



CAMERON B. ELDER

Cameron is a Partner with Harper Grey and chair of our Construction & Engineering Law Group. Cameron's civil litigation practice is diverse, spanning the areas of health law, construction, commercial litigation, and real estate disputes.

CAMERON B. ELDER

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ASSISTANT

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EXPERTISE

Construction & Engineering Law
Commercial Litigation
Health Law

In his health law practice, Cameron has ten years of experience assisting, advising and defending physicians in medical malpractice claims and in matters relating to professional and ethical conduct.

Cameron's construction law practice is focused on defending engineers and architects against error and omissions claims, and advising on risk management, including contracts, insurance, and pre-litigation dispute resolution.

He has a decade of experience defending construction defect and delay claims relating to public infrastructure, residential, and commercial developments. He has acted for architects, structural engineers, mechanical engineers and geotechnical engineers, among others. He has particular expertise dealing with geotechnical claims arising out of erosion, differential settlement, landslides, and drainage.

Cameron advises owners, general contractors, and consultants on commercial and real estate disputes involving CPLs, builder's liens, easements, restrictive covenants, purchase and sale disputes, and strata disputes.

Cameron has appeared in all levels of BC courts.

Cameron grew up in Halifax, Nova Scotia and obtained an undergraduate degree in Biology and International Development from Dalhousie University.

EXPERIENCE

CONSTRUCTION AND ENGINEERING LAW

- Defending engineers and architects against breach of contract and negligence claims arising out of their provision of professional services
- Assisting owners and contractors with disputes over payment and/or deficiency claims
- Providing advice on contractual and insurance issues

PROPERTY DISPUTES

- Drafting, filing or disputing certificates pending litigation

- Assisting clients with constructive trust claims
- Assisting clients with disputes over surveys, restrictive covenants, and nuisance issues
- Assisting clients with disputes arising out of the purchase and sale of property

COMMERCIAL LITIGATION

- Shareholder disputes including oppression remedies
- Breach of contract claims
- Enforcement of judgments and equitable tracing
- Lawyer fee disputes

HEALTH LAW

- Assisting, advising and defending physicians in medical malpractice claims
- Assisting physicians with hospital privileges and contract disputes with provincial health authorities
- Assisting physicians with issues of professional and ethical conduct

CREDENTIALS

EDUCATION

- University of Victoria, LL.B., 2005
- Dalhousie University, B.Sc., 2000

BAR ADMISSION

- British Columbia, 2007

LEADERSHIP

- Chair, Harper Grey Construction & Engineering Law Group
- Contributing Author, LexisNexis® Harper Grey Insurance Law Netletter™
- Contributing Author, Harper Grey Canadian Insurance Law Blog
- Contributing Author, Harper Grey Insurance Law Update Newsletter
- Contributing Author, Contemporary Canadian Insurance Law Casebook, 2015, Published by LexisNexis® Canada
- Pro Bono Volunteer, Access Justice Legal Clinic

MEMBERSHIP

- Member, Urban Land Institute
- Member, The Law Society of British Columbia
- Member, Canadian Bar Association, BC Branch Subsections:
 - Real Property Subsection

RECOGNITIONS

Rising Stars - Leading Lawyers Under 40 award recipient, Lexpert®, 2018

40 and Under Hot List - Leading Lawyers Under 40 award recipient, Benchmark Canada®, 2018

Recognized as a "Future Star" in British Columbia by Benchmark Canada®, 2018-2019

Recognized as a "Leading Lawyer to Watch" in Construction Law by Canadian Legal Lexpert Directory®, 2019

COMMENTARIES

"Cam Elder is a very knowledgeable lawyer and I trust his assessment and strategy plans to bring the matter to a close."

— *Benchmark Canada®*

"A distinguishing feature of Cameron Elder's civil litigation practice is its emphasis on complex disputes, generally involving millions of dollars, in two areas – construction and health law."

— *Benchmark Canada®*

"Cam Elder is a very knowledgeable lawyer and I trust his assessment and strategy plans to bring the matter to a close."

