Inter - Divisional Communication

Barry Shortt, Supervisor, Office Services

FROM Laura Oswald, Receptionist Counsellor

DATE December 11, 1980

SUBJECT Interview - David Oakes 1534 Nairn Avenue London, Ontario N5V 2P2 Claim No. C13152209



On the afternoon of December 4, 1980, I attempted to assist David Oakes with his enquiry. Upon receiving his claim number, I checked the V.D.U., and his claim was an initial claim.

I advised him to come with me to one of the reception booths. He was very loud and rude before we entered the booth. When he was seated, he advised me he was here for some f money and wasn't leaving until he got some. I advised him the situation of his claim, and told him a T.C. from Toronto would call him December 5, 1980. The V.D.U. indicated the claim was a Sudbury claim. He advised that the accident was in Sudbury as he was living in Sudbury. I advised him, I would request the file and call him back when the claim was assigned to an adjudicator. He then lifted his crutch, shook it at me and swung the crutch. He started yelling at me about the f ____ Compensation Board. I advised him to lower his voice and watch his language. He became very annoyed, he called me a f ____ whore, because I wouldn't give him his f money.

At this point, I terminated the interview by walking out. I then went to Doug Hogg, (Security Officer), and advised him, I had an irate claimant.

At this point, the I.E. and his friends left the reception area, swearing down the hallway to the elevator.

After about 30 minutes, he returned with his friends. His friends and himself were laying around the reception area. They also helped themselves generously to the free coffee machine. He was then referred to Jim Purchase, T.C., who arranged with Toronto to give the I.E. an assignment.

Mulela

Laura Oswald,

Receptionist Counsellor,

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EARNINGS INFORMATION

The information off the Form 7 with regards to earnings was related to me. For the week of September 29, 1980 to October 4, 1980, the injured employee was on holidays, for the period October 6 to October 11, 1980, the injured employee made \$204.00, for the period October 13 to October 18, 1980, the injured employee was on holidays, and for the period October 20 to October 25, he earned \$240.00.

I have asked that the file be referred immediately to my attention at the London Office.

THREAT TO BOARD EMPLOYEE

I discussed the situation with Safety and Security Officer, Mr. Doug Hogg, with regards to the possible threat made to the Receptionist-Counsellor, Laura Oswald. Doug indicated that he would ensure that the incident would be recorded, both for his records and for the file.

J. PURCHASE

Team Co-ordinator

/es

W G A T 000112 MAR 14 86

CLAIM - C13152209 - DAVID E. OAKES

MEMO #8

TO:

File

FROM:

J. Purchase, Team Co-Ordinator

DATE:

January 27th, 1981

On January 23rd, 1981 Dr. Bourne contacted us with regards to Mr. Oakes' on-going treatment.

As we had no medical information on file I obtained the diagnosis as well as on-going treatment.

Dr. Bourne indicated that this man has suffered a severe fracture of the left patella as well as the left femur.

He has undergone surgery to repair internal derangement of the knee as well as skin grafting on the left lower leg.

He is presently utilizing both crutches and a cane to get around and is receiving daily physio. Dr. Bourne has indicated that he has recommended non-weight bearing activities for this man and has recommended a prognosis of approximately three to four months.

This is our first receipt of medical information on this particular file and a further payment was processed by assignment to bring his benefits up to January 26th, 1981.

There have been no payments in this claim through the computer as all payments have been made by assignment.

Mr. Oakes has also submitted several receipts for reimbursement most of them including taxi cabs.

It may be necessary once Dr. Bourne's reports are on file to consider this man treatment control with possible referral to H & RC for extensive physiotherapy.

Benefits will be processed on a long term basis.

J. Purchase,

Team Co-Ordinator,

sjf

MCAT

000105 HAR 14 85

DICT: Oct.27/80 TRANS: Occ.29/80 CC: Dr. Jakelski

WCB

Laurentian Hosp. (m)

609-10

SUDBURY GENERAL HOSPITAL Dr. Mitra OF THE IMMACULATE HEART OF MARY

PATIENT HISTORY

PATIENT'S NAME:

OAKES, David

CHART NUMBER:

ROOM NO:

DOB - 13/6/58

ADDRESS - 1543 Naren Ave., London, Ontario
SOCIAL INS. NO. - Not available 455 099 853

EMPLOYER - Fourstar Construction, 763 Auger Street, Sudbury.

