



MARK VAN MANEN

FACING BLEAK FUTURE: Mel Unruh outside court with lawyer John Laxton

## Hockey injury ruined life, court told

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Sun Court Reporter

The midget hockey game was nine minutes into the second period, with Aldergrove leading Arbutus 7 to 3, when Mel Unruh's hopes for a productive future were cruelly dashed against the boards.

Affectionately known as "Runt" to his fellow team members — he was 173 cm tall and weighed 73 kg (5-foot-8, 160 pound) — Unruh, then 17, was about to take the puck for Aldergrove when an opposing player intervened.

Steve Webber, then 17 and an Arbutus forward with a reputation for rough play — he was 184 cm, 100 kg (6-foot-2½, 220 pounds) — checked Unruh from behind, using both hands to push him into the boards.

Unable to protect himself, Unruh was propelled forward with great force, his helmeted head striking the boards. He fell to the ice and lay motionless. He knew immediately that he was paralysed.

Unruh's lawyer, John Laxton, told a judge Monday his client suffered a high level spinal cord injury in the incident, a condition which rendered him a quadriplegic.

"At an age when most of his friends are beginning to be able to take full advantage of life, Mel will in many ways be a mere spectator," Laxton said.

The Vancouver lawyer was opening a damage action in which Unruh, now 19, is suing not only Webber and the Arbutus Club for negligence, but

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## LAWSUIT: Paralyzed player seeking millions

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also the associations that govern amateur hockey in B.C. and Canada.

Laxton told B.C. Supreme Court Justice Kenneth Meredith he believes the damages could total \$6 million to \$8 million. He said the defence believes the damages, if Unruh wins, should be nearer \$2 to \$3 million.

Named in the suit are Webber, the Arbutus Club, hockey team manager John Florio and coach Tony Perler, the Pacific Coast Amateur Hockey Association, the B.C. Amateur Hockey Association and the Canadian Amateur Hockey Association.

"This lawsuit is not a vendetta against Webber," Laxton said. "Webber was clearly negligent but he was as much a victim of the system as (Unruh), although the consequences to the plaintiff are much more tragic."

Noting Unruh is paralyzed below the neck, Laxton said, he no longer has normal bowel, bladder or sexual function. He is unable to dress himself and he can't pursue the sports he formerly enjoyed.

Before the accident, Unruh was a Grade 12 student at D.W. Poppy Secondary School in Langley. His grade average was B and he was preparing to go to Fraser Valley College in the fall. He now has scrapped his college plans.

"Mel Unruh has suffered a catastrophic loss and is in need of proportionately abundant solace," Laxton told the court, in a reference to the high damages he will be seeking.

He said the Aldergrove Hockey Team (Midget "AA") topped its division in the 1989-90 season, with 46 points (22 wins, one loss and two ties). It was the least penalized team in the league, with only 296 minutes in penalties.

The lawyer said Aldergrove, to keep in shape for the upcoming playoffs, had scheduled an exhibition game March 7, 1990 with the Arbutus Club (Midget "A") at the Arbutus arena.

He said the Arbutus Club, one of the few private clubs in the league, had finished second to the bottom in the league, with only three wins, 20 losses and three ties.

Laxton, describing Webber as "an

accident waiting to happen," said the evidence will show the burly forward was the seventh highest penalized player in the league.

He noted Webber, in a game against the North Shore Winter Club that immediately preceded the Aldergrove match, was penalized for checking from behind, the same serious infraction that was to cause the injury to Unruh.

But the Arbutus coach, contrary to the PCAHA rule that says a player who checks from behind must be given a one-game suspension, allowed Webber to play in the next game against Aldergrove.

"Mr. Webber should have been penalized with a one-game suspension at the very least for his reckless and dangerous misconduct against the North Shore Winter Club," Laxton said.

"As a result of not sitting out the game against Aldergrove, Mr. Webber was able to repeat his dangerous conduct on ice and this time he seriously injured someone — Mr. Unruh."

Laxton referred to a CAHA-sponsored video in which former hockey star Mike Bossy says: "Checking from behind is not hockey. It is gutless playing and downright dangerous."

The lawyer noted Webber, in a pre-trial examination, said he agreed with what Bossy says about checking from behind.

Saying the Arbutus Club, through the coach, team manager and club officials, had the power to discipline and control the players, Laxton