



HARRIS  KYRIAKIDES

Compensations in accident cases in 2018

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Introduction

We operate one of the largest departments of insurance law in Cyprus and we represent some of the largest insurance companies. We also represent claimants in insurance disputes of all kinds including cases of severe damages. We specialise, inter alia, in cases of traffic and industrial accidents, professional liability lawsuits, damages of assets and in proceedings of compliance with the insurance legislation.

Our experience, expertise and domestic knowledge as well as our familiarity with modern technology, allows us to meet the challenges of the legal insurance disputes of the present days. We aim at identifying exaggerated claims where applicable, we provide legal advice at a primary stage with the purpose of achieving an effective settlement from the very start of the dispute, while if the actions are led to the court, our litigation department provides legal representation by which it safeguards the interests of our customers and aims at assisting the court to reach a fair judgment regarding the issues of the litigious disputes.

We prepare detailed evaluations of the cases by presenting the different scenarios and the possibilities these carry. We also offer accurate case reports to foreign reinsurance companies. Finally, we provide legal services on recovery cases and insurance disputes which extend to more than one jurisdictions.



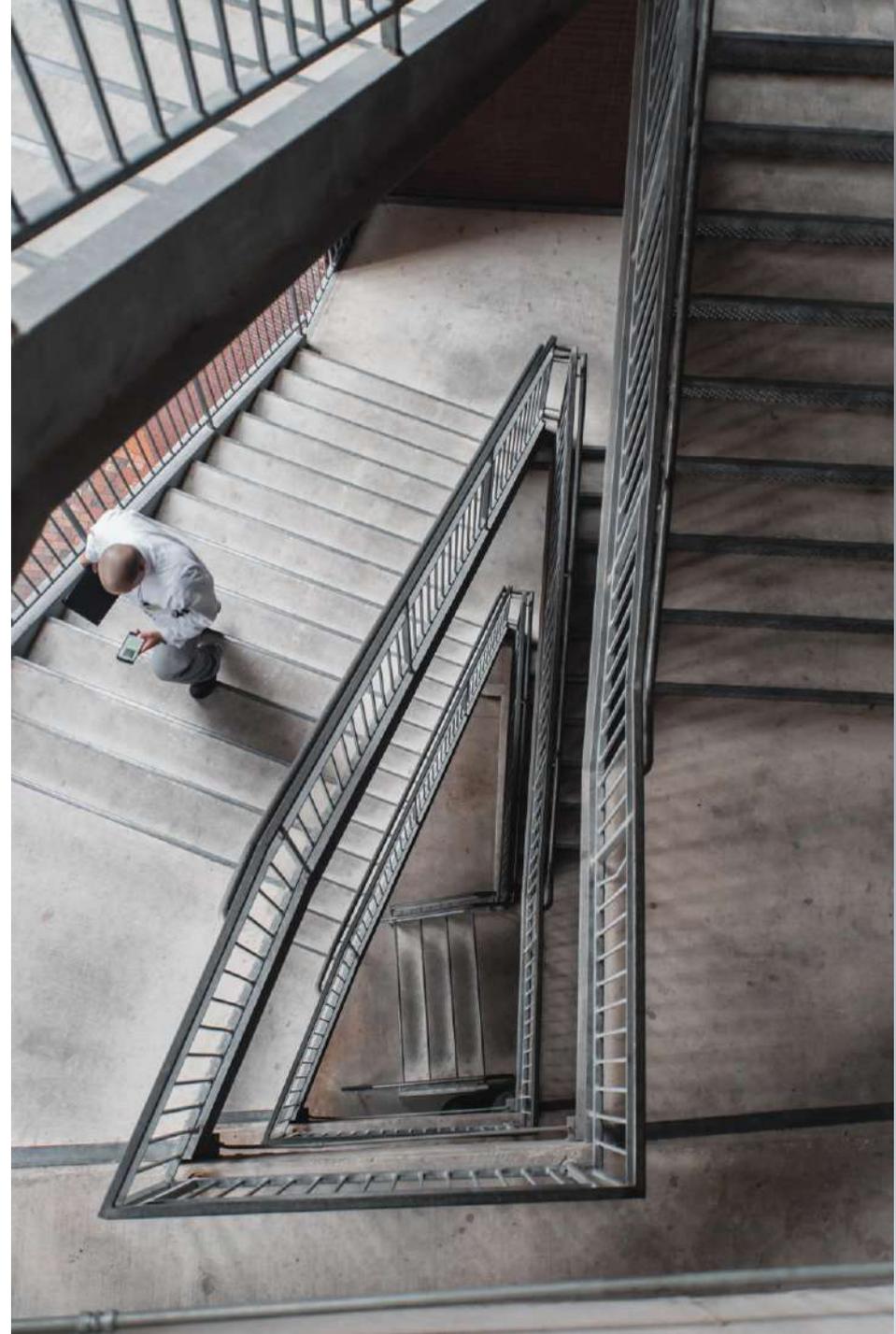
Review 2018

In the following pages follows a summary of all judgments taken by the Cyprus courts (at first of the Supreme Court and subsequently of the first instance ones) in 2018, in which compensations were awarded for damages resulting from any form of accident.

The purpose of the following judgments collection is to give an indication of the amount of compensation for various personal injuries. However, as the courts have repeatedly stressed, previous judgments regarding compensation do not necessarily constitute a binding precedent. In particular, the courts stress that there is no fixed measure for the assessment of human pain. Court decisions in other judgments, only provide general guidance because it is not possible for two persons, who were injured under completely different circumstances, to suffer similar bodily harm, pain and suffering.

However, when in regards to previous cases, there is either some relevance to the wounds, or proportion in relation to the extent, nature or consequences of the injuries, it is right and appropriate for the courts to draw up guidance and take into account the amount of compensation which was awarded in other cases.

Consequently, although the courts reach the level of the compensation they will award in the light of the case law, they mainly consider the facts and circumstances of the case under trial.



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Number of Civil Appeal 263/2012

Date of decision 11.01.2018

Parties Christodoulou v. Hoffer

Court Supreme Court

Facts The Appellant, in the result of a traffic accident, was diagnosed with neck injury, trauma in the chest area and a swollen chin . The next day she visited the Larnaca GH, where she complained about pain in the neck, headache and dizziness. She was provided with medication and advised to use a cervical collar. Subsequently, she visited an orthopediatrician, who diagnosed her with lesion in the neck with limited and painful movements. She suffered from headache and dizziness and was provided with medication. During the last examination at the doctor, the improvement of her situation was satisfactory, although she continued to complain about a light headache. The symptoms of dizziness lasted for approximately 2 to 3 months after the accident.

General damages €4.500

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| Number of Civil Appeal | 508/12 and 512/12 |
| Date of decision | 17.12.2018 |
| Parties | Stefanou v. Andoniou and others |
| Court | Supreme Court |
| Facts | The Appellee, after a traffic accident, suffered a concussion, first degree sprain of the cervical spine of the vertebral column, chest and thoracic spine fractures, and strain of the right thigh. She recovered after a period of 2 months while it was determined that there was a possibility for her to develop osteoarthritis in the future. |

General damages €6.000

Number of Civil Appeal 350/2011

Date of decision 29.05.2018

Parties Tsivikou v. Prosecutor-General of the Republic and others

Court Supreme Court

Facts The Appellant was hospitalized in Paphos GH for 2 days after he was attacked. He suffered various skin abrasions and swelling on the back side of his scalp. He experienced dizziness, headache, and pain in the whole body, and particularly in his sides and shoulders. During the examination, he was scared, had difficulty moving and was crying while talking. He was subjected to an MRI of the middle and upper part of his vertebral column, whereby he was diagnosed with prolapse of the left lateral disk in L5/L6, with extension to the edge of the disk's plane, which was causing stenosis of the sheath. In relation to the hearing problem, he was diagnosed with sensorineural hearing loss mainly in the left ear, and was provided with medication for 3 months. He recovered from the buzzing sounds, but sensorineural hearing loss still existed at high frequencies of 2.000-8.000 HZ. Having examined the whole testimony, the Court deemed that the hearing loss problem was now permanent. The Appellant also suffered from post-traumatic disorder with severe effects of psychopathological semiology and despite the improvement, there still were effects of the post-traumatic disorder and the partial dysfunction in the electroencephalogram. He was recommended to further abstain from serious heavy works due to possible relapse of the cervical herniated disc.

