

Insurance Law

Harper Grey's litigation practice was founded upon our experience in insurance law. Today, we serve clients in every insurance market and assist in managing all commonly-insured risks. We have been counsel on many of the leading cases arising out of insurance claims and have represented insurers and their clients in addressing some of the most complex and significant claims to have come before the courts.

We have represented our clients at every level of the judicial system, from the British Columbia Provincial Court to the Supreme Court of Canada.

Harper Grey's longstanding commitment to insurers and their clients includes regularly participating the insurance industry's educational programs, including in-house presentations at the major insurers and participation in the conventions, conferences and seminars of:

- Canadian Defence Lawyers
- Defence Research Institute
- Risk Insurance Managers Association
- Canadian Life and Health Insurance Association
- Aviation Insurance Association
- Insurance Brokers Association of British Columbia
- Credit Union Insurance Services Association of British Columbia

Members of our Insurance Law Group have lectured and written extensively on insurance law and have led insurance-related continuing legal education seminars for many years. Some of our lawyers also guest lecture at the University of British Columbia Faculty of Law on an annual basis.

In 2006, 2007 and 2008, Lexpert Canada rated us as one of the top 3 "Most Frequently Recommended" firms for insurance law in British Columbia.

Nigel Trevethan chairs our insurance law practice group. You are welcome to contact him at 604.895-2821 or via email.

Representative Experience

Property and Casualty Claims

Recent News

Six Harper Grey lawyers named "Leading Practitioners"

Peter Willcock appointed a Judge of the Supreme Court of British Columbia

Four Harper Grey LLP Lawyers Named "Best in Canada"

Canadian Insurance Law Blog Wins Award

Harper Grey Welcomes Three New Associates

Allan Thackray rejoins Harper Grey LLP

Neil Matheson appointed Queen's Counsel

Five Harper Grey Lawyers named Lexpert "Leading Practitioners"

Mike Thomas and Salman Bhura Join Partnership

Courts Siding with Insurers over Criminal Act Exclusion

Three Harper Grey Partners named amongst the Best Lawyers in Canada

G. Bruce Butler, Q.C. appointed a Justice of the Supreme Court of British Columbia.

Events

Insurance Brokers Association of BC

continued

Insurance Law *cont.*

- Argued a leading case in the Supreme Court of Canada on the issue of who is an insured on a fire insurance policy (*Scott v. Wawanesa Mutual Insurance Co.*)

Commercial Liability

- Established in the Supreme Court of Canada the right of an employee to the protection of the employer's contractual limitation of liability (*London Drugs Ltd. v. Kuehne & Nagel International Ltd.*)

Automobile Insurance and Transportation Risks

- Represented a major insurer in the Supreme Court of Canada on the two leading cases on deductibility of "collateral benefits" (*Cunningham v. Wheeler; and M.B. v. British Columbia*)

Aviation Insurance

- Successfully moving to obtain the disclosure of material arising from the Canadian Transportation Safety Board investigation of a helicopter crash (*Hayes Heli-Log Services Limited v. Acro-Aerospace Inc.*)

Professional Liability

- Establishing at the Court of Appeal that the principles of contributory negligence are applicable and available as a defence to a professional facing concurrent claims framed alternatively in negligence, contract, and breach of fiduciary duty (*Crown West Steel Fabricators v. Capri Insurance Services Ltd.*)

Directors and Officers Liability

- Acted on a leading derivative action and oppression proceeding where we established that the defendant acted honestly and reasonably in his capacity as a director and that he ought fairly to be excused from liability as permitted by s. 202 of the *Company Act* (*Discovery Enterprises v. Ebco Industries et al.*)

Life and Disability Insurance

(IBABC) Annual Conference

Health Care Costs Recovery Act

Personal Injury 2009

Canadian Insurance Coverage Symposium

Professional Regulation and Discipline Conference

Harper Grey LLP Insurance Seminar 2009

Lawyers

Chair: Nigel L. Trevethan

Assistant Chair: Jennifer R. Woznesensky

Bryan G. Baynham, QC

Salman Y. Bhura

Andrew D. Brine

Guy P. Brown

Bernard S. Buettner

William S. Clark

Cameron B.P. Elder

Sandra L. Kovacs

Maureen L.A. Lundell

Neil J. MacDonald

Scott J. Marcinkow

Insurance Law cont.

- Acted for insurers at trial and on appeal in the leading cases addressing an insurer's vicarious liability for dishonesty of agents. (*Wilson v. Clarica Life Insurance Co.*; *Thiessen v. Clarica Life Insurance Co.*)
- Successfully obtained early bifurcation orders for disability insurers (*Stuart v. Manufacturers Life Insurance Company*; *Sanders v. Clarica Life Insurance Company*)

Coverage Disputes

- Successfully represented insurers on an important case on the extent of the business-risk/own work product exclusion (*Swagger Construction Ltd. v. ING Insurance Company of Canada et al.*)

Subrogation

- Represented insurers subscribing to property policy covering a regional shopping mall on a claim to recover insured losses caused by a substantial fire. (*Laing Property Corp. v. All Seasons Display Inc.*)

Regulatory Disputes

- Represented the Canadian Life and Health Insurers in litigation arising out of the sale of insurance products by banks. (*Bank of Nova Scotia v. Supt. Financial Institutions*)

For more significant cases, please read the profiles of lawyers in this group.

We also write and edit the Harper Grey Insurance Law Netletter for Quicklaw. This is a leading publication providing the timely review of leading insurance law cases from across Canada. Quicklaw publishes these updates on a bi-weekly basis, and provides them to subscribers with a convenient searchable database and indexing system. We are also able to provide our summaries to our clients and contacts in a free monthly e-newsletter service.

L. Neil Matheson, QC

Jonathan D. Meadows

Natasha D. Morley

David W. Pilley

Terrence L. Robertson, QC

Christopher M. Rusnak

Bena W. Stock

W. Sean Taylor

Michael G. Thomas

Abigail C.F. Turner

Emily M. Williamson

Roselle P. Wu

Kim Yee

Paralegals

Lisa Evenson

Janice Gaines

Tamara Rancan

Sheryl Watson