



## CHRISTOPHER M. RUSNAK\*

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## EXPERTISE

Construction & Engineering Law  
Real Estate Law  
Class Actions  
Mediation, Arbitration & Conflict Management

## CHRISTOPHER M. RUSNAK\*

Chris is a Partner with Harper Grey and has over 24 years' experience with all aspects of civil litigation. The focus of Chris' practice is complex, multi-party disputes. He is counsel in some of Canada's largest and most technically challenging cases in the fields of product liability, environmental contamination and construction.

Chris' education and background in the field of chemical engineering makes him particularly adept at dealing with complex issues and evidence such as hydrocarbon migration in soils, large scale landslides, covalent bond failure analysis, and econometric modeling. Chris' case experience includes acting as counsel in the Mount Polley mining disaster litigation and the tobacco health care cost-recovery lawsuits being advanced by each of the ten provinces across Canada.

During his practice, Chris has developed close working relationships with counsel throughout Canada and has earned a strong reputation as a team player. He has represented his clients in courts across Canada, including the courts of appeal in British Columbia, Ontario and New Brunswick and the trial courts of British Columbia, Ontario, New Brunswick, Quebec, Saskatchewan, Manitoba, Newfoundland, and the Yukon. Chris also has extensive experience with mediation.

Chris regularly volunteers his time to teach and lead seminars for the British Columbia Law Society's Continuing Legal Education program and the Inns of Court program. Chris has also lectured at the University of British Columbia Faculty of Engineering. He is an editor of the British Columbia *Limitations Manual* published by Lexis Nexis.

Chris is Co-Chair of Harper Grey's Construction & Engineering Law Practice Group and has served on the firm's executive committee.

## EXPERIENCE

### PRODUCT LIABILITY

- Counsel to British American Tobacco companies based in the United Kingdom in respect of claims advanced against them by each of the ten provincial governments. The governments are seeking recovery of billions of dollars health care costs expended on the treatment of tobacco related disease. The claims are unprecedented in scope as the enabling legislation renders inapplicable provisions of provincial limitation acts, allowing claims to be advanced that date back to the

1950s.

## **CONSTRUCTION LITIGATION**

- Counsel to an engineering firm in respect of claims arising from the failure of the Mount Polley Mine tailings storage facility. The failure has been described as the largest environmental disaster in the history of Canada. The claim seeks damages related to the environmental clean-up .
- Acting for a leading architectural firm in the defence of allegations of professional negligence in the design of a large high-rise condominium. The case involved more than 30 named defendants, a large volume of documents and damages in excess of \$12 million were claimed.
- Acting for a large, national geotechnical engineering firm in a number of actions arising from two large landslides. In total, more than 20 separate actions were commenced. In addition to the legal proceedings, Chris was involved in extensive negotiations with the provincial and municipal governments regarding issues of ongoing public safety. As lead counsel, Mr. Rusnak was responsible for case strategy, file management, conduct of examinations for discovery, guidance to paralegals and junior lawyers, instruction of experts and ultimately the case strategy that led to successful resolution on behalf of his client.
- Representing a joint venture of three international engineering firms who were sued over their involvement in large-scale expansion of a waste water treatment plant. The case related to alleged design and construction defects associated with the projects waste water digesters. There were thousands of documents, many days of discovery and extensive expert evidence of a technical nature.
- Counsel in over 100 cases relating to leaking condominiums and other buildings. These claims were generally large, complex multi-party proceedings. Damages claims range from \$200,000 to \$30 million, and there were often 20 or more parties involved in the claims.

## **ENVIRONMENTAL LAW**

- Co-counsel on behalf of a port authority in proceedings relating to historic hydrocarbon contamination of a large industrial site. Approximately 20 parties were involved in six concurrent actions seeking more than \$35 million in clean-up costs. Document disclosure was extensive and the expert evidence highly technical. The matter proceeded to trial but was resolved by out-of-court settlement before the trial was completed.

## **HEALTH LAW**

- Counsel in a series of matters involving claims by dozens of plaintiffs who alleged damages suffered due to sexual assaults allegedly committed while they were students of a former school teacher criminally convicted of sexual assault offences and designated a dangerous offender. Chris acted as counsel on behalf of a number of physicians named as defendants in the proceedings. The cases received significant media attention and, given its sensitive subject matter needed a carefully planned litigation strategy. In his role as lead counsel, Chris worked collaboratively with other counsel involved in the case to bring it to a successful resolution.
- Representing numerous physicians in a variety of disputes, including the defence of a paediatric cardiac surgeon in the British Columbia Supreme Court and Court of Appeal. The case involved allegations of professional negligence arising from a surgical procedure on a child to repair a condition known as coarctation of the aorta.