General damages €80.000

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| Number of Civil Appeal | 456/2011 |
| Date of decision | 25.01.2018 |
| Parties | Gevorest Sleep Designs Ltd v. Michailedes |
| Court | Supreme Court |
| Facts | <p>The Appellee had fallen from a height of 1.30 meters resulting in injury. He suffered massive trauma in the ankle region which required an extensive period for the healing of the fracture, so that the immobility of the foot facilitated the development of algodystrophy and to the incomplete restoration of his walking capability. After the accident, he was hospitalized at the Nicosia GH, where he underwent surgery of external osteosynthesis under general anesthesia, while at a further stage the external osteosynthesis was removed. One year after the accident, the healing of the fracture had not been achieved, while algodystrophy was observed. After 16 months he underwent a new surgery of internal osteosynthesis with a plate, under general anesthesia, and his leg was placed in a plaster splint, which was removed after 3.5 months and healing of the fracture was observed, but there was also severe osteoporosis, which resulted in the limitation of the flexion area of the right ankle and 'slight lameness'. After 3.5 years, the osteosynthesis materials were removed. After 8 years from the accident, the damage in the ankle area was discovered as permanent, which hinders the Appellee's walking and induces lameness, incapacity for work, as declared by the Medical Board, it is considered to be taken for granted. The First Instance Court rejected the position of Appellants on the capability of the Appellee to perform sedentary work on the grounds that it is very difficult or and impossible to find such work for the Appellee, who is a worker, the work of whom is, in fact, impossible to execute.</p> |
| General damages | €100.000 |

Number of Civil Appeal 464/2012

Date of decision 27.11.2018

Parties Argyrou v. Prosecutor-General of the Republic

Court Supreme Court

Facts The Appellant, 27 years old, served as lieutenant in the Infantry and took part in the education and demonstration of the APILAS anti-tank weapon, which exploded and as a result he and other 16 members of the National Guard suffered injuries. After the injury, he was hospitalized at the Larnaca GH and later, due to the seriousness of his condition, at the hospital of Israel. Thereafter, he received treatment in medical centers of France and Cyprus. In summary, the Appellant suffered (a) blunt-force trauma on the wrist and palm of the left hand and amputation of the left index and middle fingers from the metacarpophalangeal joint. After surgeries the wounds healed and some of the foreign bodies were removed and some remained. The scars and marks remain. (b) Partial amputation of the ring and little fingers on the same hand from the 1st interphalangeal joint and K-Wires were placed. Severe lack of bending of finger joints and loss of sense. Limitation of moving. The K-Wires were removed, (c) Extensive wound in the left palm and the front surface of the left forearm and existence of foreign bodies. Skin grafting was carried out and after the surgeries the wounds healed and some of the foreign bodies were removed and some remained. The scars and marks remain. (d) Cross-section of the radial artery/radial nerve of the left hand, (e) full separation of the right palm at length, between the 3rd and 4th metacarpal up to the bones of the wrist, and extensive wound in the ring and middle fingers. After the surgery the wound healed. The scars and marks remained. (f) Fracture of the radius and ulna of the right forearm. Osteosynthesis materials were placed. The wounds healed and the plates were removed. (g) Burns and loss of skin of the lower abdomen and the front surface of the thighs. Blunt force trauma to the lower abdomen, blunt force trauma to the left thigh and numbness of the left thigh. Skin grafting was carried out. Existence of foreign bodies in the abdomen and thigh. The scars and marks from the burns in the belly area are obvious, (h) Burns and loss of skin of genitals. Skin grafting was done. The scars and marks exist. Due to the scars during the erection, pain is caused resulting in its loss, (i) Big perforation of the eardrum on the right and mixed hearing loss of a medium to high level and major loss at high frequencies. Perforated eardrum on the left (healed). Sensorineural hearing loss of a medium level at high frequencies. Tinnitus in both ears. Surgery was conducted (tympanoplasty) to cover the hole of the drum. A special hearing aid is used. Tinnitus and hearing loss still exist, (j) Fracture of the lateral appendage of the 7th cervical vertebrae (healed), (k) Irritation, discomfort in moving due to the shrinkage of the transplants in the areas of the burns, (l) aesthetic reasons due to the wounds and scars-marks, which create emotional and psychological stress.

General damages €375.000

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| Number of Civil Appeal | 173/2012 |
| Date of decision | 28.09.2018 |
| Parties | Ergoliptiki Etaireia Amfiaraos Limited v. Mikeilov |
| Court | Supreme Court |
| Facts | <p>As a result of an industrial accident, the Appellee suffered head trauma with a moderately severe brain concussion, fracture of the of outer wall of the eye socket, atrophy of the right eye socket, blindness of the right eye, neck injury, compression fracture of the 12th thoracic vertebrae, hairline fracture of the right tibia, malignant hypertension and hearing loss. In view of the above traumas, the Appellee received a medical treatment, used a Philadelphia cervical collar for a month, was bedridden for a month, and he was granted with sick leave for three months. On 23/8/02 he required to have additional revascularization and decompression surgery of the optic nerves in Russia.</p> |

General damages €165.000

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| Number of Civil Appeal | 98/2014 |
| Date of decision | 04.04.2018 |
| Parties | Alekov v. Prosecutor-General of the Republic |
| Court | Supreme Court |
| Facts | <p>The Appellant, as a result of a traffic accident, sprained his neck and sustained a head concussion and was hospitalized for 2 days, while after 14 months he underwent magnetic resonance imaging (MRI), which discovered a fracture 'on the base of the tooth of axis L2 (Type II)'. A surgery then followed at a specialised center in Sweden, where he underwent posterior fixation and solidification of the L1-L2 via the Harm's technique. The Appellant filed an action against the Appellee for undue diagnosis. The Supreme Court, during the award of general damages, took into account the conduct of the spinal fusion, the surgery the Appellant underwent for the treatment of the lesions of his vertebral column and which speeded up the degenerative changes in his cervical vertebral column, while he still faced a risk of quadriplegia in view of possible myelopathy, conditions which prevented him from exercising the profession of construction worker.</p> |
| General damages | €100.000 |

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| Number of Civil Appeal | 189/2012 |
| Date of decision | 12.07.2018 |
| Parties | Leontiou v. Karagiorgis |
| Court | Supreme Court |
| Facts | <p>Due to the traffic accident, the Appellant sustained a brain concussion, blunt force trauma to the right ear, which was sutured, and blunt force trauma to the right parietal zone. She stayed bedridden in the hospital for 5 days for treatment and under supervision and medical care. She also experienced headache and dizziness, characteristics of post-concussion syndrome. The positions of the Appellant that after her trauma she could not work, perform chores, or drive, were not accepted.</p> |
| General damages | €10.000 |

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| Number of Civil Appeal | 29/2012 |
| Date of decision | 02.04.2018 |
| Parties | Spirou v. Papadopoulou and others |
| Court | Supreme Court |
| Facts | <p>The Appellant, as a result of a traffic accident, sustained a brain concussion, sternal fracture, strain of the soft tissues of the neck, multiple abrasions and bruising of the lips, tongue, chest (generally due to the safety-belt), left collarbone area, shoulder, and multiple small bruises in the lower limbs. An IV drip and a cervical collar were applied to her. Upon conduct of repetitive computed tomography and magnetic resonance imaging (MRI), additionally to the sternal fracture, fractures of the ribs were also detected (8th and 9th on the right) and of the 4th and 5th lumbar vertebrae, which were not diagnosed by the initial X-ray examination at the Hospital, due to the fact that the compression of two vertebrae was little. She continued to complain of dizziness, headaches, pain in the chest, neck and left shoulder. The Appellant had a sick leave for 13 months and after a decision of the Medical Board, she was deemed incapable to perform her duties, whereby she obtained an occupational disability pension with a 75% disability rate.</p> |
| General damages | €40.000 |

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| Number of Civil Appeal | 33/2013 |
| Date of decision | 17.01.2018 |
| Parties | Panagi v. 'Christy' Ship under Saint Vincent and the Grenadines flag and others |
| Court | Cyprus Supreme Court (Court Martial Proceedings) |
| Facts | <p>The Claimant, aged 40, who worked on the ship "CHRISTY", while he was on the metal ladder, it gave in and as a result he fell to the floor of the cargo hold and was seriously injured. An imaging examination detected a burst fracture of the T12 vertebrae. An MRI check was conducted, which detected the existence of myelopathy at the T12 level with both development of swelling and the existence of an intramedullary pathological sign. He was operated with a laminectomy of T11 and T12 and spinal fusion of T10, T11, C1, C2 with the use of subaxial screws and rods. There were no post-surgery complications. He was transferred to the spinal muscular injuries center for recovery. The Claimant experienced residual mechanical pains and discomfort, inability to carry weight over 5 kilos, pain during movement of the vertebral column, erectile function disorder with zero erection, inability to driving over 4 hours, inability to exercise any profession which includes stress on the vertebral column, depression, and melancholy.</p> |
| General damages | €180.000 (action was dismissed) |

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| Number of Action | 778/2011 |
| Date of decision | 31.08.2018 |
| Parties | Toukousidou v. Nikolaou Bros Tourist Enterprises Ltd |
| Court | Limassol District Court |
| Facts | <p>The Claimant, as a result of an industrial accident, suffered a cross-section of the median nerve in the area of the left wrist. Despite the fact that the trauma was sutured, she, however, required one more surgery and removal of the median and palmar nerve of the left thumb. Due to this condition, the Claimant has a serious impediment regarding the maximum range of bending of the left thumb and middle finger as well as significant weakness and numbness. The Claimant will have difficulty in exercising activities beyond her work, since she is no longer able to exercise.</p> |
| General damages | €30.000 |