This 22 year old male was brought to the Emergency Department of the General Hospital by ambulance. He was injured at the roadside construction site on Kelly Lake South in Sudbury when a scoop tram or some kind of loading machine apparently toppled over after having been hit by a truck. The loader part of this machine struck and pinned the right koee of this young man to the ground. I understand it was, not the actual bucket itself that pinned him but the boom to the bucket. He suffered immediate pain and was knocked to the ground beneath the arm. It took some time for him to be freed. He was transferred by ambulance in a splinted recumbent semiflexed position to this Emergency Department where I saw him first. He claims to have been otherwise well.

PHYSICAL EXAMINATION: Reveals a 2? year old male in obvious distress.

Head and Neck: generally normal.

Chest: clear.

Cardiovascular examination: also normal but for a tachycardia of about 92. The pressure was normal at 112/90. The heart sounds were normal and peripheral pulses were generally palpable. The left dorsalis pedis pulse, however, was somewhat weak compared to the right but tissue perfusion was adequate at this time as the tissue colour was normal and the left foot was warm to touch.

Abdomen: generally normal with no tenderness, guarding, rebound or rigidity with normal bowel sounds. The pelvis was stable.

Musculoskeletal and Integumentary examination: generally negative except for the left knee. The trousers were cut from the left knee and it was noted that there was an open wound of the left knee and a completely disrupted shattered patella could be seen lying beneath the open joint and above the open joint, loosely approximated. The tibial plateau was visible and the cruciates were severed. Fibular condyles were visible. There was moderate bleeding. The area was impacted very heavily with sand and road dirt.

Neurological examination of the left leg was roughly the same as that of the right.

course in EMERG: This patient was immediately given 75 mg. of Demerol and 50 of Gravol which he is not allergic to. An intravenous of Ringer's lactate was immediately started and run at 150 cc. an hour.

TVED BUT NOT READ

He was given Valium 5 mg. intravenously first and 2.5 mg. intravenously pushed by myself subsequently and this with the Demerol and Gravol gave him good sedation initially. The remainder of the clothes were cut from the left leg. With some assistance, the left leg was raised and porcable lateral and AP films of the left knee were obtained. Prior to this the knee was draped in a sterile fashion and as much dirt as was possible was removed with sterile Saline and Proviodine scrub brush. However, no tissue debridement, etc. was attempted. This actually gave very good results, cleaning away the wast majority of the dirt and leaving only very small impacted pieces behind. On closer examination it could be seen that not only were the cruciates torn, the medial and collateral ligaments appeared to be completely torn and only a small arount of the posterior capsule appears to be intact on gross examination. The x-ray films were reviewed. There is an intracondylar intraarticular fracture of the femur above the knee and there is a fracture of the neck of the fibula and a disrupted type of fracturing of the patella. The patient was started on Cloxacillin, two grams were given intravenous push and two grams were added to one litre of Ringer's Lactate to be run at 150 cc. an hour. Dr. Mitra was notified of the case and the left leg was splinted with a dorsal slab to keep it in roughly the same position. This was loosely wrapped and by ambulance the patient was transferred to the Laurentian Hospital, sixth floor where Dr. Mitra will be attending him. He will be going to the Operating Room at 7 o'clock tonight. Incidentally, there was no noted injury of the right knee or leg.

ADMITTING DIAGNOSIS: Compound fracture of the right knee with disruption of collateral ligaments and cruciate ligaments.

K. Jakelski, M.

ja

Old Will Strike Lie

HOPITAL LAURENTIAN
LAURENTIEN HOSPITAL,
Sudbury, Contario

November 12, 1980

Dr. J. M. Simmons 1444 Glenora London, Ontario N5X 172

> RE: David Oakes - L 08 01 00 1543 Naim Ave. London, Ontario

Dear Dr. Simmons:

This 22 year old young man was seen at the emergency department of the General Hospital following a work accident. He was injured at the road site, construction site on Kelly Lake, south in Sudbury when a scoop tram or some kind of loading maching, toppled over after having been hit by the truck.

