



## MICHAEL G. THOMAS\*

Michael is a Partner with Harper Grey and chair of our Critical Injury Group. Michael has a diverse practice and is a member of our Critical Injury, Insurance and Health Law Groups.

### MICHAEL G. THOMAS\*

Partner  
Harper Grey LLP  
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### ASSISTANT

Karen Lim  
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### EXPERTISE

Critical Injury  
Class Actions  
Insurance Law  
Health Law

Read about Michael Thomas' critical injury expertise [here](#).

In his diverse practice, Michael has appeared in all levels of court in British Columbia, the Human Rights Tribunal, the Federal Court, and the Supreme Court of Canada

Michael is the Editor of Administrative Justice – A Practitioner's Guide (2016), Author of the Uninsured Motorists Section of the BC Accident Claims Practice Manual (2016), Editor of the Contemporary Canadian Insurance Law Casebook (2016) and Editor and Contributor to the [Canadian Insurance Law Blog](#).

Before joining Harper Grey, Michael was a commerce officer at the Competition Bureau of Canada. His primary duties were to enforce the civil provisions of the Competition Act. In addition, he received training from the RCMP in interview and interrogation techniques and is certified as an expert witness in the search and seizure of electronic information.

Michael has a pilot's license and enjoys biking and trail running. He has participated in the Ride to Conquer Cancer, a cycle trip from Vancouver to Seattle that raises funds for cancer research.

## EXPERIENCE

### CRITICAL INJURY

- Assisting an older man recover over \$400,000 for a progression in dementia caused by an injury to his hip in a motor vehicle accident
- Helping a young man recover over \$1.7 million in compensation for a brain injury suffered when his friend crashed into a construction site after drinking at a local pub
- Assisting a young man who was beaten and suffered a brain injury in a lacrosse game in an attempt to bring an action in negligence against the assailant's coaches and the lacrosse league
- Helping a family recover over \$2 million in compensation for a brain injury suffered by a husband who was a passenger in a car driven by his wife
- Helping a young man recover over \$4.2 million in compensation for a brain injury suffered in a motor vehicle accident

### HEALTH LAW

- Defending allegations that the use of Ativan to manage alcohol withdrawal placed a

patient in a state of automatism such that he was not legally culpable for his actions

- Defending allegations that a patient's brain injury was caused by inappropriate management of his diabetes with insulin
- Defending allegations that medication prescribed to manage a patient following an orthopedic surgery caused the patient to undergo respiratory arrest and suffer a brain injury
- Defending a physician who conducted an annual medical examination on an elderly pilot who crashed his plane into an apartment building
- Defending a physician in an obstetrical case in which a baby was born with a catastrophic brain injury. The legal issues of whether a fetus can bring an action in negligence against a physician and whether a fetus can bring a claim for failure to obtain informed consent were argued for the first time in British Columbia
- Defending a neurosurgeon from allegations of professional negligence in the treatment of a lesion in the patient's cervical cord which resulted in quadriplegia
- Defending allegations of negligence against a general practitioner whose patient was taking INH and suffered a hepatotoxic event. The case has become one of the leading authorities on causation in British Columbia.

#### **INSURANCE LAW**

- Counsel on the latest case in Canada in which the application of the Power of Attorney Undertakings applied to void coverage to an Ontario automobile policy
- Counsel on a jury trial involving a determination of the definition of a catastrophic injury and the upper limit of non-pecuniary damages that could be awarded by a jury
- Counsel on the first case in British Columbia where debilitating alcoholism was found to be a foreseeable consequence of a broken wrist suffered in a motor vehicle accident
- Counsel for various associations defending allegations that mercury in dental amalgams caused brain damage to a young lady
- Focusing on excess insurance, extra-territorial issues and ethical obligations owed by insurance companies and their insureds
- Defending lawyers and dentists against allegations of professional negligence

#### **CLASS ACTIONS**

- Filing a class action against all of the police forces in British Columbia for alleged negligent investigation and enforcement of B.C.'s new impaired driving legislation

#### **COMPETITION LAW**

- Providing advice to several professional associations and insurance organization on competition law issues
- Representing a corporation which was being prosecuted for misleading advertising before the Competition Tribunal

#### **CREDENTIALS**

##### **EDUCATION**

- Queen's University, LL.B., 1998
- Queen's University, M.A. (Economics), 1991
- Queen's University, B.A. (Hons.), 1990