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| Number of Action | 1717/2010 |
| Date of decision | 05.01.2018 |
| Parties | Siakallis v. Kladas |
| Court | Limassol District Court |
| Facts | <p>The Claimant suffered trauma of the soft tissues of the neck with straightening and muscle spasm. The said trauma aggravated the pre-existing incipient degenerative disease that he displayed in the upper part of the spine leading to a time for recovery longer than usual, and the symptoms which appear today are due to the incipient pre-existing degenerative disease. Furthermore, due to the accident, he experienced neck pain, dizziness, headache, and stiffness of the cervical spine, painkillers and a cervical collar were administered to him for 3 weeks. Physiotherapy and exercises were prescribed. He abstained from his work in view of those traumas for one and a half month. Sprains to the cervical spine and the muscle spasm showed a significant improvement. Except a minor reversal of normal cervical lordosis and muscle spasm as aftereffects of the whiplash injury, the Court deemed that other effects constitute evidence of a chronic condition and are not linked to the trauma from the traffic accident.</p> |
| General damages | €5.000 |

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| Number of Action | 2843/2011 |
| Date of decision | 05.01.2018 |
| Parties | Stavrou and others v. Voskou and others |
| Court | Limassol District Court |
| Facts | <p>Claimant 1 as a result of a traffic accident suffered a hairline fracture of the right ninth rib, which was immovable and has been fully restored. She also suffered a neck sprain, which was classified at the median of the three severity levels, while today Claimant 1 does not suffer any problem. The other health problems she has suffered were pre-existing and were neither linked to the accident at issue, nor aggravated them.</p> <p>Claimant 2 suffered a nose injury without sustaining a fracture, with a slight swelling of her nose and she also had redness on the upper right area of her forehead. Her traumas have recovered fully.</p> |
| General damages | €5.000 for Claimant 1 €1.000 for Claimant 2 |

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| Number of Action | 1721/2010 |
| Date of decision | 02.02.2018 |
| Parties | Savva v. G.H. Skates Ltd, personally and/or trader under the trade name Extreme Park |
| Court | Nicosia District Court |
| Facts | Due to the fall of the Claimant from a chair, he suffered a strain of the left shoulder, injury of the left shoulder, rupture of the rotator cuff of the left shoulder, partial rupture of the tendons of the supraspinatus cuff and muscles with concomitant inflammation and incipient arthritis. He was prescribed immobility, medical treatment, and rest. |

General damages €4.000 (action was dismissed)

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| Number of Action | 1289/2010 |
| Date of decision | 14.02.2018 |
| Parties | Charalambous v. Ioannou and others |
| Court | Nicosia District Court |
| Facts | <p>As a result of a traffic accident, the Claimant was traumatized and developed neck pain and subsequently, dizziness, head pain, intolerance to noise symptoms, giddiness, migraines, susceptibility to tiredness, lack of concentration and amnesia. The Claimant followed a series of physiotherapies. Upon the completion of 8 physiotherapies, her symptomatology displayed a recession which resulted in her ability to function as a normal person. 2 years later, the Claimant demonstrated similar symptomatology, which she had experienced during the period immediately after the accident at issue, however, this one did not continue in any way with her trauma at issue. The Court concluded that the Claimant suffered traumas caused by the above-mentioned symptomatology, which was painful and inconvenienced her for the period of 2 and more months. Within the framework of her rehabilitation, she used a collar which she gradually stopped using during the conduct of physiotherapies.</p> |
| General damages | €4.500 |

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| Number of Action | 2504/2006 |
| Date of decision | 27.07.2018 |
| Parties | Eggedou v. Prosecutor-General of the Republic |
| Court | Nicosia District Court |
| Facts | <p>As a result of medical malpractice, the Claimant, aged 35, suffered from osteonecrosis (avascular necrosis) of the right hip and right shoulder, which displayed and continues to display in the right leg and hand, a permanent pain, weakness, atrophy, lameness and osteoarticular lesions. He walks with partial loading of the limb and faces a risk of collapse of the joint cartilage of the right leg and hand. The treatment of the subarachnoid hemorrhage happened naturally and progressively on its own. He was granted with a rest leave for 15 days and pharmacological treatment, while he remained at home for 3 months. One year after the accident, he started to experience pain in the tight hip without hitting it, at the same time he lost balance when he strained the hip. It was discovered that he suffered from aseptic necrosis of the right hip. He underwent trepanning surgery of the femoral head of the right hip. He began to move 3 months after the surgery. He was walking with crutches outside his house at will. In 2005 he submitted an application for occupational disability pension to the Department of Social Insurance, which was approved with a 75% disability rate. Two years later, he began experiencing severe pains in the right shoulder, limiting his movements, while his hand was falling. The pain he was feeling was similar to the one which characterized the osteonecrosis in the right hip. Aseptic necrosis of the right shoulder was detected. He underwent trepanning surgery of the right shoulder. His right hand did not move for 6-8 months. Today, the Claimant suffers from a fluctuating pain, which is a result of stiffness of the right hip and the right shoulder and it is impossible for him to exercise various works, such as deep squats or placement of the right foot on the left knee. Result of the injuries was worsening of joint functions, something which would expedite the development of osteoarthritis, however osteoarthritis was not expected to develop in other joints. He could not remain standing for a long time, although he could walk short distances. Sometimes he could lift weights feeling pain in his right shoulder only when the movement exceeded a 90-degree angle. Regarding his career, he was no longer able to work as a construction worker.</p> |
| General damages | €50.000 |

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| Number of Action | 4825/2010 |
| Date of decision | 28.02.2018 |
| Parties | Iordanou v. Palmiri |
| Court | Nicosia District Court |
| Facts | The Claimant, as a result of a traffic accident, suffered strain of the soft tissues of the neck or whiplash injury, demonstrated symptoms of neck and head pains and worn a collar for 2 months. Furthermore he was submitted to physiotherapy due to the symptoms arisen from his trauma and received the relevant medical treatment and health care for 2 months. |

General damages €4.000

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| Number of Action | 3002/2015 |
| Date of decision | 28.02.2018 |
| Parties | Aristodimou v. Georgiou |
| Court | Limassol District Court |
| Facts | <p>The Claimant, as a result of a traffic accident, has suffered strain of the soft tissues of the neck with severe pain in the neck after muscle spasm and with limited head movements, strain of soft tissues, midline of the right chest wall with pain during palpation and breathing, serious strain of soft tissues, of the right elbow due to the hitting with painful movements and pain during palpation, serious strain of soft tissues of the hip with painful backache after muscle spasm and a sprain of the right wrist of medium severity with painful movements. Upon medical reexaminations of the Claimant, it was determined that the strain of the neck displayed a decline of the muscle spasm with reduction in neck pain and with easier movement of the head. Further, he experienced neck pain during extreme head movements and strain of the right chest wall was improved with reduction in pain during palpation and breathing, while strain of the left elbow demonstrated freer movements with a lighter pain, and the sprain of the right wrist was improved satisfactorily. The Court also accepted that further improvement was expected to come over time.</p> |
| General damages | €3.000 |

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| Number of Action | 187/2014 |
| Date of decision | 06.03.2018 |
| Parties | Novrantidi v. Pirgoudi |
| Court | Paphos District Court |
| Facts | <p>The Claimant, as a result of the Defendant's attack, suffered head injury, redness on his face and abrasions on his left side of the neck. On the second day he complained of headaches and dizziness resulting in his being administered an injection of diclan and was advised to rest. One week later, he returned to work, although he could not exercise his duties and he had to take pain killers and sedatives. He could not fall asleep for many nights, he had nightmares and disturbed sleep as well as a problem with his sex life.</p> |

General damages €6.000 (demonstration procedure)

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| Number of Action | 3290/2009 |
| Date of decision | 07.03.2018 |
| Parties | Alexandrou v. Metti |
| Court | Nicosia District Court |
| Facts | The Claimant was attacked by the Defendant and particularly, was hit on the left cheek. After the attack, the Claimant felt dizziness and had a loss of coordination, symptoms, which did not last long. The left cheek of the Claimant had redness and he had to take painkillers. Further, the Court discovered that the Claimant experienced pain and suffering. |

General damages €2.500 (the amount includes augmented compensation)

Number of Action 1215/2010

Date of decision 20.03.2018

Parties Tsappa v. Kliridou

Court Nicosia District Court

Facts The Claimant, as a result of a traffic accident, sustained a brain concussion, face trauma caused by blunt force, fractures of the 2nd, 3rd and 4th metacarpal, non-displaced fracture of the right shoulder, swelling in the bottom glenohumeral ligament and in the joint capsule in its rear part and ulnar nerve entrapment in the upper left limb. The Claimant was submitted to internal osteosynthesis of fractures of the 2nd, 3rd and 4th metacarpal. The fractures were comminuted and plates – screws (SBI) were placed. Face trauma caused by blunt force was stitched. Fracture of the right shoulder was treated with suspension. Post-surgery, the fractures of the metacarpals were put in a plaster splint. During her rehabilitation, she began to suffer severe pain in the shoulders, as well as numbness in the left upper limb. She further suffered ulnar neuropathy in the left upper limb. Trauma of the Claimant was heavy and her suffering lasted several months. She was in need of personal care, since she wore a sling on both of her hands, because immobility of both of her upper limbs was necessary.