— *Benchmark Canada®*

SELECT ARTICLES + PUBLICATIONS

"Best Practices in Procurement – A Risk Management Perspective" Article

Published In: Business In Vancouver - Association of Consulting Engineering Companies in BC Supplement - Fall 2015

Written by: Cameron B. Elder

Harper Grey publishes Contemporary Canadian Insurance Law, a comprehensive casebook providing access to the case law and legal principles relevant to virtually all areas of insurance law in Canada

Published by: Harper Grey - 08.Jul.17

Written by: Aaron D. Atkinson, Cameron B. Elder, David W. Pilley, Emily M. Williamson, JoAnne Barnum, Jonathan D. Meadows*, Kim J. Yee, Kora Paciorek, Michael J. Robinson, Michael G. Thomas*, Nigel L. Trevethan*

"Letters of Assurance Risks" Article

Published In: Construction Business - Nov/Dec.14

Written by: Cameron B. Elder

SELECT EVENTS + PRESENTATIONS

Kim Yee and Cameron Elder to present at 2017 CLE Personal Injury Conference

Presentation Date: 09.Jun.17

Presented by: Kim J. Yee, Cameron B. Elder

Cameron Elder to present at Vancouver ACEC-BC YPG Breakfast Seminar

Presentation Date: 07.Apr.17

Presented by: Cameron B. Elder

Cameron Elder repeats co-presentation of "Loss Prevention Case Study Workshop" in Victoria

Presentation Date: 22.Mar.17

Presented by: Cameron B. Elder

Cameron Elder co-presents Loss Prevention Case Study Workshop

Presentation Date: 16.Mar.17

Presented by: Cameron B. Elder

Cameron Elder co-presents with Rob McLeod at Contract Basics for Design Professionals Seminar

Presentation Date: 24.Nov.16

Presented by: Cameron B. Elder

Cameron Elder to present on Loss Prevention to the Victoria Structural Engineers Association

Presentation Date: 24.Mar.16

Presented by: Cameron B. Elder

Cameron Elder to present at BCRIMA Member Luncheon on February 19, 2014

Presentation Date: 19.Feb.14

Presented by: Cameron B. Elder

Cameron Elder to present at BCRIMA Member Luncheon

Presentation Date: 19.Feb.14

Presented by: Cameron B. Elder

Cameron Elder and Steve Abramson to present Commercial Litigation for Junior Lawyers

Presentation Date: 13.Apr.12

Presented by: Cameron B. Elder, Steven Abramson*

SELECT NEWS

2019 Canadian Legal Lexpert® Directory recognizes 16 Harper Grey lawyers as “Leading Practitioners”

Related to: Steven Abramson*, H. Roderick Anderson*, Richard E. Bereti*, Guy P. Brown, QC*, William S. Clark*, Cameron B. Elder, Michael J. Hewitt*, Kimberly J. Jakeman*, Jonathan D. Meadows*, David W. Pilley, Christopher M. Rusnak*, Raj Samtani*, W. Sean Taylor, Nigel L. Trevethan*, Abigail C.F. Turner*, Lara C. Zee - 06.May.19

Cameron Elder receives Benchmark Canada® 2019 “Future Star” ranking

Related to: Cameron B. Elder - 05.Apr.19

Harper Grey supports technical innovation through sponsorship of ACEC-BC’s Awards for Engineering Excellence

Related to: Cameron B. Elder, Christopher M. Rusnak*, Adam R. Way - 01.Apr.19

Benchmark Canada® 2019 recognizes 19 Harper Grey lawyers for litigation expertise

Related to: Richard E. Bereti*, Salman Y. Bhura*, Guy P. Brown, QC*, William S. Clark*, Michael J. Hewitt*, Kimberly J. Jakeman*, Jonathan D. Meadows*, David W. Pilley, Michael G. Thomas*, Nigel L. Trevethan*, Abigail C.F. Turner*, Jennifer R. Woznesensky, Steven Abramson*, Cameron B. Elder, Una Radoja* - 27.Mar.19

Cameron Elder receives Lexpert ® 2018 Rising Star – Leading Lawyer Under 40 award

Related to: Cameron B. Elder - 13.Nov.18

Cameron Elder and Una Radoja recognized among the 25 most notable and up-and-coming litigation lawyers in Canada