##### **BAR ADMISSION**

- British Columbia, 1999

## LEADERSHIP

- Chair, Harper Grey Critical Injury Group
- Editor, Administrative Justice: A Practitioner's Guide, 2016, Published by LexisNexis® Canada
- Editor, Contemporary Canadian Insurance Law Casebook, 2015, Published by LexisNexis® Canada
- Editor and Contributing Author, Harper Grey Canadian Insurance Law Blog
- Contributing Author, LexisNexis® Harper Grey Insurance Law Netletter™
- Contributing Author, Harper Grey Insurance Law Update Newsletter
- President, The Medical Legal Society of BC (2014-2015)
- Executive Member, Medical Legal Society of BC
- Instructor, Advocacy, at the University of British Columbia Faculty of Law
- Lecturer for continuing education seminars presented by the Trial Lawyers Association of BC and the Continuing Legal Education Society of BC

## MEMBERSHIP

- Member, Trial Lawyers Association of British Columbia
- Member, American Association for Justice
- Member, Canadian Defence Lawyers
- Member, Defense Research Institute
- Member, The Law Society of British Columbia
- Member, Canadian Bar Association, BC Branch Subsections:
  - Civil Litigation
  - Health Law
  - Insurance Law

## RECOGNITION

Recognized as a "Leading Lawyer" in the area of Personal Injury Litigation by Best Lawyers® in Canada, 2016 - 2020

Recognized as a "Leading Lawyer" in the area of Insurance Law by Best Lawyers® in Canada, 2018 - 2020

Recognized as a "Local Litigation Star" in British Columbia in the areas of Health Law and Personal Injury by Benchmark Canada®, 2016 - 2018

Recognized as a "Leading Lawyer" in the area of Medical Negligence by Best Lawyers® in Canada, 2019-2020

## SELECT ARTICLES + PUBLICATIONS

**Article co-written by Michael Thomas and Drummond Lambert offers interesting perspective on firm advertising practices**

Written by: Michael G. Thomas\*, Drummond Lambert

**Michael Thomas and Drummond Lambert co-author article published in July 2019 edition of The Advocate**

Published In: The Advocate - Jul. 19

Written by: Michael G. Thomas\*, Drummond Lambert

**Michael Thomas and Drummond Lambert co-author “Advertising & Referrals – Guideline and Pitfalls”**

Published in: Issue 161 - The Verdict

Written by: Drummond Lambert, Michael G. Thomas\*

**“Is it Time to Provide More Guidance on Advertising for Legal Services and Referring Potential Clients to Colleagues?” article**

Published in: The Advocate 15. Sept.18

Written by: Michael G. Thomas\*, Drummond Lambert

**Guy Brown, QC and Michael Thomas contribute to BC Motor Vehicle Accident Claims Practice Manual**

Published in: CLEBC BC Motor Vehicle Accident Claims Practice Manual - 01.Mar.17

Written by: Guy P. Brown, QC\*, Michael G. Thomas\*

**Harper Grey publishes Administrative Justice: A Practitioner’s Guide, a thorough overview of the current state of Canadian administrative law through detailed summaries of cases**

Published by: Harper Grey - 25.Jun.16

Written by: Michael G. Thomas\*, JoAnne Barnum, William S. Clark\*, Julie K. Gibson, Kara L. Hill, Lindsay R. Johnston, Scott J. Marcinkow, Jonathan D. Meadows\*, Joel A. Morris, Nathaniel J.W. Turner, Adam R. Way, Lara C. Zee

**Michael Thomas updates the Uninsured Motorists Section of the British Columbia Motor Vehicle Accident Claims Practice Manual**

Published in: CLEBC BC Motor Vehicle Accident Claims Practice Manual - released 01.Mar.06

Written by: Michael G. Thomas\*

**“Achieving Harmony Between Legal and Medical Spheres” Article**

Published in: The Lawyers Weekly - 05.Feb.16

Written by: Michael G. Thomas\*

**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\*

**“Contributory Negligence and Drunken Passengers” Article**

Published By: Harper Grey - 15.Dec.10

Written by: Michael G. Thomas\*

**SELECT EVENTS + PRESENTATIONS**

**Derek Mah, Scott Marcinkow and Michael Thomas to present at Bridging the Gap 2018 Fall Seminar**

Presentation date: 22.Nov.18

Presented by: Derek Mah\*, Scott J. Marcinkow, Michael G. Thomas\*

**Michael Thomas to speak at UBC Faculty of Medicine CRASH presentation**

Presentation date: 26.Sept.18

Presented by: Michael G. Thomas\*

**Michael Thomas to moderate Medical Legal Society Dinner**

Event date: 20.Sept.18

Presented by: Michael G. Thomas\*

**Derek Mah, Scott Marcinkow and Michael Thomas to present at Bridging the Gap 2018 Spring Seminar**

Presentation date: 25.Apr.18

Presented by: Derek Mah\*, Scott J. Marcinkow, Michael G. Thomas\*, Drew Lawrenson