General damages €40.000

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| Number of Action | 10898/2010, 10899/2010 και 10900/2010 |
| Date of decision | 23.03.2018 |
| Parties | Konstantinou v. Theologou |
| Court | Nicosia District Court |
| Facts | <p>The Claimant in action 10898/2010, as a result of a traffic accident, suffered sprain of cervical spine of the vertebral column of the 1st degree, sprain of the lumbar spine of the vertebral column, the C3-C4 disks, experienced severe pain, stiffness and limitation of movements of her neck and severe muscle spasm, severe pain in the vertebral column, strong dizziness, headaches and brain concussion, which developed into post-concussion syndrome. Intense pains lasted for 6 weeks.</p> <p>The Claimant in action 10899/2010, suffered a brain concussion, neck sprain, and injury of the fibrous ring L4-L5. After a period of 6 weeks the symptoms have improved. She had intense symptoms the first 6 weeks after the accident. Headaches continued and continue to trouble her.</p> <p>The Claimant in action 10900/2010 suffered light brain concussion and haematoma of the zygomatic area. She was deeply upset because of the accident and the first 2 weeks she woke up and cried, her mental health was affected, although her traumas were not so serious as of the above-mentioned Claimants.</p> |
| General damages | <p>€5.500 for the Claimant in action 10898/2010</p> <p>€6.500 for the Claimant in action 10899/2010</p> <p>€1.000 for the Claimant in action 10900/2010</p> |

Number of Action 2086/2011

Date of decision 28.03.2018

Parties Rotsides v. Michail

Court Limassol District Court

Facts The Claimant, as a result of a traffic accident, suffered amputation of the big toe of the right leg and particularly of the distal phalanx, bone injury in the outer femoral condyle and in the front outward corner of the right tibia, fracture of the right lateral and inner malleolus, compression trauma in the area of the exterior surface of the patella of a size 5 X 3 millimeters, partial rupture of the tendons of the quadriceps and trauma of the pre-patellar bursa. At the present time he has stiffness of the underside of the right foot and deformity of the big toe, residues which, due to the amputation of the distal phalanx, will remain permanent. He also experiences reduced range of movements of the right foot in flexion and extension. The Claimant experienced discomfort after prolonged walking as well as after weather changes. About 6 months later he returned to his work. Further, after the accident he immediately underwent surgery under general anesthesia for revascularization of the toe and was under supervision for 6 weeks. He was hospitalized for 8 days. After being discharged from the clinic he visited it for changes 3 times a week. He also began a physiotherapy. Almost 5 months later, he underwent a new surgery on his toe due to inflammation and part of the nail was removed. Afterwards, the whole distal phalanx was removed.

General damages €50.000

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| Number of Action | 7618/2011 |
| Date of decision | 28.03.2018 |
| Parties | Kazamia v. Kentriki Insurance Ltd |
| Court | Nicosia District Court |
| Facts | <p>The Claimant, as a result of a traffic accident, sustained a light brain concussion and was granted a sick leave for 6 days. Due to persistent symptoms of headache and pain in the neck, he was submitted some days after the accident to radiographic and clinical examinations and it was discovered that he sustained a brain concussion and neck strain and he was granted with a sick leave for additional 3 weeks. The Claimant suffered a first degree sprain of the neck. During the sick leave, which lasted for about 1 month, the Claimant was wearing a cervical collar. The pain and discomfort he suffers due to the trauma lasted one month as did the sick leave granted to him, and then his condition began to improve.</p> |
| General damages | €2.500 |

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| Number of Action | 3428/2017 |
| Date of decision | 30.03.2018 |
| Parties | Papadopoulos and others v. Kogionis and others |
| Court | Limassol District Court |
| Facts | <p>Claimant 1, as a result of a traffic accident, suffered a strain-sprain of the cervical spine of the vertebral column, herniated disk L5-L6 with pressure of the right L6 nerve root, traumatic brain injury and brain concussion as well as numbness in the right hand. He suffered from pains and stiffness in the neck, headaches, inability to concentrate, muscle pain of the shoulder girdle and dizziness, which was aggravated by head movements and particularly by rotation of the head. Medication was prescribed, a sick leave for 2 months was granted and instructions were given for his reexamination. Due to serious aggravation of pain and weakness in the right hand, he underwent a successful surgery of the anterior cervical discectomy and spine fusion of A5-A6 and he was granted with a sick leave for a period of one month and physiotherapy. Symptoms significantly limited his everyday activities to the extent that his life has changed.</p> <p>Claimant 2 suffered injury of cervical spine of vertebral column, herniated disk A5-A6 with pressure of the right L6 nerve root, traumatic brain injury and brain concussion. She suffered from pains and stiffness in the neck, neck pain, arm pain, headache, pain during performance of rotary and bending movements of the neck and head, strong dizziness and inability to concentrate. Symptoms significantly limited her everyday activities. Further, physiotherapy was prescribed to her.</p> |
| General damages | <p>€40.000 to Claimant 1 (demonstration process) €8.000 to Claimant 2 (demonstration process)</p> |

Number of Action 3950/2012

Date of decision 13.04.2018

Parties Kalafatis v. Olympic Insurance Company Ltd

Court Larnaca District Court

Facts The Claimant, as a result of a traffic accident, suffered a rupture of the anterior cruciate ligament and inner meniscus of the left knee. He underwent surgery and particularly an arthroscopic reconstruction of the anterior cruciate ligament with grafting of the posterior femur and inner arthroscopic partial meniscectomy. Over a period of more than 2 months, the injured leg of the Claimant did not move and was placed into a metal splint. After its removal, the Claimant got about on crutches for almost a month. It was necessary for him to follow intensive physical therapy and strengthening over a period of 6 months approximately. He attended 60 physiotherapy sessions. After brisk and extended walking for 30 minutes, he felt discomfort, which would recede after he rested. There was a possibility of the future development of osteoarthritis of the knee, which, in case it actually appeared, it would be partially due to natural attrition through time, and would relate to a part of the knee (the removal area of the meniscus). The result of the above would be the appearance of symptoms of pain and stiffness in the knee, something which will require rest, physiotherapy, and medication.

General damages €30.000

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| Number of Action | 7524/2010 |
| Date of decision | 16.04.2018 |
| Parties | Papastavrou v. Ivanof |
| Court | Nicosia District Court |

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| Facts | <p>The Claimant, as a result of a traffic accident, was hospitalized for 16 days due to retroperitoneal hematoma, fracture of the left thigh, trimalleolar fracture of the left ankle and fracture of the right tarsus. During his admission he suffered from hematoma of the left eye socket, swelling and bruising of the left cheek, abrasions on the abdominal wall and upper limbs. Existence of liquid in the stomach and a fracture in the pelvis and the left upper limb were found. He underwent surgery, where a small rupture of the lower part of the spleen and a small liver laceration were observed. An examination of the hemorrhage with diathermy and hemostatic materials was carried out. He was submitted to a research laparotomy and to DHF for the left thigh, Orif for the left ankle and a splint for the right ankle. During his discharge, he was diagnosed with operated subtrochanteric fracture of the left thigh, operated trimalleolar fracture of the left ankle and operated fracture of the navicular tarsus, based on the 2nd – 4th metatarsus and the right cuboid, the left sciatic area, the cheekbones and retroperitoneal hematoma. He was advised movement without loading his lower limbs, ankle-foot plaster splints, analgesics and anticoagulants. He was placed in a wheelchair for 3 months due to fractures to his both limbs and then he walked on crutches. He was granted with sick leave for the period from the end of May to the end of January. His present condition is characterized by fully healed post-surgery scars of the left leg, metal prosthetics in the lower part of the fibula and three metal screws in the inner ankle, metal prosthetics for the stabilization of the subtrochanteric fracture of the left thigh and a big metal panel and a rivet with ten screws, full healing of bones, natural movement of knees and no facial asymmetry. Further, movements of the toes of the right foot are in decent width. There is a degree of stiffness in the left ankle and the right foot, he walks without any support and has a slight limp. Also there is an incipient osteoarthritis of the left ankle with minor limitation of movement (extension), comparatively small muscle weakness of the left quadriceps, comparatively little swelling of the right foot with club-foot (increase of the inner arch of the foot), decrease of reflex of the left patella which does not exceed 1 inch and minor limitation of extension of the left ankle joint with small swelling.</p> |
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| General damages | € 100.000 |
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Number of Action 2534/2010