Related to: Cameron B. Elder, Una Radoja* - 03.Jul.18

19 Harper Grey Lawyers recognized for litigation expertise by Benchmark Canada® 2018

Related to: H. Roderick Anderson*, Bryan G. Baynham, QC, Richard E. Bereti*, Salman Y. Bhura*, Guy P. Brown, QC*, Karen F. Douglas*, Michael J. Hewitt*, Kimberly J. Jakeman*, James M. Lepp, QC, Jonathan D. Meadows*, David W. Pilley, Christopher M. Rusnak*, John P. Sullivan*, Michael G. Thomas*, Nigel L. Trevethan*, Abigail C.F. Turner*, Jennifer R. Woznesensky, Cameron B. Elder, Una Radoja* - 19.Apr.18

Steven Abramson and Cameron Elder join Harper Grey partnership

Related to: Cameron B. Elder, Steven Abramson* - 02.Feb.17

SELECT NEWSLETTERS + UPDATES

Case Summary: Decision addressing distribution of insurance proceeds where insufficient funds to satisfy all judgments and settlements arising out of a MVA

Published In: Insurance Law Newsletter – 14.May.19

Written by: Cameron B. Elder

Case Summary: Named beneficiary obtained summary judgment against estate of business partner for proceeds of key man insurance

Published In: Insurance Law Newsletter – 14.May.19

Written by: Cameron B. Elder

Case Summary: Builder's risk policy does not apply to pre-existing property damaged by construction activity

Published In: Insurance Law Newsletter – 14.May.19

Written by: Cameron B. Elder

Case Summary: Coverage for mother sued by daughter injured at mother's home, where daughter resided as tenant

Published In: Insurance Law Newsletter – 14.May.19

Written by: Cameron B. Elder

Case Summary: Insured operating cold storage business entitled to defence with respect to claim by customer for damages arising from loss of products

Published In: Insurance Law Newsletter – 12.Feb.19

Written by: Cameron B. Elder

Case Summary: Insureds entitled to benefit of previous life insurance policy where subsequent replacement policy voided for misrepresentation

Published In: Insurance Law Newsletter – 12.Feb.19

Written by: Cameron B. Elder

Case Summary: Estate of known drug dealer not entitled to proceeds of mortgage life insurance

Published In: Insurance Law Newsletter – 12.Feb.19

Written by: Cameron B. Elder

Case Summary: A sandbar is not a highway

Published In: Insurance Law Newsletter – 12.Feb.19

Written by: Cameron B. Elder

Case Summary: ONCA certifies class action against Sun Life in respect to sale of life insurance policies

Published In: Insurance Law Newsletter – 13.Nov.18

Written by: Cameron B. Elder

Case Summary: Arbitrator's decision finding Ontario insurer required to pay Ontario benefits under its Nunavut policy upheld by ONSC

Published In: Insurance Law Newsletter – 13.Nov.18

Written by: Cameron B. Elder

Case Summary: Summary trial not suitable where plaintiff's credibility in question due to conflicting evidence from his divorce

Published In: Insurance Law Newsletter – 13.Nov.18

Written by: Cameron B. Elder

Case Summary: No reversible error found in motion judge's refusal to dismiss bad faith claim against insurer on summary judgment application

Published In: Insurance Law Newsletter – 14.Aug.18

Written by: Cameron B. Elder

Case Summary: Physical contact with unidentified vehicle required for coverage under SEF No. 44 Endorsement in Alberta

Published In: Insurance Law Newsletter – 14.Aug.18

Written by: Cameron B. Elder

Case Summary: Landlord's insurer entitled to subrogate against tenant notwithstanding language of lease that gave tenant benefit of landlord's insurance where lease included exception for damage caused by tenant's negligence

Published In: Insurance Law Newsletter – 14.Aug.18

Written by: Cameron B. Elder

Case Summary: Appeal of trial decision finding defence of arson made out dismissed

Published In: Insurance Law Newsletter – 14.Aug.18

Written by: Cameron B. Elder

Case Summary: Elevator maintenance company required to defend owner and property manager of building based on covenant to insure in contract with property manager