**Derek Mah and Michael Thomas to present “Do Your Records And Reports Measure Up?” at Harper Grey Bridging the Gap Seminar Series**

Event Date: 28.Mar.17

Presented by: Derek Mah\*, Michael G. Thomas\*, Abigail C.F. Turner\*

**Michael Thomas to present at “ICBC, Psychology, And Private Practice 2016: Everything A Psychologist Wants To Know About An ICBC Case” Workshop**

Presentation Date: 26.Nov.16

Presented by: Michael G. Thomas\*

**Michael Thomas presented at the CLEBC 2016 Medical Legal Conference**

Presentation Date: 21.Oct.16

Presented by: Michael G. Thomas\*

**Michael Thomas presented to Medical Office Administrators of Maple Ridge**

Presentation Date: 19.Oct.16

Presented by: Michael G. Thomas\*

**Michael Thomas presented at the Surgical Foundations Seminar Series for UBC surgical residents**

Presentation Date: 28.Sept.16

Presented by: Michael G. Thomas\*

**Michael Thomas to present at the Trial Lawyers Association of BC’s upcoming “Prove It: Building Credible Arguments” seminar**

Presentation Date: 30.Oct.15

Presented by: Michael G. Thomas\*

**Michael Thomas to present at November CLEBC Mild Traumatic Brain Injury course**

Presentation Date: 28.Nov.14

Presented by: Michael G. Thomas\*

**Harper Grey hosts annual Insurance Law Seminar – “Getting Down to Brass Tacks”**

Event Date: 23.May.13

Presented by: Jennifer R. Woznesensky, Michael G. Thomas\*, Nigel L. Trevethan\*

**Michael Thomas to present at Insurance Law Conference 2012**

Presentation Date: 07.Sep.12

Presented by: Michael G. Thomas\*

**Michael G. Thomas to host course regarding Medical Legal Writing for Primary Care Physicians**

Presentation Date: 02.Jun.12

Presented by: Michael G. Thomas\*

**Michael Thomas to present to the Medical Legal Society of BC regarding “Physician As Expert: Obligations And Liabilities”**

Presentation Date: 15.Mar.12

Presented by: Michael G. Thomas\*

**Michael Thomas to present on “Factual Causation” at CLEBC Litigation Skills Course**

Presented by: Michael G. Thomas\*

**Michael Thomas to present at Personal Injury Conference**

Presentation Date: 19.Jun.09

Presented by: Michael G. Thomas\*

**SELECT NEWS**

**24 Harper Grey Lawyers recognized by Benchmark Canada® 2020**

Related to: H. Roderick Anderson\*, Richard E. Bereti\*, Salman Y. Bhura\*, Guy P. Brown, QC\*, William S. Clark\*, Michael J. Hewitt\*, Kimberly J. Jakeman\*, Rose Keith, QC\*, Jonathan D. Meadows\*, David W. Pilley, Una Radoja\*, Christopher M. Rusnak\*, Raj Samtani\*, John P. Sullivan\*, Michael G. Thomas\*, Nigel L. Trevethan\*, Abigail C.F. Turner\*, Jennifer R. Woznesensky - 13.Apr.20

**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

**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

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

Related to: Steven Abramson\*, Owais Ahmed, H. Roderick Anderson\*, 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\*, James M. Lepp, QC, Steven G. Lukas\*, Maureen L.A. Lundell, QC, 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.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

**Harper Grey sponsors 2018 PABC Physio Forum & Gala Dinner**

Related to: Scott J. Marcinkow, Derek Mah\*, Michael G. Thomas\* - 26.Feb.18

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

Related to: Bryan G. Baynham, QC, Richard E. Bereti\*, Salman Y. Bhura\*, Guy P. Brown, QC\*, William S. Clark\*, Prentice Durbin\*, Kimberly J. Jakeman\*, James M. Lepp, QC, Steven G. Lukas\*, Maureen L.A. Lundell, QC, Derek Mah\*, L. Neil Matheson, QC\*, Jonathan D. Meadows\*, Barbara J. Norell, QC, David W. Pilley, 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 - 22.Aug.17