Date of decision 19.04.2018

Parties Ilia v. Antreou and others

Court Limassol District Court

Facts

The Claimant suffered a hairline fracture, which did not require placement in a splint, but a simple ligature was applied to him. Further, he suffered blunt force trauma of a length of 1 inch in the area of the left knee, which was treated with precaution antibiotics, the necessary surgical form of cleaning and occlusion of the trauma. Subsequently, inflammation of the area developed, which was successfully treated by maintenance therapy. The Court deemed that his present condition is characterized by fully normal clinical signs, which are: (i) normal walking without limping, (ii) movement of the right knee is complete both in extension and bending, (iii) absence of intra-articular liquid in the knee, (iv) ligament steadiness of the joint seems normal, as well as in relation to the cruciate ligaments and collateral ligaments, (v) he is in position to place his body weight on the toes and heels, (vi) he can sit completely without any problem, (vii) during measurement of muscle mass of thighs' and legs' muscles, there was no difference between the right and left bottom limb. It was also deemed that no complication of inflammation is expected in the future due to the fact that the foreign body was removed completely from the entry area. In relation to the above-mentioned type of the bone injury, there is no possibility of future development of post-traumatic osteoarthritis. The Claimant is in position to exercise his profession, although absence from his work for 3 and more years is attributed to his own decision and not to any functional residues, which would make him incapable of performing his profession. Furthermore, he was granted with a sick leave for a period of 4 – 5 weeks.

General damages €7.500

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| Number of Action | 1821/2011 |
| Date of decision | 30.04.2018 |
| Parties | Petrou v. Merujan and others |
| Court | Limassol District Court |
| Facts | <p>The Claimant, as a result of an industrial accident, suffered from a comminuted intertrochanteric slanted fracture of the left hip. He underwent surgery. There was an open setting and internal fixation of the fracture with plates and screws. Beyond the fracture of the left hip, the Claimant also has a left shoulder injury. Frozen shoulder and tendonitis of the rotator cuff of the left shoulder were found. Due to the frozen shoulder, the Claimant displayed functional impingement syndrome of the left shoulder. Fracture of the left hip led to displacement and as a result there was shortening of the left thigh by 1 ½ centimeter. Due to the shortening, the Claimant walked with lameness (“Trendelenburg gait”). Residues in the left hip would cause post-traumatic osteoarthritis, which would require total arthroplasty.</p> |
| General damages | €30.000 |

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| Number of Action | 8154/2011 |
| Date of decision | 30.04.2018 |
| Parties | Chatzikosta v. Blinkers Ltd |
| Court | Nicosia District Court |
| Facts | <p>The Claimant slipped and fell resulting in injury. He was transferred to the First Aid Department of the Nicosia GH, where it was found that he suffered of a fracture to the outer malleolus of the left ankle. A splint was placed on the Claimant's leg and he remained away from work for 2 months. The Court discovered that due to a two-month absence from work, the pain and his suffering lasted 2 months.</p> |

General damages € 4.000

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| Number of Action | 239/2018 |
| Date of decision | 16.05.2018 |
| Parties | Psara v. Private Kindergarten Play4kidz Ltd κ.α. |
| Court | Nicosia District Court |
| Facts | <p>The Claimant slipped while she was at the premises of the Defendant and as a result she sustained detachment of a tendon of the tricep of the right elbow with a bone fragment. She underwent surgery with reattachment of the tendon to its place, to the olecranon, with sutures and with special support. She was discharged from the hospital after a long arm plaster splint was put on her, which she wore for a month. Afterwards, she wore a special adjustable splint. Further she was submitted to an everyday physiotherapy program, which lasted for 4 months. It was deemed that the Claimant's traumas did not cause any functional problem. The only residue was a surgical scar in the area of elbow.</p> |
| General damages | € 7.000 |

Number of Action 3176/2009

Date of decision 21.12.2018

Parties Stilianou v. Fatouch and others

Court Paphos District Court

Facts

The Claimant, 17 years old at that time, suffered a head trauma, hemorrhagic brain trauma, face injury with nose fracture, comminuted fracture of the right femur of the first degree, pilon fracture of the right ankle, fracture of the bottom end of the tibia and the cross section of the posterior tibialis tendon. Initial treatment of the traumas was carried out at the Paphos GH with putting a plaster splint on the right leg. Due to the seriousness of the traumatic brain injury, he was transferred to the Nicosia GH intubated and under sedation with mechanical ventilation. Initially, he was admitted to the ER and was under continuous monitoring of intracranial pressure by insertion of an intracranial catheter. 4 days later, a successful weaning from the catheter followed, and then stabilization and transportation to the neurosurgical hospital initially with a measurement on the Glasgow Scale of 13/15 without focal neurological symptoms, at times he was delirious with continuous improvement until his transportation to the orthopedic clinic. He underwent surgery with placement of an intramedullary nail for the fracture of the right femur, open setting and fixation of the fracture of the right ankle, saturation of the posterior tibialis tendon and subsequently a plaster splint was put on him. 21 days later he was discharged from the Nicosia GH with instructions to be monitored as an outpatient. After 3 months he was hospitalized at the Orthopedic Department of the Paphos GH with infection of the surgical wound and skin grafting of the wound was performed. Afterwards, the peripheral screws of the intramedullary nail were removed and he was allowed to load the limb. Satisfactory movement of the knee and the right ankle and considerable healing in the fracture area were detected. Further, he had clusters of inflammation in the right femur, which were deflected at the Paphos GH and despite the fact that he continues to take antibiotics and to have clusters of inflammation with flow of infectious fluid, while removal of the nail for the treatment of inflammation was not secure. Due to his young age, infection of the femur and the existence of osteosynthesis materials, there was a risk of more general infection of the thigh, which is pndiaphysitis with a risk either for his life or the vitality of the leg. It was determined by a committee of orthopediatricians with approval by the Ministry of Health that his admission to the Metropolitan hospital was necessary for additional treatment. He was hospitalized at the Metropolitan hospital a year after the accident, where he remained for almost a month suffering from septic pseudarthrosis of the right femur with bone deficit. He was submitted to the removal of the intramedullary nail, multiple surgical cleanings and restraint of the pseudarthrosis with an external fixator. He was admitted one more time to Metropolitan hospital, where he was submitted to amendment-correction of external fixator, wide surgical cleaning and bone transplplantation. Afterwards he was admitted to the Metropolitan hospital, where he was submitted to material removal and surgical cleaning. One and a half year after he started to walk without support. Almost 2 years after the accident, while the Claimant was walking, he suffered a refracture of the right femur. He was hospitalized at the Paphos GH, where he had a surgery as a result his leg remained immovable again for 4 months. The reason of the refracture is that even after his discharge from the Metropolitan hospital he should not have loaded his right leg for the period of 6 months. The Claimant felt weakness and reduction of resistance of the right femur, which made it more weak and vulnerable in case of any pressure or force on it with a risk that a fracture could be caused more easily in contrast to a normal bone, which has not suffered what the right femur has. The latter was in a position to work at a job where the performance of heavy manual transportation and prolonged walking would not be required.

General damages €120.000

Number of Action 585/2010

Date of decision 14.12.2018

Parties Christou v. Goranov

Court Larnaca District Court

Facts As a result of a traffic accident, the Claimant suffered comminuted fracture of the right tibia and fibula. Initially he was admitted to the Famagusta GH and subsequently to the Larnaca GH, where he was not operated on immediately due to the fact that his leg was swollen. He was discharged on his initiative and sought therapy at the private hospital Achillio, where he was submitted to fixation of the fibula, riveting of the fibula and due to the comminuted fracture, bone transplants were installed, which means bone in order to help the healing. There were no complications but the fracture of the tibia did not heal fully and as a result the operation did not bring the expected result. He was continuously under monitoring and submitted to radiographic inspections. X-rays showed that the problem of not healing was due to the comminuted fracture and to insufficient blood flow. It was prescribed that the Claimant should undergo a second surgery, although he failed to do so. The fracture of the fibula healed completely without problems and the fracture of the tibia displayed pseudarthrosis. The Court took into account the necessity of the second surgery, by which the trauma of the tibia will be healed.

General damages €40.000

Number of Action 5339/2011

Date of decision 01.11.2018

Parties Adamou v. Stilianou

Court Limassol District Court

Facts The Claimant as a result of a traffic accident, suffered abrasions on the right shoulder, abrasions on the right thigh, ecchymosis of the right eye but his eyesight was deemed normal after 10 days, mild swelling of the left outer ankle for which, elastic strapping was fastened at the place of the limb and analgesic and conservative treatment was prescribed to him, head trauma of medium severity, epidural hematoma of the right occipital lobe, which was treated by medication and was temporary, fracture of the right mastoid, bleeding of the right ear's drum and hearing loss of the right ear of low severity, which passed in one month after the accident. He was hospitalised at the Limassol G.H. for two weeks, where he was hemodynamically stable and without changes of his neurological image and he was discharged in 2 weeks later in a general good condition. One year later, he was examined regarding the trauma to his left ankle and examination determined a slight swelling and instability of the injured joint, which, however, after a period of approximately 7 months and after physiotherapy and conservative treatment and rest, has improved considerably. The condition of the particular joint of the Claimant has further improved as a result approximately 2 years after he could normally walk and fully move it. At the present time the Claimant declares that he does not have any problem or discomfort in relation to his left ankle. Neurologically speaking, even though during the initial period of the traumas, the Claimant has experienced some lack of concentration and diplopia, the said symptoms lasted for a short period of time and soon, when the epidural hematoma passed, he did not have any pathological, neurological or psychiatric symptom.