Published In: Insurance Law Newsletter - 08.May.18

Written by: Cameron B. Elder

Case Summary: Insurer has a duty to defend its insured due to a possibility the insured would be liable for compensatory damages the insured had assumed under a contract

Published In: Insurance Law Newsletter - 08.May.18

Written by: Cameron B. Elder

Case Summary: Insurer not entitled to pursue subrogated action in name of insured who was an undischarged bankrupt at time action was commenced

Published In: Insurance Law Newsletter - 08.May.18

Written by: Cameron B. Elder

Case Summary: Insurer entitled to rectification of life insurance policy showing, in error, paid up value of \$13.4 million

Published In: Insurance Law Newsletter - 08.May.18

Written by: Cameron B. Elder

Case Summary: Insurers had duty to defend insureds against claim for damages arising from alleged migration of contamination notwithstanding environmental and pollution liability exclusions in policies

Published In: Insurance Law Newsletter - 13.Feb.18

Written by: Cameron B. Elder

Case Summary: Mortgagor's claim to proceeds of fire loss paid out under standard mortgage clause took priority over CRA's claim due to mortgagee's tax liability

Published In: Insurance Law Newsletter - 13.Feb.18

Written by: Cameron B. Elder

Case Summary: Insured's soft-tissue injuries did not amount to "permanent serious impairment of an important physical, mental, or psychological function" and therefore award of general damages by jury disallowed

Published In: Insurance Law Newsletter - 13.Feb.18

Written by: Cameron B. Elder

Case Summary: Appeal from partial summary judgment in which court made a declaration relating to the interpretation of a section of a banker's comprehensive liability policy allowed

Published In: Insurance Law Newsletter - 13.Feb.18

Written by: Cameron B. Elder

Case Summary: ONCA declines to rule on merits of an appeal in light of apparent conflict of interest between insured's counsel and insured

Published in: Insurance Law Newsletter - 12.Dec.17

Written by: Cameron B. Elder

Case Summary: No coverage for additional insured where claim against additional insured did not arise solely out of the operations of the primary insured

Published in: Insurance Law Newsletter - 12.Dec.17

Written by: Cameron B. Elder

Case Summary: Insurer found not to have duty to defend based on CGL policy exclusions in an action where insureds allegedly supplied defective grape vines

Published in: Insurance Law Newsletter - 12.Dec.17

Written by: Cameron B. Elder

Case Summary: Alberta Court of Queen's Bench finds insurer has duty to defend insured in third party proceedings arising from workplace injury

Published in: Insurance Law Newsletter - 12.Dec.17

Written by: Cameron B. Elder

Case Summary: Insured entitled to indemnity under policy of insurance for theft claim arising out of two accidents in which her motor vehicle was involved and taken without her permission

Published in: Insurance Law Newsletter - 12.Dec.17

Written by: Cameron B. Elder

Case Summary: Motion dismissed where full factual record is required for proper adjudication

Published in: Insurance Law Newsletter - 12.Sep.17

Written by: Cameron B. Elder

Case Summary: Landlord precluded from claiming against tenant for losses arising from a fire due to covenant to insure in the lease

Published in: Insurance Law Newsletter - 12.Sep.17

Written by: Cameron B. Elder

Case Summary: Ontario Court of Appeal rules insurer not required to provide justification for their decision to request an examination under oath

Published in: Insurance Law Newsletter - 12.Sep.17

Written by: Cameron B. Elder

Case Summary: Use of non-compliant excluded driver form did not void endorsement in insurance coverage dispute

Published in: Insurance Law Newsletter - 11.Jul.17

Written by: Cameron B. Elder

Case Summary: Court not required to determine the threshold issue where there has been no award for health care costs or non-pecuniary loss

Published in: Administrative Law Newsletter - 11.Jul.17

Written by: Cameron B. Elder

Case Summary: Insured entitled to coverage under Alberta Standard Automobile Policy following accident involving an unidentified vehicle

Published in: Insurance Law Newsletter - 11.Jul.17

Written by: Cameron B. Elder

Case Summary: Summary judgment not appropriate for dispute regarding proof of loss in fire policy claim when credibility issues require a full trial to explore

