointment with Dr. Weckworth where she informed me of the results of my MRI. She told me that I had torn my anterior cruciate ligament ("ACL") and would likely require surgery. When I received this news I was devastated. I was angry and frustrated that I could not play soccer. Dr. Weckworth told me the next step was to wait for an appointment with an orthopaedic surgeon.
14. Dr. Weckworth referred me to an orthopaedic surgeon, Dr. Reilly, at B.C. Children's Hospital in Vancouver.
15. When I contacted Dr. Reilly's office to make an appointment, I was told by the receptionist that Dr. Reilly was not available for a consultation until October 2011. I was told that I was scheduled for a consultation with Dr. Reilly on October 19, 2011.
16. In the months following my injury and leading up to my consultation with Dr. Reilly, I experienced constant and severe pain in my knee. I continued to use crutches because walking was very painful. I had difficulty sleeping. I could not play soccer. As a result,

I was unable to participate in the playoff games played by my school team, as well as my City-wide metro team. I also missed the tryouts for the summer team I played on the previous two years. I could not participate in the try-outs for the grade 11 team at my high school or the City league team either (tryouts for my city league are normally held prior to summer).

17. On October 19th, 2011, I attended a consultation with Dr. Reilly. Dr. Reilly told me that he had reviewed my MRI results and confirmed that I had a torn ligament in my knee (specifically a torn ACL). He told me that I required surgery.
18. Dr. Reilly told me that the next step was to put me on a waitlist for surgery. He told me that I could be placed on his waiting at B.C. Children's Hospital but that there was no guarantee that he would perform surgery, because by the time my name got to the top of the list, I would be over the age limit for surgery at B.C. Children's Hospital, as I was turning 17 in April 2012.
19. Instead, I asked Dr. Reilly to refer me to Dr. Fadi Tarazi at Burnaby General Hospital. I knew of Dr. Tarazi because a friend of mine had also torn his ACL and had surgery done by Dr. Tarazi. When I contacted Dr. Tarazi's office to make an appointment, I was told by the receptionist that the next available appointment was two months away. I was booked for an appointment on December 2, 2011.
20. On December 2, 2011, I attended the appointment with Dr. Tarazi at the Burnaby General Hospital with my father. Dr. Tarazi told me that the next available date for surgery was not until July 2012.
21. When Dr. Tarazi told me that I would have to wait until July 2012 for surgery, I was upset and discouraged. By then, I had been suffering knee pain for almost nine months. I could not play soccer for my entire grade 11 year. This was upsetting for me not only because I love to play soccer, but because I believed it would undermine my chances of obtaining a soccer scholarship from a university in my grade 12 year. I believed my only chance of obtaining a soccer scholarship would be based on my soccer performance in

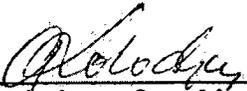
my grade 12 year (the 2012-2013 soccer season). I believed that if I had to wait until July 2012 for surgery, I would not be able to participate in the 2012-2013 soccer season and would lose my chance to obtain a university scholarship.

22. In addition to the constant knee pain, I was feeling stressed and anxious. I found it hard to concentrate on my school work. I felt depressed. Playing soccer was my time to relax and escape and without it I did not have a stress reliever.
23. After my appointment with Dr. Tarazi, and during the month of December 2011, my parents told me that they were very worried about me. In early January 2012, my parents told me that they had learned that there might be a way that I could have surgery on my knee before July 2012. They told me that I could have the surgery performed by the Cambie Surgery Centre, which I now understand is operated by the CSC. I wanted my knee to get better so my life could get back to normal. Together my parents and I decided to book me an appointment at the Cambie Surgery Centre.
24. On January 12, 2012, I attended a consultation with Dr. Brian Day at the Cambie Surgery Centre. My father, Antonio Corrado, attended with me. Dr. Day told me I was scheduled for surgery one week later, on January 19, 2012, to repair my knee injury.
25. I underwent surgery on my knee on January 19, 2012. The surgery was performed by Dr. Day.
26. My parents told me that Dr. Day did not require my family to pay the fees that are normally charged for a knee surgery at the Cambie Surgery Centre. My parents told me that it would have been very difficult for them to pay the fees. Instead, my parents were only required to pay a small fee for the basic materials required for the surgery.
27. I am still in the process of recovering from the surgery. It is taking time to get back to normal, especially because I was unable to do physical fitness for a long period of time. I am currently slowly getting back into playing soccer with caution. From what I can tell I am a much happier person to be around.

- 28. I am currently playing on a soccer team called the Cliff Avenue Gold team, which is allowing me to slowly return to playing soccer. So far I am enjoying my grade 12 year and I am committed to having a positive year. I have been looking into Canadian universities, like Western University in Ontario, McGill University, Simon Fraser University, and University of British Columbia, where I plan to study. I still am determined to try to obtain a soccer scholarship as well as academic scholarships.

- 29. If CSC is not able to provide surgeries to patients such as myself, this will cause unnecessary pain and suffering to citizens of British Columbia, who would not otherwise be able to access timely medical services.

SWORN BEFORE ME in the City of)
 Vancouver, in the Province of British)
 Columbia, on this 25 day of September,)
 2012)


 _____)
 A Commissioner for taking affidavits in)
 the Province of British Columbia)
Ania Kolodziej
Exp. August 31, 2014



KRYSTIANA CORRADO