The loader part of the machine, struck and pinned the right knee of this young man to the ground. It took some time for him to be freed. He was transferred by the ambulance in a splinted recumbant semiflexed position of the knee to the emergency department where I saw him first.

Principal injury was a deep laceration over the anterior aspect of the upper third of the left knee exposing the muscles in the periosteum about six inches by eight inches in area. This was associated with a tight compartment syndrome which needed a release of the deep fascia followed by skin grafting. However, the main and principal injury had been an open wound of the left knee with a transverse fracture of the patella with considerable displacement and a very comminuted osteochondral fracture involving the weight bearing aspect of the medial femoral condyle. The main fragment was tilted with the articular surface pressing proximalwards and the other fragments were dispersed around exposing the raw area of the medial femoral condyle.

The joint was full of dirt and metallic particles which had to be cleaned. After usual debridement and cleaning, attempt was made to restore the articular surface. The three fragments could be put together almost in anatomical configuration and fixed with K-wires but a large area was missing and the lower patella fragment was then used as an osteochondral graft fixing with two K-wires. These two long K-wires have been relatively long ones projecting in the popliteal fossa and may need removal in future.

Following this, the patella was repaired and the knee wound was closed. As previously stated, the wound of the leg was skin grafted after debridement. The leg was immobilized in a plaster cast. I have seen the wound on two occasions. Most of the graft area is now epithelialized except probably for another low to 20% which may need further grafting if it doesn't beel in two weeks time.

He was given Valium 5 mg. intravenously first and 2.5 mg. intravenously pushed by myself subsequently and this with the Demerol and Gravol gave him good sedation initially. The remainder of the clothes were cut from the left leg. With some assistance, the left leg was raised and porcable lateral and AP films of the left knee were obtained. Prior to this the knee was draped in a sterile fashion and as much dirt as was possible was removed with sterile Saline and Proviodine scrub brush. However, no tissue debridement, etc. was attempted. This actually gave very good results, cleaning away the vast majority of the dirt and leaving only very small impacted pieces behind. On closer examination it could be seen that not only were the cruciates torn, the medial and collateral ligaments appeared to be completely torn and only a small amount of the posterior capsule appears to be intact on grossexamination. The x-ray films were reviewed. There is an intracondylar intraarticular fracture of the femur above the knee and there is a fracture of the neck of the fibula and a disrupted type of fracturing of the patella. The patient was started on Cloxacillin, two grams were given intravenous push and two grams were added to one litre of Ringer's Lactate to be run at 150 cc. an hour. Dr. Mitra was notified of the case and the left leg was splinted with a dorsal slab to keep it in roughly the same position. This was loosely wrapped and by ambulance the patient was transferred to the Laurentian Hospital, sixth floor where Dr. Mitra will be attending him. He will be going to the Operating Room at 7 o'clock tonight. Incidentally, there was no noted injury of the right knee or leg.

ADMITTING DIAGNOSIS: Compound fracture of the right knee with disruption of collateral ligaments and cruciate ligaments.

K. Jakelski, M.

ja

OLT KED BUT HOT REIN

PAGE 2 OAKES, David He has got good circulation in the foot and there is no neuro ascular damage. He moves his toes and the foot well. As far as the kee is concerned, I had to aspirate the knee joint a couple of days ago but the patella mechanism seems to be working and the plaster is now changed and he will need the care of an orthopaedic surgeon for continued postoperative supervision. I should imagine that in about four to five weeks time, the plaster may be discarded for nonweight bearing mobilization of the knee with exercises. However, the prognosis of the joint remains severe because of the comminution in the medial femoral condyle and the threat of the osteochondral fracture, remains uncertain at this moment. I would be interested in his future progress and will be glad to hear from you in the near future. I am also enclosing protocopy of relevant documents concerning this young guy, particularly at the time he was admitted including the operation notes. Many thanks, Dr. A. K. Mitra trans Nov 17.80 dict Nov 12.80 Dr. A. K. Mitra Dr. Simmons chan 3

HOPITAL LAUR MTIAN LAURUMTIEN HOSPITAL BUGBURY, Orbatio

L 08 01 00 CAKEB; David Room 609=1

PROTOCOLE OPERATOIRE OPERATIVE REPORT

DIAGNOSTIC PRECEENTOIRES PRECEENTIVE DIAGNOSIS compound fracture of (L) ankle with ob-

DIACNOSTIC POSTOVERATOIRES

Same .

