

CLAIM # 17789

Province of Infection: Ontario
Province of Residence: Ontario

**IN THE MATTER OF A ARBITRATION
TO REVIEW THE DECISION OF THE ADMINISTRATOR**

Before: Tanja Wacyk

Submissions: No one on behalf of Claimant
Belinda Bain and Carol Miller on behalf of the Fund

Decision

1. The Claimant submitted an application for compensation as a Primarily Infected Person under the Transfused HCV Plan ("the Plan"), as set out under the terms of the 1986-1990 Hepatitis C Settlement Agreement ("the Settlement Agreement").
2. By letter dated November 16, 2007, the Administrator denied her claim on the basis that the Claimant did not provide sufficient evidence to support her claim that she received blood during the period from January 1, 1986 - July 1, 1990 ("the Class Period").
3. The Claimant requested that an Arbitrator review the decision of the Administrator in an in-person hearing.
4. The hearing date of January 29, 2009 was set in consultation with the parties. Confirmation of the date and location of the hearing was sent, via e-mail, the manner in which communications had taken place.
5. The Claimant did not attend the hearing.
6. Subsequent attempts to notify the Claimant have been unsuccessful.
7. Further to submissions by Counsel for the Fund, this application is dismissed as abandoned.

DATED AT TORONTO, THIS 3RD DAY OF FEBRUARY 2009.

"Tanja Wacyk"
Arbitrator