

Borger v. Hanson (2000), 22 C.C.L.I. (3d) 101 (Ont. S.C.J.).

Proposition of Law:

Plaintiff and defendant insurance company settled action for damages arising out of motor vehicle accident – Settlement was entered as court judgment – Parties never discussed issue of post-judgement interest and settlement negotiations – Plaintiff's solicitor inadvertently included clause concerning post-judgement interest – Defendant brought motion to vary judgment – Motion granted – Rectification appropriate as inclusion of clause was accidental slip.