General damages €16.000

Number of Action 3335/2009

Date of decision 31.07.2018

Parties Papamarkou v. Markidou

Court Limassol District Court

Facts The Claimant, as a result of a traffic accident, suffered detachment of the retina of the left eye, which was restored surgically. The detached retina resulted in the development of cataracts in the left eye of the Claimant, which was removed surgically. The Claimant also suffered a serious neck sprain, which caused alignment of the cervical spine. A muscle spasm developed, which caused stiffness and consequently, pain in the neck. He sustained a brain concussion with post-concussion syndrome, sensory disturbances in the left upper limb, in the left area of the face as well as injury in the left ribcage. He visited an orthopedic surgeon, who prescribed him to use a cervical collar, take medication, and submit to a physiotherapy program. During the last examination, the Claimant still had a pain and stiffness of the neck and the pain had spread to the left upper limb, he also had dizziness, mainly after driving, writing and heavy works. Movement of the cervical spine was slightly limited and painful during extreme movements.

General damages €40.000 for the injury of the eye and €5.000 for the injury of the neck

Number of Action 9279/2010 and 9280/2010

Date of decision 27.07.2018

Parties Ioannou v. Antoniou and others

Court Nicosia District Court

Facts

The Claimant, as a result of a traffic accident, was admitted to Nicosia G.N., from which she was discharged after 4 days. She sustained a brain concussion due to a sprain of the cervical spine, which caused muscle spasm, tunnel hairline fractures to the left knee which caused bone edema with excess fluid, hyperpigmentation and scars in various parts of her body and particularly, a scar (seen until today) 7 cm in length on the left knee, a scar (seen until today) on the big toe on the right lower limb, scars in the right supraclavicular area, the left brow, and abdomen – pelvis, as well as hyperpigmentation in the area of the pelvis (which have completely recovered and are not seen today). He had an extreme discomfort for approximately 4 months and subsequently all of her symptomatology has significantly and substantially improved and sporadic discomfort remained based on weather conditions or further exhaustion and these with regard only to the knee and neck. There is a possibility (if she did not have it when she has testified under oath before the Court) that the next year the Claimant may develop osteoarthritis. On the basis of accepted submitted testimony, the possibility may be characterized as small. Before the accident, for approximately a month the Claimant worked in a company as a secretary. She could not continue to provide secretarial services to her employer, and when, a month after the accident, she was asked by her employer whether she could continue to work as a secretary, she replied in the negative due to the fact that during that particular time, pains and discomfort were severe and the recovery time was not foreseeable. As a result of this fact, her employer-company made it clear that it would seek for her replacement, fact that happened some time later. After 4 months of the accident and sufficient improvement of her symptomatology, the Claimant was able to work.

General damages €15.000

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| Number of Action | 5521/2010 |
| Date of decision | 19.04.2018 |
| Parties | Menelaou v. Remedica Holdings Public Company Ltd and others |
| Court | Limassol District Court |
| Facts | <p>The Claimant, as a result of the industrial accident, suffered partial amputation of the distal phalanx of the left forefinger. A radiological check with abnormal findings of the left hand was carried out. The Claimant was given tetanus booster shots and analgesia. Upon examination by the orthopedist, he was submitted to admission but he refused, signed, and left under his own initiative. Subsequently, he visited a private doctor, who operated him on the same day. Due to this accident, the Claimant suffered loss of a part of the left forefinger resulting in ¼ of it missing from the last phalanx of the forefinger. He suffered loss of ¼ of the finger's onyx and superficial scars at the end of the finger. During occlusion of the finger, the end of the finger was ½ centimeter distant from the palm. His finger did not show any bone loss. Movement of the left forefinger joints was normal. On the operational level, there was difficulty in grabbing small and thin objects and he also felt numbness. He was absent from his work for 2 months.</p> |
| General damages | €4.000 (the action was rejected) |

Number of Action 7623/2010

Date of decision 28.09.2018

Parties Christoforou v. Aristeidou

Court Nicosia District Court

Facts As a result of an attack, the Claimant suffered a radius fracture, abrasions in the area of the upper right shoulder, the left elbow and the left arm, the edge of the hand and trauma in the anterior cervical area. The Claimant suffered pain in the right shoulder, left elbow and the right arm. The X-ray demonstrated a hairline fracture of the bottom 1/3 tissue of the left radius. Wound detersion was performed in the left forearm. The Claimant, today, lacks movement of the left wrist by 20 centimeters and ulnar deviation by 5 centimeters. He also suffered a hairline fracture of the right bottom molar (1.7 tooth), with extension to the cervical spine of the tooth, resulting in the need for surgery for its restoration. The cost of the 1.7 molar restoration amounts to €800. Further, upon restoration, the ability to masticate was restored. He took 3 months of sick leave and was submitted to 27 physical therapies. The trauma at issue did not induce such type of residues that would prevent the Claimant from execution of his work or prevent him in his daily life in the way that they would constitute permanent suffering and discomfort.

General damages €7.000 (including cost of the future surgery in the amount of €800)

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| Number of Action | 5507/2010 |
| Date of decision | 07.09.2018 |
| Parties | Mavrommatis v. Triftarides |
| Court | Nicosia District Court |

Facts

The Claimant, as a result of a traffic accident, suffered head trauma and injuries to the upper limbs as well as serious injuries to the knees. These injuries would leave him with scars on his skin and his knees would develop osteoarthritic damage that would trouble him for the rest of his life. Surgeries on the knees and particularly, the one for reconstruction of the anterior cruciate ligament rupture, beyond being painful to a great level post-surgically and severely limiting, they were torturous in relation to their physiotherapeutic reconstruction, with compulsory lightening of the limbs and use of canes when walking as well as the fastening of special limiting splints for long periods of time after each surgery. After months of severely painful suffering (with loss of quality of sleep, with loss of well-being, with loss of amenities, with loss of capacity to use household facilities for his living, with prohibition of free movement and running, with loss of sexual life without movement restrictions), he would not be able to enjoy the normal life that he had before the accident. In relation to the type of his professional duties (climbing electrical poles of the EAC), he would not be capable again to perform them in a proper way. He would continue to suffer from frequent pains– particularly during changes of weather conditions (cold or wet or cool weather). In order to treat these painful pangs, frequent medication and appropriate physiotherapeutic assistance were necessary. The overall picture concluded that this case is about a person with severe and permanent residues of trauma to the left knee. These residues made him incapacitated for a large number of works, particularly for manual works.

General damages €50.000 (the action was rejected)

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| Number of Action | 1588/2011 |
| Date of decision | 28.09.2018 |
| Parties | Kipouras v. Prosecutor-General of the Republic |
| Court | Limassol District Court |
| Facts | <p>The Claimant, as a result of an attack suffered (a) a big blunt force trauma on the bridge of the nose. Skin and muscles had come off the bone that was sticking out outwards, (b) comminuted fracture of the nasal bones and diaphragm – Ecchymosis and swelling of the left eyelid, particularly of the bottom one – Diplopia – enophthalmos, (c) hyperemia and hypoesthesia in the area of the subcutaneous nerve– Nosebleed, (d) swelling and bruises around the nose and of the left sinus, (e) facial asymmetry – bleeding of the left eardrum – Difficulty of opening the mouth, (f) breathing difficulties. Immediate surgical treatment of the fracture was necessary: for the respiratory tract reconstruction, reduction of the fracture of the eye socket area for the reconstruction of eyesight as well as suturing of the blunt force trauma. After a long-hour surgery, a splint was installed on his nose for 5 days, for 5 days a catheter was installed in his left sinus in order to maintain the prefix that was installed in order to lift the eyeball, for 3 days anterior nasal closure in the nasal cavities. Strong antibiotic and analgesic therapy was prescribed to him. He remained at the clinic until removal of the splint and the catheter. He was monitored systematically for the resolution of the symphysis and for local recovery and for cleaning in the sinus identification and in the nasal cavity. His eyesight fully recovered, his breathing partially (he required corrective surgery). He complained of loss of smell and taste. He had facial numbness of the left area due to the nerve trauma owed to the violent hit. He had strong pain in the teeth, scars on the bridge of the nose. He was monitored by a phycologist for the treatment of permanent damages. He had a second surgery for the complete restoration of the respiratory function. During the operation, all the symphyses were resolved, and silicone sheets were placed in, in order to avoid new ones. Bilateral compaction of the nose as well as corrective surgery in the nasal bone were carried out. His eyesight recovered and it was considered that respiratory function would be recovered. Loss of smell and taste as well as teeth and facial pain of the left side would be permanent. Scars on the base of the nose could be improved only by plastic surgery.</p> |
| General damages | €120.000 |

Number of Action 936/2011

Date of decision 10.09.2018

Parties Kimonos v. Sokratous

Court Limassol District Court

Facts The Claimant, as a result of a traffic accident, suffered a strain to the cervical vertebrae and lumbar spine that were due to the injury of the soft tissue of the area. He had a pain in the cervical area, muscle spasm, reduction of movement at 50% with numbness in two hands as well as pain in lumbar spine with muscle spasm and lameness on the right due to sciatica. He was prescribed to use a cervical collar and anti-inflammatory medicine. He used a cervical collar for approximately a month. Discomfort lasted for the first weeks after the accident and he was absent from his work a month. Pain and discomfort that the Claimant felt, decreased after the first weeks after the accident and particularly when he returned to work, where he continues to perform the same duties until today that he had before the accident.

