

## MEDIATION, ARBITRATION & CONFLICT MANAGEMENT



**KIMBERLY J. JAKEMAN\***

Contact

Harper Grey LLP

[kjakeman@harpergrey.com](mailto:kjakeman@harpergrey.com)

604.895.2817

\*Kimberly J. Jakeman Law Corporation



**MICHAEL J. HEWITT\***

Contact

Harper Grey LLP

[mhewitt@harpergrey.com](mailto:mhewitt@harpergrey.com)

604.895.2930

\*Michael J. Hewitt Personal Law Corporation

As mediators we are people and outcome focused and unflinchingly impartial.

Conflict is a natural byproduct of human interaction. There are numerous sources of conflict and the types of conflict are many and varied. But not all conflicts need to be resolved through litigation. Mediation and arbitration offers a cost-effective and expeditious alternative to resolving disputes.

Harper Grey is well known for its depth of expertise in the arena of litigation.

Our background experience and collective understanding of the nuances of litigation gives us the foundation to appreciate the importance of the mediation process in resolving disputes.

We understand more than others the risks and benefits of proceeding to trial. It is precisely our involvement in litigation that motivates us to focus on other methods of dispute resolution.

The many benefits of resolving conflicts outside the courtroom include that it:

- offers a cost effective alternative;
- is less time consuming and stressful;
- protects privacy and confidentiality;
- is a more flexible process;
- minimizes acrimony and can help maintain relationships; and
- offers the parties control of the process.

### MEDIATION

Mediation is one point in the spectrum of alternate dispute resolution. It is the process whereby a neutral third party (the mediator) assists two or more parties explore and find common-ground solutions to issues in dispute between them.

In the role of mediator, we actively listen, find common ground and shared interests, and help facilitate a supportable and lasting agreement.

Our mediation team draws on the unique insights, perspectives and skills they have cultivated practicing in the areas of professional negligence, professional regulatory work including workplace disputes, administrative law, insurance, major property loss subrogation, personal injury, commercial litigation, property disputes, construction and family law.

Mediations can be done virtually and offers many of the same attributes as in-person dispute resolution including group meetings, private rooms, and document sharing. The added benefit of virtual mediation is active participation no matter where the parties are located, flexible scheduling and elimination of travel and expenses. We were early adopters of virtual mediation and continue to be impressed by how effective it is.

## **ARBITRATION**

Another point in the dispute resolution spectrum is arbitration. Arbitration enables a more efficient and final resolution than going to trial in the court system.

An arbitrator has decision making authority which binds the parties. Similar to a trial, parties present their evidence and legal arguments to the arbitrator who then renders a binding decision. Unlike a trial, significant confidentiality attaches to arbitration proceedings – hearings and the record are not made available to the public. Shielding parties from some of the rigours of a trial is particularly important to parties with an ongoing relationship or sensitive commercial or other information.

Another advantage to arbitration is the ability to select an arbitrator who is well versed in the subject matter and applicable law.

Michael Hewitt is a litigator and arbitrator who brings over 25 years' experience to cases presented in arbitration.

## **SERVICES**

We have experience mediating and co-mediating both simple and complex matters.

We offer neutral mediation and conflict resolution services to individuals, families, businesses, groups and organizations, in both the public and private sectors, to assist in resolving disputes and conflict.

- Claims - Negligence, Personal Injury, Personal Injury Motor Vehicle, Product Liability, Small Claims Court, Small Claims Court Rule 7.3
- Elder Law
- Employment & Workforce - Employment, Harassment, Workplace Conflict/Bullying, Wrongful/Constructive Dismissal
- Family Law - Division of Family Property, Parenting Issues and Parenting Plans, Spousal and Child Support Services
- Finances & Taxation - Wills and Estates
- Industry - Construction, Environmental, Hospital, Health, Insurance, Sport, Transportation
- Mental Health Issues
- Professional / Organizational Complaints - Professional Misconduct, Professional Negligence
- Public Institutions / Charities / Non-Profits - Schools, Education, University, Municipal, Societies, Charities
- Commercial disputes – corporate, shareholder, construction and other disputes
- Rights & Identity - Defamation, Discrimination, Harassment, Bullying, Human Rights, Privacy, Information Access