Published in: Insurance Law Newsletter - 11.Apr.17

Written by: Cameron B. Elder

Case Summary: Ontario court finds loss transfer provisions apply to vehicles in motion even if chain reaction collision involves a vehicle not in motion

Published in: Insurance Law Newsletter - 11.Apr.17

Written by: Cameron B. Elder

Case Summary: Punitive damages awarded against insurer for failure to pay fire coverage property claim in timely fashion

Published in: Insurance Law Newsletter - 11.Apr.17

Written by: Cameron B. Elder

Case Summary: Hit-and-run victim who made "all reasonable efforts" to identify other driver entitled to compensation

Published in: Insurance Law Newsletter - 11.Apr.17

Written by: Cameron B. Elder

Case Summary: Supreme Court of Canada confirms that litigation privilege cannot be abrogated absent express statutory provision

Published in: Insurance Law Newsletter - 10.Jan.17

Written by: Cameron B. Elder, David W. Pilley

Case Summary: Consultant does not owe duty to the plaintiffs who are adverse in interest to the insurer

Published in: Insurance Law Newsletter - 10.Jan.17

Written by: Cameron B. Elder, David W. Pilley

Case Summary: In BC no-fault Part 7 benefits are distinct from compensation awarded on the basis of fault or liability in tort

Published in: Insurance Law Newsletter - 10.Jan.17

Written by: Cameron B. Elder, David W. Pilley

Case Summary: Court finds mortgagor had enforceable rights in administration of fire insurance policy

Published in: Insurance Law Newsletter - 10.Jan.17

Written by: Cameron B. Elder, David W. Pilley

Case Summary: Insured's claim that he was deprived of his mother's care, guidance, and companionship due to insurer's mishandling of claim was allowed to proceed

Published in: Insurance Law Newsletter - 15.Nov.17

Written by: Cameron B. Elder, David W. Pilley

Case Summary: Limitation period began to run when the insured discovered or ought to have discovered she was unable to work full time

Published in: Insurance Law Newsletter - 15.Nov.17

Written by: Cameron B. Elder, David W. Pilley

Case Summary: Unloading an ATV from a truck was found to be operating the truck, not the ATV

Published in: Insurance Law Newsletter - 15.Nov.17

Written by: Cameron B. Elder, David W. Pilley

Case Summary: Faulty workmanship exclusion does not encompass resulting damage

Published in: Insurance Law Newsletter - 15.Nov.17

Written by: Cameron B. Elder, David W. Pilley

Case Summary: Liability for damage to vehicles during Stanley Cup riot was not joint and several

Published in: Insurance Law Update Newsletter - 23.Aug.16

Written by: Cameron B. Elder, David W. Pilley

Case Summary: Coverage for "advertising injury" was not clearly excluded in a trademark infringement claim

Published in: Insurance Law Newsletter - 23.Aug.16

Written by: Cameron B. Elder, David W. Pilley

Case Summary: Ontario court determines insured's claim for "underinsured" coverage under Family Protection Coverage endorsement

Published in: Insurance Law Newsletter - 19.May.16

Written by: Cameron B. Elder, David W. Pilley

Case Summary: Claim for unidentified motorist's coverage denied under insured's policy of motor vehicle insurance

Published in: Insurance Law Newsletter - 19.May.16

Written by: Cameron B. Elder, David W. Pilley

Case Summary: Loss of rental income claim payable under a property insurance policy

Published in: Insurance Law Newsletter - 19.May.16

Written by: Cameron B. Elder, David W. Pilley

Case Summary: Marijuana grow operation on rental property was not known to the insured

Published in: Insurance Law Newsletter - 19.May.16

Written by: Cameron B. Elder, David W. Pilley

Case Summary: Marketability of a property is affected by municipal work orders even if they are not registered against title of the property

Published in: Insurance Law Newsletter - 16.Feb.16

Written by: Cameron B. Elder, David W. Pilley

Case Summary: Insured who suffered injury two days prior to expiration of waiting period was not entitled to benefits under a Group insurance policy

Published in: Insurance Law Newsletter - 19.Jan.16

Written by: Cameron B. Elder, David W. Pilley