OPERATION: bebridement, skin grafting, partial patellectomy and re-OPERATION: pair of articular surface of mediofemoral condition.

CHIRURGIEN!

Dr. Mitra

MSISTNITS

ANESTHESIBLE!

DATE: October 28, 1980

PRECEENTIVE DIACNOSIS: ment and fracture of fibular neck and possible injury to the articular surface of the femur. Compound wound with whin loss over the anterior aspect of the leg in its middle third exposing the tible and the muscles of the anterolateral compartment.

PROCEDURE: The wound was first cleaned thoroughly which was containing a lot of dirt and metallic particles and small chips of stones. This took about half an hour to clean with hydrogen peroxide, Savion and normal saline.

After the usual drape and prep and applying a tourniquet the knee wound was debrided. The skin margin was very unhealthy and about half a centimetre of this margin had to be excised though it was not totally satisfactory. The prepatellar bursa was very thickened and contaminated. It had to be excised. The skin flap was very undermined.

The joint was entered and it was full of foreign bodies and blood clots. This was evacuated. The most important finding was a large chunk of articular surface coming from the weight bearing aspect of the mediofemoral combyle which was tilted downwards though still attached by a small hinge of soft tissue coming from the intercondylar fossa. The articular surface was facing proximally. The fracture was downwards. In addition, the other three fragments and part of the bone from the middle third, especially from the lateral aspect were misking.

After considerable difficulty the three Communication and R wires were together in approximately anatomical configuration and R wires were used to fix this frament passing in various directions. Altogether about eight or ten R wires were used. The lower frament, for a proper grib, a long thick R wire hal to be used but minession R-rays

A second residence of the second second second

show that two of the K wires are projecting into the popliteal fossa though there was no enidence of injury either to the popliteal vesuels

Page Two

CAKES, David

or to the lateral popliteal nerve. This will have to be removed later on.

A large churk of bone was missing from the lateral aspect of the lateral ismoral condyle along with the articular surface rear the middle third which was also weight bearing.

It was decided at this stage that it was better to fill this gap with bone containing the articular surface and for this remen the lower half of the patella which was excised articular surface was preserved, most of the bone was trimmed to shape the contour and it was hammered in gently and kept with two K wires. This seemed to be very satisfactory though it has no blood supply.

Following this the ligamentum patella was sutured to the proximal fragment using two wire loops and this seemed to be quite satisfactory. This was done with the knee kept in extension. The lateral retinacular structures were then repaired with chromic catout and the extensor apparatus superior to the patella was also repaired. The large haemovac was left behind.

The skin wound was then closed in one layer with interrupted silk.

Following this debridement was carried out of the wound of the middle third of the leg and as it seemed to be very tense the tourniquet was released at this moment and the circulation was seen which seemed to be quite unsatisfactory. More blood was pumped and at this point a Dopler shows the tibialis posterior artery was bringing in enough blood supply.

The wound was debrided but surrounding the skin wound there was about four inches in diametre all around the skin was completely undermined and probably this is nonviable. Obviously nonviable muscles from the anterior compartment was removed leaving the so called bleeding muscle but the extent of the contusion damaging the muscle was remaining still undetermined.

At this point it was decided to decompress all the compartment and this was done with the help of a long scissor cutting all the deep fascia. The skin wound was not closed but a thick skin graft was taken from the anterior aspect of the right thigh and covered over the raw area in a longitudinal strip. Hopefully this will heal by primary intention. No plaster cast was used but a long back slab was used for immobilization of the knee supplemented with a back brace. Postoperatively circulation seemed to be satisfactory.

After three units of blood the blood pressure raised to the normal level and thus also the local circulation of the toes.

The Latient was able to move the tons satisfactorily suggesting possibly no damage either to the anterior tibial or the lateral popliteal nerve.