## **RECOGNITIONS**

Harper Grey recognized as a "Leading Law Firm" regionally in the area of Dispute Resolution by Chambers Canada®, 2017-2020

29 Harper Grey lawyers recognized across 19 specialty areas by Best Lawyers® in Canada, 2020

19 Harper Grey lawyers recognized as "Leading Practitioners" by Canadian Legal Lexpert Directory®, 2020

24 Harper Grey lawyers recognized for litigation expertise by Benchmark Canada®, 2020

Harper Grey receives highest firm ranking as a “Highly Recommended” local litigation law firm in British Columbia from Benchmark Canada® 2014-2020

Martindale Hubbell® recognizes 13 Harper Grey lawyers across 27 practice areas

Harper Grey receives the TAGLaw Membership Award of Distinction acknowledging 15 years of outstanding service

Harper Grey recognized as a Top 10 Regional Firm in British Columbia, Alberta and the Territories by Canadian Lawyer Magazine, 2012 and 2014

## COMMENTARIES

"The Harper Grey team is a well-oiled machine. All the lawyers I deal with are well-trained and hardworking. They communicate well and are always available for questions."

— *Benchmark Canada® 2020*

"Incredibly strong skill set, knowledge of litigation and strategic, and keen ability to solve problems."

— *Benchmark Canada® 2020*

"These lawyers are all subject matter experts, and leader in their field, whose knowledge and skill are matched by their excellent client service."

— *Benchmark Canada® 2019*

"This team has provided outstanding legal service. They are prompt, responsive, and communicative. They are strong strategists and provide well researched, experienced legal advice. We work with many firms, and Harper Grey stands out. One member of the team remembers every interaction, memo, pleading and document. They understand a very complicated file and address it with ease and candor. We very much appreciate their strong advocacy."

— *Benchmark Canada® 2019*

"The firm is top notch. They have many lawyers specialized in medical defense work who are highly skilled in their legal acumen and practice management, but who also recognize the importance of carrying out their work in a practical, results-oriented manner. They actively look for ways to more efficiently partner with their clients for effective management of the work, while at the same time not weakening their excellent service delivery, their responsiveness, or their effectiveness in the work."

— *Benchmark Canada® 2019*

"The firm's lawyers are principled and have deep integrity. Their work is thorough and of consistent high quality."

— *Benchmark Canada® 2019*

"Excellent response time, good talent from junior and intermediate to senior levels and reasonable service costs."

— *Benchmark Canada® 2018*

"[They are a] top insurance firm with expertise on our wordings, and they look for ways to resolve issues in conjunction with litigation, such as mediation and arbitration."

— *Benchmark Canada® 2018*

“A Vancouver staple, Harper Grey is perhaps the most BC-centric of the “highly recommended” firms, owing largely to the firm’s bench strength in several key areas.”  
— *Benchmark Canada@ 2018*

“A lawyer who refers work to Harper Grey wrote it has ‘great service, a breadth of practice and I have never received a negative comment from referrals to the firm’.”  
— *2014 Canadian Lawyer Magazine Stronger than Ever - Top Western & Northern Firms, September 1, 2014*

“They exceeded all my expectations. I am very satisfied with their work and very happy to recommend them.”  
— *Chambers Canada@ 2017*

“Harper Grey has niches, and in those niches they are the best of the best.”  
— *Benchmark Canada@ 2017*

“Every day it seems like I am dealing with someone at Harper Grey, and I always find them professional, courteous and effective.”  
— *Benchmark Canada@ 2017*

“Harper Grey is one of the best firms in Vancouver. They have excellent service, knowledge and their cost structure is excellent.”  
— *Benchmark Canada@ 2017*

“Harper Grey lawyers are ‘dedicated to their clients and focused on finding and implementing practical solutions for them. The lawyers are prompt, intelligent and insightful, and provide a high level of customer service’.”  
— *2012 Canadian Lawyer Magazine@ Embracing Regionalism - Canadian Lawyer’s Top 10 firms from B.C., Alberta, and the Territories are in the Sweet Spot Right Now, October 1, 2012*