General damages €3.000

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| Number of Action | 708/2009 |
| Date of decision | 17.07.2018 |
| Parties | Stavri v. Nikolaides |
| Court | Famagusta District Court |
| Facts | <p>The Claimant, as a result of a traffic accident, sustained injury in the left ankle with severe swelling and pain. Radiographic check demonstrated a fracture of the inner malleolus with crash cites of the fractured areas and fracture of the outer malleolus. She had a surgery for the treatment of the fracture with internal fixation. Under spinal anesthesia, two screws were installed for retaining of the inner malleolus and a 1/3 plate with screws for retaining of the outer malleolus. Ankle splint was installed. Her postoperative course was normal and she was able to be discharged in 5 days after analgesic and anticoagulant therapy. Further, the seams were removed and the splint was reinstalled. She was given instructions not to tense herself and her sick leave was renewed. She had a surgery for the removal of screws from the inner malleolus, since it caused her continuous disturbances. 4 years later an examination was conducted of the fracture and of the surgery in the left ankle joint. During clinical examination, a pain during the inside turn of the foot and lameness during walking was determined. There was a suspicion of post-traumatic arthritis and analgesic therapy and physiotherapy was prescribed to her. A radiological examination, 4 years after the accident, demonstrated major arthritis in the tibiotalar joint and reduction of the joint space. Large bladders in the outer malleolus and osteolysis were also observed. MRI and CT scan of the same area demonstrated major arthritis of the ankle joint. She was prescribed to be submitted to the arthrodesis of the ankle in order to treat the pain of arthritis.</p> |
| General damages | €40.000 |

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| Number of Action | 3091/2010 |
| Date of decision | 30.11.2018 |
| Parties | Zinonos v. Prosecutor-General of the Republic |
| Court | Limassol District Court |
| Facts | <p>As a result of the attack, the Claimant suffered bruising on the left cheek, abrasion on the right renal area, bruising on the left and the right brachium and subdural hematoma in the right side. No obvious bone injury was observed. Painkillers were prescribed to him and then he was discharged. He was diagnosed with post-concussion syndrome and post-traumatic syndrome. During further examination he had a severe headache, dizziness, insomnia, loss of appetite, anger, and difficulty to perform his professional work. Medication was prescribed to him. He showed improvement gradually. Further, his condition improved significantly. He displayed easy fatigability, mild despondency, occasional insomnia and rare revival from the accident at issue with strong concern and fear. He continued to be monitored by the Limassol Mental Health Services and required medication and mental monitoring.</p> |
| General damages | €4.500 (the action was rejected) |

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| Number of Action | 1429/2012 |
| Date of decision | 16.11.2018 |
| Parties | Papamarkou v. Xhaferaj and others |
| Court | Limassol District Court |
| Facts | <p>As a result of a traffic accident, the Claimant suffered injury and visited the First Aid Department of the Limassol GH. Radiological check was conducted and it was negative for fractures. He was complaining of neck pain and back pain. He was given instruction to use a cervical collar, painkillers were prescribed to him and he was submitted to visit an orthopedic specialist. He visited an orthopedic specialist, who determined that the Claimant suffered a sprain of the cervical and lumbar spine of the vertebral column. He became sensitive during pressure of the lumbosacral spine of the vertebral column with strongly limited and painful movements in all directions with muscular contraction of the hip. Anterior flexion caused pain that extended to both buttocks and to the rear surface of both thighs. There also was a sensitivity during pressure on the bottom part of the neck with limited and painful movements in all directions. The orthopedic specialist prescribed anti-inflammatory pain-relieving medicine to the Claimant and he was recommended to use a neck collar and to rest. The Claimant was also granted with a sick leave for a month. During the last examination at the orthopedic specialist, the Claimant showed improvement of his condition.</p> |
| General damages | €3.500 |

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| Number of Action | 4987/2013 |
| Date of decision | 11.09.2018 |
| Parties | Aristotelous v. Kokkinos and others |
| Court | Limassol District Court |
| Facts | <p>The Claimant, as a result of a traffic accident, suffered traumatic brain injury of medium severity, strain of the neck and a brain concussion. He suffered blunt force trauma in the occipital region (double) and he had seven stiches. He suffered traumatic amnesia. He had signs of bleeding in the brain parenchyma front right and pressure phenomena in the frontal horn of the right lateral ventricle. He had a headache, neck pain and general weakness. He had horizontal nystagmus during the movement of his eyes to the side and instability in the Romberg position. He was submitted to an MRI of the whole vertebral column and maintenance treatment with anti-inflammatory medication, analgesics and sedatives. On the next day of the accident, his clinical condition improved and 2 days after he was discharged with maintenance treatment. Its outcome was good. In the future, the Claimant would have headache and neck pain during weather changes.</p> |
| General damages | €8.500 |

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| Number of Action | 262/2012 |
| Date of decision | 08.06.2018 |
| Parties | Zavalis v. Raimund and others |
| Court | Nicosia District Court |

Facts

As a result of a traffic accident, the Claimant was admitted to the Nicosia GH, where he was hospitalized for 24 hours. It was determined that he sustained traumatic brain injury with the symptoms of posttraumatic amnesia, dizziness, headache and nausea. He had also sustained bruising and swelling in the area of the right cheekbone. Due to the neck pain, a cervical collar was fitted and the next day he was discharged from the Hospital with instructions for physiotherapy in relation to the neck and reassessment at outpatient care. He was also granted with a sick leave from his work for a period of 15 days. Upon his discharge from the Nicosia GH, he was examined by a doctor, who determined that he had instability when walking, had sustained traumatic brain injury with loss of conscience, had posttraumatic amnesia, headaches and dizziness and he had also sprained his neck that demonstrated muscle spasm and stiffness. He was given anti-inflammatory drugs and muscle relaxants and he also followed physiotherapy treatment with 12 visits to a physiotherapist, his condition had improved and he was feeling better. He was reexamined 4 months after the accident and he still had stiffness in the neck and complained of easy fatigability, periodic headaches and dizziness. During his last examination, it was determined that there were degenerative changes at several levels in the cervical spine that affect the claimant's life causing him fatigue when performing heavy physical activity and periodic headaches and stiffness in the neck. These symptoms were severe and were treated by medication and physiotherapy treatment.

General damages €4.500

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| Number of Action | 6686/2011 |
| Date of decision | 31.07.2018 |
| Parties | Toufexi v. Antoniou and others |
| Court | Nicosia District Court |
| Facts | The Claimant, as a result of a traffic accident, suffered serious sprain (strain) of the cervical spine of the vertebral column that caused pain and stiffness to the neck with numbness of the upper limbs and dizziness and for the period of 2 weeks she used a cervical collar and received medication. |

General damages €3.000

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| Number of Action | 8015/2007 |
| Date of decision | 30.03.2018 |
| Parties | Moleski v. Apollonion Private Hospital (Clinic) LTD and others |
| Court | Nicosia District Court |