A. K. Mitra, M.D. C Page Three CAKES, David /hp cc: Dr. Mitra Dr. Desmarais Transcribed October 30, 1980 Dictated October 28, 1980

Hôpital Laurentien Hospital

Laurentian

SUDBURY, ONTARIO

L 08 01 00

OAKES. David

Rm; 609-1 1543 Nairn Ave.London, Ont.

DATE OF INJURY: October 27th, 1980 EMPLOYER: Four Star Construction 7630 Auger St. Sudbury.

This 22 year old male was brought to the Emergency Department at the General Hospital by ambulance after he had had his left leg pinned beneath the scoop boom of a front-end loader or scooping tram device of some sort. This injury occurred on Kelly Lake Road on a job site. He had been brought to the Emergency Hospital after the front end loader had been removed from pinning him down and he was transported to the Emergency Department with his left leg and right leg splinted in a semi-flexed position to about 30-40 degrees.

He denies any significant past illnesses stating that he has been an asthmatic but he has not suffered any asthma since leaving certain dusty environments. His past health is otherwise unremarkable.

PHYSICAL EXAMINATION:

HEAD & NECK: Grossly normal.

CHEST: No tenderness or instability. Air entry is equal bilaterally and no

adventitious sounds are heard.

CARDIOVASCULAR SYSTEM: Pulse 92, regular. B.P. 112/90. Heart sounds were normal Peripheral pulses were palpable. The left dorsalis pedis was less in colume than the right dorsalis pedis however, it was present.

ABDOMEN: Non contributory with no tenderness, guarding, rebound or rigidity.

Normal bowel sounds.

MUSCULO-SKELETAL SYSTEM: Normal arms. The pelvis was normal. The right was normal. The left leg reveals an open type fracture of the left knee with dirt impacted. The patella is disrupted. The medial and lateral collateral ligaments are broken and the anterior and posterior cruciate ligaments appear to be broken also. The only remaining member of the knee joint that appears to be intact from circumspect examination would appear to be the posterior part of the grint capsule. The circulation of the left leg otherwise appears to be adequate. The ie, is warm and the dorsalis pedis pulse is felt in a very distant fashion. Neurologically, the left leg is equal to the right. No other injuries were detected at this time.

COURSE IN EMERG .: Under sterile draping with sterile Saline and Proviodine brush, the knee was cleaned as much as possible maintaining it in a splint position. AP and lateral x-rays were obtained by the portable method after the wound had been covered up. A plaster type of splint has been applied to the lateral aspect in back of the left leg to keep it in a proximate position and make this patient transportable. I.V. Cloxacillin 2 gm. has been given push by myself and 2 gm. had been added to a liter of Ringer's Lactate and this has been run at 150 cc. now. Dr. Mitra has been notified of the admission and will be operating on him at 7 o'clock tonight.

ADMITTING DIAGNOSIS: Compound fracture left knee with disruption of collateral ligaments and cruciate ligaments.

1md:

Dict; Oct.27.80 Trans: Oct.30.80

Signature du médecin traitant Signature of Attending Physician . K.D. . Jakelski, M.D.

WCB CLINICAL HISTORY AND PHYSICAL

HOPITAL LAURENTIAN LAURENTIEN HOSPITAL Sudbury, Ontario

OCT 3 1 1980

L 08 01 00 OAKES, David Room 609-1

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This young man was involved in a serious accident while working on a farm. I gather the fork went through the left knee sustaining a very severely comminuted compound fracture. The joint structure was showing through the knee joint with a considerable amount of derangement and also a deep laceration over the anteromedial aspect of the left leg at its middle third exposing the muscles of the anterolateral compartment. The leg was considerably swollen and there has been a considerable amount of bleeding and as a result was hypovolaemic. He is conscious.

He has no other injury elsewhere.

As regards to the knee X-ray was concerned it was difficult to study but this shows definitely a fracture of the patella with complete considerable displacement. The knee was held in flexion. In addition the articular surface was showing through the wound and before surgery it was difficult to decide where it was coming from. In addition, there was a fracture through the neck of the fibula.