**CBC News British Columbia web article discusses parental divide on push to ban body checking in Bantam hockey**

CBC News

Related to: Michael G. Thomas\* - 07.Jul.17

**CBC News Vancouver highlights Harper Grey campaign to ban body checking in Bantam hockey**

Related to: Michael G. Thomas\* - 06.Jul.17

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

Related to: H. Roderick Anderson\*, Bryan G. Baynham, QC, Salman Y. Bhura\*, Guy P. Brown, QC\*, Karen F. Douglas\*, Kimberly J. Jakeman\*, James M. Lepp, QC, Barbara J. Norell, QC, Terrence L. Robertson, QC, Christopher M. Rusnak\*, John P. Sullivan\*, Michael G. Thomas\*, Nigel L. Trevethan\*, Abigail C.F. Turner\*, Jennifer R. Woznesensky, Jonathan D. Meadows\* - 11.May.17

**Harper Grey sponsors 2017 PABC Physio Forum & Gala Dinner**

Related to: Michael G. Thomas\*, Derek Mah\* - 22.Apr.17

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

Related to: Abigail C.F. Turner\*, Barbara J. Norell, QC, Bryan G. Baynham, QC, Christopher M. Rusnak\*, David W. Pilley, Guy P. Brown, QC\*, James M. Lepp, QC, Jennifer R. Woznesensky, John P. Sullivan\*, Jonathan D. Meadows\*, Kimberly J. Jakeman\*, Maureen L.A. Lundell, QC, Michael G. Thomas\*, Nigel L. Trevethan\*, Prentice Durbin\*, Raj Samtani\*, Richard E. Bereti\*, Salman Y. Bhura\*, Steven G. Lukas\*, Terrence L. Robertson, QC, William S. Clark\*, H. Roderick Anderson\*, L. Neil Matheson, QC\*, W. Sean Taylor - 10.Aug.16

**Meet the new Canadian Insurance Law Blog. A simple, clear experience.**

Related to: Michael G. Thomas\* - 10.Jun.16

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

Related to: Abigail C.F. Turner\*, Bryan G. Baynham, QC, Christopher M. Rusnak\*, Guy P. Brown, QC\*, James M. Lepp, QC, John P. Sullivan\*, Jonathan D. Meadows\*, Karen F. Douglas\*, Kimberly J. Jakeman\*, Michael G. Thomas\*, Nigel L. Trevethan\*, Salman Y. Bhura\*, Terrence L. Robertson, QC, H. Roderick Anderson\* - 20.May.16

**Harper Grey announces new responsive Critical Injury microsite**

Related to: Michael G. Thomas\* - 26.Jan.16

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

Related to: Abigail C.F. Turner\*, Barbara J. Norell, QC, Bryan G. Baynham, QC, Christopher M. Rusnak\*, David W. Pilley, Guy P. Brown, QC\*, James M. Lepp, QC, John P. Sullivan\*, Jonathan D. Meadows\*, Kimberly J. Jakeman\*, Maureen L.A. Lundell, QC, Michael G. Thomas\*, Nigel L. Trevethan\*, Raj Samtani\*, Richard E. Bereti\*, Terrence L. Robertson, QC, William S. Clark\*, H. Roderick Anderson\*, L. Neil Matheson, QC\*, W. Sean Taylor - 25.Aug.15

**Michael Thomas appointed President of The Medical Legal Society of BC**

Related to: Michael G. Thomas\* - 10.Apr.15

**Mike Thomas interviewed by Global TV**

Related to: Michael G. Thomas\* - 15.Jun.12

**Michael Thomas to be panelist at Insurance Law Conference 2011**

Related to: Michael G. Thomas\* - 28.Sep.11

**Lawsuit launched against police for improperly charging drivers under BC's new impaired driving law**

Related to: Michael G. Thomas\* - 16.May.11

**Media coverage relating to Class Action sought over use of faulty breathalysers**

Related to: Michael G. Thomas\* - 04.Mar.11

**Harper Grey lawyers to attend Critical Issues in Health Law – A National Summit**

Related to: Kimberly J. Jakeman\*, Michael G. Thomas\*, Roselle P. Wu, William S. Clark\* - 21.May.09

**SELECT NEWSLETTERS + UPDATES**

**Case Summary: Breathalyser Class Action Update: Application to certify proceedings as a class proceeding dismissed**

Written by: Michael G. Thomas\*

**Case Summary: Breathalyser class action**

Published by: Harper Grey - 28.Mar.12

Written by: Michael G. Thomas\*

**Case Summary: Breathalyser Class Action – Certification Hearing Scheduled**

Published by: Harper Grey - 25.May.12

Written by: Michael G. Thomas\*



**Case Summary: Breathalyser Class Action Update**

Published by: Harper Grey - 27.Mar.12

Written by: Michael G. Thomas\*