## **CREDENTIALS**

### **EDUCATION**

- University of Victoria, LL.B., 1992
- Queen's University, B.A.Sc. in Chemical Engineering (Hons.), 1989

## **BAR ADMISSIONS**

- Yukon Territory, 2001
- British Columbia, 1994

## **LEADERSHIP**

- Adjunct Professor, UBC Allard School of Law, 2019
- Seminar Leader, Inns of Court, Counsel's Role in Document Discovery
- Assistant Chair, Harper Grey Construction & Engineering Law Group
- Past Chair, Harper Grey Construction & Engineering Law Group
- Presenter at continuing education seminars held by architects, engineers and industry organizations regarding professional liability and environmental risk management issues
- Lecturer, Faculty of Engineering, University of British Columbia
- Lecturer, Continuing Legal Education Society of BC courses and Professional Legal Training (Bar Admission) course

## **MEMBERSHIP**

- Member, The Law Society of British Columbia
- Member, Canadian Bar Association, BC Branch Subsections:
  - Construction Law
- Past Member, British Columbia Construction Roundtable

## **RECOGNITION**

Recognized as a "Leader in His Field" in the area of General Commercial Litigation (British Columbia) by Chambers Canada®, 2017 - 2019

Recognized as a "Leading Lawyer" in the areas of Insurance Law and Construction Law by Best Lawyers® in Canada, 2015 - 2020

Recognized as a "Future Star" in British Columbia by Benchmark Canada®, 2012

Recognized as a "Local Litigation Star" in British Columbia in the areas of Construction, Environmental and Product Liability by Benchmark Canada®, 2018-2019

Rated as a "Repeatedly Recommended Leading Practitioner" in the area of Litigation – Commercial Insurance by Canadian Legal Lexpert Directory®, 2018-2019

## **COMMENTARIES**

"Chris Rusnak is very strong, especially in dealing with engineering and environmental cases."

— *Benchmark Canada® 2018*

"Christopher Rusnak is noted for his expertise in product liability and construction litigation. He also advised on class action disputes. One interviewer said 'He is a very thoughtful, methodical, careful, analytical lawyer'."

— *Chambers Canada® 2018*

"Christopher Rusnak is an emerging presence in the BC litigation area. He is well regarded for his abilities in significant class action disputes, with additional expertise in construction and product liability litigation. Sources say: 'He is a very smart and capable guy.'"

— *Chambers Canada® 2017*

"Chris Rusnak delivers exceptional service on all matters he is involved with on my behalf."

— *Benchmark Canada@ 2018*

"Chris Rusnak is well respected by his peers in the Vancouver bar, and often takes a leadership role in multi-party litigation."

— *Benchmark Canada@ 2018*

"I'm working with Chris Rusnak right now on a big case, and I've been very impressed with his skills and approach."

— *Benchmark Canada@ 2017*

"Chris Rusnak is a very smart and capable guy."

— *Chambers@ 2017*

"Chris Rusnak has a fascinating practice. You can't exactly call it just 'product liability' could you? Although that's a field he's tailor-made for."

— *Benchmark Canada@ 2014*

"Chris Rusnak approaches everything like an engineer, everything is done very thoroughly."

— *Benchmark Canada@ 2012*

"Peers call Chris Rusnak 'bright counsel' in his work for architect engineers and professional liability defense, which includes a substantial amount of work on the 'leaky condo' litigation that plagued Vancouver in the wake of the city's real estate boom."