His circulation in the extremities was peculiar, though capillary filling seemed to be satisfactory but I was unable to palpate both the dorsalis pedis and tibialis posterior. This could be due to hypovolaemia. The compartment of the right leg was very tight and tense.

So far I can gather his past and family history are noncontributory. No medications. No allergies.

SYSTEMIC INQUIRY: Negative.

SYSTEMIC EXAMINATION: Reveals otherwise a young healthy man of good colour except for the rallor which was temporary with no abnormality

Page Two CAKES, David in fauces, lymph nodes, tongue and tonsils. Abdomen: soft, no tenderness, no scar. Liver, spleen, kicheys and bladder: not palpable. Genitourinary system: no abnormality. Central nervous system: no abnormality. Respiratory system: normal air entry, no accompaniment. Cardiovascular system: heart normal size, normal sound, no murmur. Pulse 100. Blood pressure 90/60. Specific examination of the left leg which has been splinted at the General Hospital shows a gaping wound over the front of the left knee with ragged laceration through which the articular ends of both the bones was showing and broken patella was distracted by about six inches. The knee joint was full of clot. In addition, there was an oval shaped wound through which one can see the medial aspect of the middle third of the tibia and the muscles of the anterolateral com-partment which were black and blue. The leg was swollen and capil-lary circulation was satisfactory but one was not possible to either examine the neurological status or to feel the dorsalis pedis or the tibialis posterior muscle and artery. In summary, this gentleman has sustained a very serious injury following a fank accident sustaining a compound fracture of the left tibia and gross laceration involving the anterolateral compartment of the same leg and a fracture of the fibula with possible injury to the vessels or to the peripheral nerves. A. K. Mitra, M.D. /hp cc: Dr. Mitra Transcribed October 30, 1980 Dictated October 28, 1980 # 2

HOPTTAL LAURENTIAN NO. L NO. L 08 01 00

LAURENTIEN HOSPITAL
SIGNATIO, Ontario

NOM DU MALADE
PATIENT'S NAME CAKES, David

DATE D'ADMISSION
DATE OF ADMISSION
DATE DE SORTIE

DATE OF DISCHARGE

NOTE DE SORTIE FINAL NOTE

The final note is the same as the letter to Dr. Simons dictated on the 12th of November and things have not changed.

hsg: Dict. Nov. 21.80 Trans. Nov. 25.80 c.c. Dr. Mitra A. K. Microf H. D

Laurentian Hospital

COMBINEL REQUEST FOR BLOOD GROUPING, MATCHING, PRENATAL POST-NATAL AND ERYTHROP; ACTOSIS INVESTIGATION

PLEASE PROVIDE THE INFORMATION REQUILED IN ALL SECTIONS IN

ORDER TO AVOID DELLAY IN PROCESSING REQUISED TO ALL SECTIONS IN ORDER TO AVOID DELLAY IN PROCESSING REQUIST.

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08 01 00 DAKES DAVID 4/232 VAN HORNE SUDBURY

13/06/58

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IN DESMARAIS ET ASSOCIÉS

IN DESIVARAS

Lt. knee - two views of the knee were done in the O.R. with the portable equipment. Numerous metallic pins of varying diameter and length are seen inserted into the lateral femoral condyle immobilizing the fractured fragments of that condyle in good position. Some fragments of bone appear to be missing from the lateral apicondylar region. The lower half of the patella is also absent.

There is also a fracture in the upper neck of the fibula with the fragments in good position.

AJV: DD 4-11-80 A.J. VALIANO Radiologist



Hôpital Laurentian Laurentien Hospital

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J.N. DESMARANS ET ASSOCIÉS

AND ASSOCIATES

Lt. leg - two views were done showing again the previously noted metallic pins in the lateral fenoral condule. Wire loops are now seen in the patella, the lower half of which is absent.

A-V: DU 4-11-80 A.J. Valiabb, Radiologist. Hôpital Laurentian Laurentian Hospital

Sudbury, Onlario

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CONCLUSION

Consequently, the appeal is denied.

DATED August 16, 2000, at Toronto, Ontario

(Mr.) E. Mroczek
Appeals Resolution Officer
Appeals Branch
DRC/240258/dd1