Facts

The Claimant experienced inconveniences of urination since 2002. In the summer of 2004 these inconveniences were more intense and frequent. He complained to Defendant 2 that he had weak urine stream, difficulty in urination, inability to empty the bladder from the urine completely and difficulty in ejaculation. Defendant 2 did not submit the Claimant to urethroscopy or urodynamic examination before the surgery. Defendant 2 advised the Claimant that in order to treat the problems, he would have to be submitted to surgery. He informed him that he suffered from prostate cancer and that a surgery that is recommended in such circumstances is transurethral resection of the prostate (TURP). Defendant 2 did not inform the Claimant about the type of the surgery that he would be submitted to. Defendant 2 never informed the Claimant that he had bladder outlet obstruction, he neither referred to him alternative methods of treatment of the above condition. There was no information on possible consequences from the surgery. In 2004 the Claimant was submitted by Defendant 2 to a surgery, trans-urethral resection of the prostate, known as TURP at the Apollonion Private Hospital. During the surgery, the whole prostate was removed. After the removal of the prostate, Defendant 2 conducted incision of the neck of transurethral incision of the prostate, since during the surgery it was determined that the neck was hard and fibrous. During the surgery, samples of the prostate were taken and sent to histopathological examinations that they showed that prostate displayed "fibroid hyperplasia". The hyperplasia that was displayed by the prostate was not normal for a person of 35 years, as the Claimant was. The whole prostate is removed only in case cancer is diagnosed. The Claimant's problem, as demonstrated by further examinations, was located in the neck of the bladder. This was a pathological problem, the neck was narrow and fibrous, as a result there was no free stream of urine from the bladder to urethra. The Claimant continued to have urination problems even after the surgery that appeared a few weeks after. After the surgery, the Claimant was submitted to various therapies in Cyprus and abroad. Around 2011, the Claimant was submitted to "supraventricular cystostomy" surgery by Defendant 2, during which the supraventricular catheter was installed. From that time he was carrying a permanent supraventricular catheter. General damages was estimated based on the fact that the Claimant was not duly informed, he did not give his informed consent about the type and consequences of the surgery to which he was submitted to and that as a result of the surgery's conduct, during which, the prostate was removed, the Claimant would be impotent. This loss physiologically affected him, he felt unhappy, isolated from the community and avoided public events. His sexual impotence and dysuria problems that he faced, weakened him physically and mentally to such extent that they led him to desperate suicide attempt in October 2005 by using Ianate and in two other attempts during the same period.

General damages €70.000

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| Number of Action | 784/2012 |
| Date of decision | 26.06.2018 |
| Parties | Gavriilidou v. Pantelides Bros Construction Ltd |
| Court | Nicosia District Court |
| Facts | <p>The Claimant stated that while she was waking on the street of Nicosia, she tripped over horizontal extension that served as a basis of the movable rail that was placed by the Defendant in the said street and she sharply fell, as a result she suffered scars on the nose, on the upper lip and in the area of the knee cap that healed in a few days without leaving any residues.</p> |

General damages €500 (the action was rejected)

Number of Action 4492/2012

Date of decision 11.09.2018

Parties Prodromou v. Gan Direct Insurance Ltd

Court Limassol District Court

Facts The Claimant, as a result of a traffic accident, felt neck pain, she had hit her right hand and felt dizziness. She suffered neck sprain and sprain of the right wrist. She wore a cervical collar for approximately a month. For 15 days, a bandage was put on her right wrist. Medication was prescribed as well as rest and avoidance of physical fatigue. Initially, she experienced severe pain in the neck. After a month the disturbances wore off but they would come back occasionally in a milder form. She was forced to wear a cervical collar and to take medication. There was no possibility of osteoarthritic alterations of the neck.

General damages €3.000

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| Number of Action | 3418/2011 |
| Date of decision | 05.10.2018 |
| Parties | Patouna v. Home Art Trading Ltd |
| Court | Limassol District Court |

Facts

The Claimant, when coming out of the store, did not see that there were stairs, consequently losing her balance and subsequently falling on the stairs that led to the pavement. As a result of her fall, she got injured and was transferred to the Achillio private hospital for health services. There it was determined that she suffered a depressed fracture of the body of the C3 vertebral column with anterior cuneiform deformation. On the same day she was submitted to a surgery for decompression of spinal cord with the placement of screws and connective bars. A rear fused vertebrae with pedicle screws C2-C3-C4 was carried out. She was hospitalized in the above clinic for 3 days, while further she was submitted to physiotherapies. A residue of her injury was avoidance of heavy physical work in order to avoid possible worsening of her situation.

General damages €23.000

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| Number of Action | 3412/2011, 3413/2011 and 3414/2011 |
| Date of decision | 28.02.2018 |
| Parties | Efthimiou Royal Sewing Curtains Ltd v. Ferragamo Trading Ltd and others |
| Court | Paphos District Court |

Facts

The Claimant in action 3413/11, as a result of a traffic accident, suffered trauma to the forehead, where he was sutured, abrasions occurred as well as bruising in the left arm, post-concussion syndrome, brain concussion, scar on the forehead, mild nystagmus. The Court also took into account the bleeding that he suffered in the accident at issue, his transfer to the Paphos GH and the medical surveillance and aid that had he had at the Polis Chrysochous hospital. The wound healed completely and there were no functional residues or permanent physical injuries.

The Claimant in action 3414/11 suffered trauma of the scalp on the top of the head, where he was sutured, as well as post-concussion syndrome, brain concussion, scars on the scalp 4 centimeters in length, mild nystagmus. The Court also took into account the bleeding that he suffered in the accident at issue, his transfer to the Paphos GH and the medical surveillance and aid that had he had at the Polis Chrysochous hospital. The wound healed completely and there were no functional residues or permanent physical injuries.

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| General damages | €5.000 to each Claimant |
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Number of Action 4364/2010

Date of decision 23.03.2018

Parties V.S. and others v. Vourvoulakis Kai Levantis (Psychagogika Parka Kyprou) LTD

Court Nicosia District Court

Facts The Claimant, 4½ years old, as a result of an accident that happened at the playground, suffered supracondylar fracture of the right upper limb. Within the context of treatment of the fracture, he was placed under general anesthesia, his bone was reset and a splint was placed and he was held in the hospital. When he was able to be discharged, particular instructions were given for his monitoring as an outpatient. The splint was removed and instructions were given regarding the commencement of movement therapy. During the Claimant's examination, complete flexion and extension of the elbow were determined, supination and pronation was normal. The axis of the brachium and the forearm was normal. MRI showed healing of the fracture.

General damages €10.000

Number of Action 606/2015

Date of decision 27.06.2018

Parties Derventza v. Pankov and others

Court Limassol District Court

Facts The Claimant, as a result of an attack, suffered a nasal fracture, neck and waist strain as well as hemorrhages in the left area of the neck, the left shoulder, redness of the anterior surface of the left half thorax, nasal swelling, loss of skin of the zygomatic area from the left, the left elbow and the left calf, for the treatment of which analgesic therapy was applied, 6 physiotherapies and a soft cervical collar was placed. At the time of claiming of General damages, the Court took into account the nature, severity and extent of the injuries of the Claimant as well as the conditions under which the said injuries were caused.

General damages €8.000

Number of Action 660/2017

Date of decision 07.12.2018

Parties Georgiou v. Bolevento Ltd and others

Court Limassol District Court

Facts The Claimant, after the use of the parking space of the Defendants, suffered a right olecranon (elbow) fracture. She was submitted to surgery, during which her fracture was reset and a fixation was made with placement of plates that will have to be removed. For this purpose, she will have to be submitted to a new surgery, the total cost of which is €4.500. She was hospitalized at a polyclinic and submitted to physiotherapy. Until today she has been experiencing severe pains and she is often forced to take painkillers for the treatment of the pain, additionally, mobility of the hand and particularly of the elbow, has been quite limited, a condition that she will have to face and experience for the rest of her life. For the rest of her life she would experience the said trauma, namely severe pains, particularly during the change of the seasons, as well as limitations and/or weakness of the movement of the elbow of her right hand, elements that, compared with the past, degraded the general quality of her life as well as the pleasure of sporting and training that she enjoyed in the past with comfort and desire.

General damages €12.000 (includes the amount of €4.500 as expenses of the future surgery– demonstration procedure)

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| Number of Action | 10138/2010 |
| Date of decision | 18.10.2018 |
| Parties | Georgiou v. Prosecutor-General of the Cyprus Republic |
| Court | Nicosia District Court |
| Facts | <p>The Claimant, 50 years old, during the time at issue, as a result of the industrial accident, suffered crushing of both calves. He was admitted to the Nicosia G.N. and was diagnosed with navicular fracture of the right wrist and was treated conservatively with a plaster cast. He still felt numbness in the area of the injury, then he visited an Orthopedist – Surgeon – Traumatologist, who diagnosed him with pseudarthrosis of the fracture of the navicular of the right wrist. Pseudarthrosis constitutes a disease that causes pain, stiffness and difficulty in conception. He was submitted to surgery under general anesthesia, during which a special compression screw was placed in his hand and the fracture was immobilized by a plaster cast. Further, the seams were removed and his hand was put in a plaster cast again. After 6 months of the surgery, since there was no improvement, the Claimant visited an orthopedist, who advised a new surgery on the hand. He was submitted to the second surgery, during which the screws were removed and new ones were placed at their place. He continued to have disturbances in his right hand that was going numb and started to tremble and the orthopedist advised him to rest constantly, granted him a sick leave, and he was also advised not to perform tasks that require heavy manual work. He was submitted to a third surgery for removal of the screws from his hand. He was granted with sick leave of 10 months. Regarding the health condition of the Claimant today, he continued to feel numbness in his hand, and he lost the contact with his field since, the pain in the hand (and in the vertebral column) did not allow him to take care of it.</p> |

General damages €32.000

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