— *Benchmark Canada@ 2012*

## **SELECT EVENTS + PRESENTATIONS**

### **Jonathan Meadows and Christopher Rusnak present at CLEBC Product Liability 2017 course**

Presentation Date: 08. Nov. 17

Presented by: Jonathan D. Meadows\*, Christopher M. Rusnak\*

### **Chris Rusnak, Kim Jakeman and Joel Morris present at CLEBC course "How To Be A Great Litigation Junior 2017"**

Presentation Date: 12.May.17

Presented by: Christopher M. Rusnak\*, Joel A. Morris, Kimberly J. Jakeman\*

### **Chris Rusnak presents CLEBC "Effective Legal Writing For Junior Counsel" Course**

Presentation Date: 12.May.17

Presented by: Christopher M. Rusnak\*

### **Chris Rusnak to present CLEBC "Effective Legal Writing For Junior Counsel" Course**

Presentation Date: 12.May.17

Presented by: Christopher M. Rusnak\*

### **Chris Rusnak to present "Contract Language And Your Liability" seminar**

Presentation Date: 12.Apr.16

Presented by: Christopher M. Rusnak\*

### **Chris Rusnak leads session on Counsel's Role in Document Discovery at Law Society's Inns of Court Program**

Presentation Date: 8.Dec.15

Presented by: Christopher M. Rusnak\*

**Chris Rusnak to present seminar to Consulting Engineers of BC**

Presentation Date: 15.Nov.11

Presented by: Christopher M. Rusnak\*

**Christopher Rusnak to speak at seminar addressing Legal Issues for Building Envelopes**

Presentation Date: 28.Jan.11

Presented by: Christopher M. Rusnak\*

**Christopher Rusnak to present on “Contract Issues for Engineers”**

Presentation Date: 12.Mar.10

Presented by: Christopher M. Rusnak\*

**SELECT NEWS**

**Christopher Rusnak and Joel Morris to co-teach “Ethics and Professionalism” course at UBC**

Related to: Christopher M. Rusnak\*, Joel A. Morris - 09.Sep.19

**Harper Grey receives 48 rankings from Best Lawyers® in Canada 2020**

Related to: Sandra Abley, JD, CFP®, TEP, Steven Abramson\*, Owais Ahmed, Bryan G. Baynham, QC, Richard E. Bereti\*, Salman Y. Bhura\*, Guy P. Brown, QC\*, William S. Clark\*, Prentice Durbin\*, Michael J. Hewitt\*, Kimberly J. Jakeman\*, Steven G. Lukas\*, Maureen L.A. Lundell, QC, William D. MacRae\*, Derek Mah\*, Jonathan D. Meadows\*, David W. Pilley, Una Radoja\*, Christopher M. Rusnak\*, Raj Samtani\*, John P. Sullivan\*, W. Sean Taylor, Michael G. Thomas\*, Nigel L. Trevethan\*, Abigail C.F. Turner\*, Henning W. Wiebach\*, Jennifer R. Woznesensky, Lara C. Zee - 21.Aug.19

**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

**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

**Six Harper Grey lawyers recognized by Chambers Canada 2019**

Related to: Richard E. Bereti\*, Guy P. Brown, QC\*, Kimberly J. Jakeman\*, Michael J. Hewitt\*, John P. Sullivan\*, Christopher M. Rusnak\* - 21.Sep.18

**30 Harper Grey Lawyers recognized by Best Lawyers® in Canada 2019**

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

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**2018 Canadian Legal Lexpert® Directory recognizes 24 Harper Grey lawyers as “Leading Practitioners”**

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**Four Harper Grey lawyers recognized by Chambers Canada 2018**

Related to: Richard E. Bereti\*, Christopher M. Rusnak\*, John P. Sullivan\*, H. Roderick Anderson\* - 28.Sep.17

**Best Lawyers® in Canada 2018 recognizes 27 Harper Grey Lawyers**

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**16 Harper Grey lawyers recognized for litigation expertise by Benchmark Canada® 2017**

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**Joel Morris chairs CLEBC course “How To Be A Great Litigation Junior 2017”**

Related to: Christopher M. Rusnak\*, Joel A. Morris, Kimberly J. Jakeman\* - 17.Feb.17

**Harper Grey shortlisted in four Benchmark Canada® 2017 Award categories**

Related to: Kimberly J. Jakeman\*, Christopher M. Rusnak\* - 09.Jan.17

**Best Lawyers® in Canada 2017 recognizes 24 Harper Grey Lawyers**

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### **Harper Grey recognized in Chambers Canada 2017 Guide**

Related to: Christopher M. Rusnak\*, John P. Sullivan\*, Richard E. Bereti\* - 10.Jun.16

### **15 Harper Grey lawyers recognized for litigation expertise by Benchmark Canada 2016**

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### **20 Harper Grey Lawyers recognized by Best Lawyers**

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### **12 Harper Grey lawyers recognized for litigation expertise by Benchmark Canada 2015**

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### **Chris Rusnak quoted in The Lawyers Weekly article "Inside The New Age Of Rainmaking" by Grant Cameron**

Related to: Christopher M. Rusnak\* - 14.Nov.14

### **17 Harper Grey lawyers recognized by Best Lawyers® in Canada 2015**

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### **Harper Grey receives high rankings from Benchmark Canada 2014**

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### **12 Harper Grey lawyers recognized by Best Lawyers in Canada 2014**

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### **10 Harper Grey lawyers recognized for litigation expertise**

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### **Eight Harper Grey lawyers recognized by Best Lawyers in Canada 2013**

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**Three Harper Grey lawyers recognized for litigation expertise by Benchmark Canada 2012**

Related to: Bryan G. Baynham, QC, Christopher M. Rusnak\*, Terrence L. Robertson, QC  
- 17.Feb.12

**Seven Harper Grey lawyers recognized by Best Lawyers in Canada**

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