“Clients are comforted by the firm’s long history in BC. We’re steeped in the region. Our connection is such that we have knowledge of not only the issue itself, but the history of the issue in the province.” – Richard Bereti  
— *2012 Canadian Lawyer Magazine@ Embracing Regionalism - Canadian Lawyer’s Top 10 firms from B.C., Alberta, and the Territories are in the Sweet Spot Right Now, October 1, 2012*

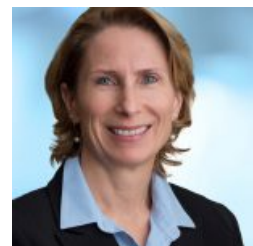
## LAWYERS



**MICHAEL J. HEWITT\***  
[mhewitt@harpergrey.com](mailto:mhewitt@harpergrey.com)  
604.895.2930



**TRUDY HOPMAN\***  
[thopman@harpergrey.com](mailto:thopman@harpergrey.com)  
604.895.2915



**KIMBERLY J. JAKEMAN\***  
[kjakeman@harpergrey.com](mailto:kjakeman@harpergrey.com)  
604.895.2817



**ROSE KEITH, QC\***  
rkeith@harpergrey.com  
604.895.2911



**MAUREEN L.A. LUNDELL, QC**  
mlundell@harpergrey.com  
604.895.2827



**MARLA MENNIE\***  
mmennie@harpergrey.com  
604.895.2919



**LISA NEWBY**  
lnewby@harpergrey.com  
604.895.2916



**NIGEL L. TREVETHAN\***  
ntrevethan@harpergrey.com  
604.895.2821

### SELECT ARTICLES + PUBLICATIONS

**Rose Keith, QC discusses one of the most important elements to ensuring a successful mediation in her latest “Mediation Moment” column in The Verdict**

Published in: The Verdict - Issue 163

Written by: Rose Keith, QC\*

**Rose Keith “Mediation Moment” column, Issue 161, The Verdict**

Published in: The Verdict - Issue 161

Written by: Rose Keith, QC\*

**Rose Keith authors new “Mediation Moment” column for The Verdict**

Written by: Rose Keith, QC\*

**“A Conflict Resolution Alternative to Consider: Third Party Facilitation” Paper**

Published by: Harper Grey - 26.Jul.17

Written by: Kimberly J. Jakeman\*

### SELECT EVENTS + PRESENTATIONS

**Lisa Newby presents at Collaborative Divorce Vancouver Dinner Meeting**

Presented by: Lisa Newby

**Kim Jakeman teaches mediation session at PLTC**

Presentation date: 19.Jun.19

Presented by: Kimberly J. Jakeman\*

**Rose Keith to present at TLABC “Trial by Fire No More” series**

Presented by: Rose Keith, QC\*

**Jonathan Meadows to present at upcoming BCRIMA Luncheon on “Success At Mediation – How To Effectively Use Mediation To Obtain A Winning Result”**

Presentation Date: 25.Nov.15

Presented by: Jonathan D. Meadows\*

**Jonathan Meadows and Daniel Reid to present at the 2015 RIMS Canada Conference on “Winning at Mediation”**

Presentation Date: 29.Sep.15

Presented by: Daniel J. Reid, Jonathan D. Meadows\*

**SELECT NEWS**

**Harper Grey shortlisted as BC Law Firm of the Year by Benchmark Canada 2020**

14.Feb.20

**Rose Keith appointed Queen’s Counsel**

Related to: Rose Keith, QC\* - 19.Dec.19

**Rose Keith joins BCICAC Mediation and UMP Panels**

Related to: Rose Keith, QC\* - 08.Oct.19

**Kim Jakeman and Rose Keith to present on Ethical Issues in Mediation**

Related to: Kimberly J. Jakeman\*, Rose Keith, QC\* - 27.Sep.19

**Rose Keith and Kim Jakeman attend JIBC Course on Managing the Hostile Individual**

Related to: Rose Keith, QC\*, Kimberly J. Jakeman\* - 17.Apr.19

**Kim Jakeman launches Mediation App**

Related to: Kimberly J. Jakeman\* - 13.Dec.17