



SAMANTHA IP

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Area of Practice

Construction Law, Insurance Litigation and Commercial Law.

Representative Work

Construction:

Assisting clients with all facets of construction related issues and claims, including:

- Contract drafting and negotiations
- Tender disputes
- Delay, productivity and acceleration claims
- Deficiency claims, including technical subject matters such as refractory linings, feller bunchers and other heavy machinery, piping, glazing, tiling, cement applications, processed wood, and building envelope related deficiencies
- Surety bond negotiations and claims
- Insurance coverage and defence
- Assisting Partnerships BC and Government with dispute arising in public private partnership projects
- Claims during construction
- Lien claims
- Assisting parties in understanding their rights under RFQ and RFP process
- Professional negligence claims
- Condominium disputes

Insurance:

Providing opinions and representation to insurers and brokers on varied coverage issues, including competing insurance coverage, E&O coverage, and D&O coverage.

Drafting of policy wording and special endorsements for underwriters.

Assisting underwriter with preparation of terms and conditions for website.

Defence of complex claims and technical subject matters, including refractory linings, feller bunchers and other heavy machinery, bridges, glazing, and building envelope related issues.

Representation of insureds on multi-party litigation product liability and construction claims.

Defence of bodily injury claims, including traumatic brain injury, fibromyalgia, quadriplegia and paraplegia and other permanent disability claims.

Defence of property damage claims including loss by fire and related perils.

Defence of first party fraud claims by insureds.

Representation of excess insurer on serious and catastrophic injury claims.

Representing out-of-province insurers and motorists in third-party and direct recourse claims.

Supervisor of warranty program recovery claims.

Commercial:

Representing both established businesses and entrepreneurs in contract disputes.

Acted as co-counsel in a leading decision in British Columbia on the topic of shareholders' remedies at the Court of Appeal level.

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Representing client in complex PPSA priority dispute involving three international jurisdictions.

Representing public company in shareholder dispute.

Experience in admiralty law and with the Canada Shipping Act, including the unique liability provisions.

Acting for construction parties in commercial disputes.

Representation of client in Joint Venture Dispute.

Profile

Samantha Ip is a partner in Clark Wilson LLP's Litigation Department.

She obtained her Bachelor of Arts degree in 1991 and her Bachelor of Laws degree in 1994, both from the University of British Columbia.

Samantha has experience in the Supreme Court (trial by jury and by judge alone), the Court of Appeal and Federal Court. She is frequently involved in the resolution of claims through alternative dispute resolution methods and appeared as counsel before administrative tribunals.

In addition to English, Samantha speaks French, Cantonese and Mandarin.

Memberships & Associations

Member, Law Society of British Columbia (1995)

Member, Canadian Bar Association

Member, Construction, Insurance, and Civil Litigation Sub-Sections of the CBA

Editor, CLE Annual Law Review

Editor, Legal Framework

Chair, UBC Alumni Annual Achievement Dinner Committee

Director, UBC Alumni Board of Directors

Presentations & Materials

Editor - CLE Annual Law Review For Construction - 2004 to 2009

Canadian Construction Woman - Construction Hot Topics

Buildex 2009 (Materials)

University College of the Fraser Valley In-house Seminar - Construction Contracting and Insurance Issues

BCIT - University College of the Fraser Valley In-house Seminar - Construction Contracting and Insurance Issues

Buildex 2008

Dispute Resolution Workshop - June 2007

BC Insurance Institute - E&O Insurance - May 2007

Buildex - February 2007

Dispute Resolution - April 2006

Buildex - February 2006

BC Construction Conference (Insurance issues) - February 2006

Meltdown on Site Seminar - January 2006

Construction Bonds Seminar - December 2005

Construction Risk Management - November 2005

Construction Insurance Seminar - September 2005

Strata Insurance - May 2005

Construction Consultants Contracts Seminar - April 2005

Buildex - February 2005

BC Construction Conference (Insurance issues) - February 2005

Guest Speaker, Lorman Seminar for Public Entity Contracting

Guest Speaker, The University of British Columbia Law School

Sample Papers:

The Role Of The Consultant

Taking the Mystery out of the "2-5-10", *Construction Business* (Jan/Feb 2008)

Construction Claims - How They Arise and How To Avoid Them

Practical Advice On Obtaining Liability Insurance

Consultants Insurance

E&O Insurance - An Update on Legal Issues

Published in *Legal Edge* June 2004