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# Insurance

## Profile

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The insurance companies that we serve operate on a regional, national and global scale, underwriting complex and critical risk. The coverage opinions and advice that we provide helps our clients successfully manage risk and achieve economic growth.

We are partners in our clients' business, handling all assignments effectively, efficiently, creatively and energetically. Arming our clients with comprehensive risk and commercial assessments allows them to make well-informed decisions.

## Work Highlights

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### BCAA Insurance

- > Assisted in development of policy wording and new and innovative products and riders

### Lloyds of London

- > Provided coverage opinion on \$2 million environmental coverage claim resulting in full resolution of the issues without litigation
- > Defense of insured in significant multi-party fire claim and achieved resolution post mediation at 30% of amount claimed
- > Provided coverage opinion on claim by insured for losses relating to damage to servers and lost data
- > Extricated insured contractor from of a multi-party construction claim for over \$4 million early on by proactive advocacy with zero payment of damages

## Domestic insurer

- > Won precedent-setting lawsuit enforcing corporate identification principles and creating new law in Canada on insurance covenants
- > Provided coverage opinion on \$7 million coverage matter, resulting in full resolution of the issues without litigation

*Additional work highlights below*

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Our clients rely on us to navigate the statutory and strategic pitfalls that arise in the insurance realm.

### Services

- > Coverage advice and disputes
- > Bad faith claims
- > Complex liability defense and multi-party litigation
- > Fire claims
- > Professional indemnity defense and coverage
- > Underwriting advice, policy wording drafting and product development
- > Co-insurance and fraud issues on property claims
- > Life/disability claims
- > Overlapping coverage and contribution issues between primary, excess and umbrella coverages
- > Class actions
- > Products liability
- > Excess/out-of-province auto claims
- > Licensing and compliance issues with federal and provincial regulators
- > Financial reporting
- > Regulatory filings
- > Utility Commission hearings
- > Drafting and securing approval for policy wording
- > Professional disciplinary matters before the Insurance Council and other governing bodies
- > Insurance advice for construction projects
- > Insurance advice for Commercial leases

In addition to being insurance practitioners, we also have expertise in other areas, including construction, product liability, intellectual property, manufacturing and oil and gas. We bring value-added knowledge because of our expertise in the industries that our clients underwrite. This varied and specialized expertise provides our clients with a truly comprehensive legal analysis of the often difficult and emotional climate in which our clients find themselves.

Whether subrogating numerous catastrophic fire losses, defending corporate directors' liability, drafting contracts or appealing disputes, we take pride in our legal acumen. Many lawyers in our group have made significant contributions to various Continuing Legal Education publications and have lectured and coordinated at industry training seminars and forums.

Our ability to draw upon our varied expertise enables us to offer a fully integrated service in the most cost-effective manner. We look forward to providing our clients with leading advice and solutions in pursuit of their insurance goals.

## **Chair**

Samantha Ip

[sip@cwilson.com](mailto:sip@cwilson.com)

604 643 3172

## **Additional Work Highlights**

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### **Insured corporation**

- > Successfully defended a \$3.5 million fire claim based on corporation identification principles and making new law on insurance covenants in Canada

### **Insured defendant**

- > In a multi-party severe brain injury claim, our team negotiated out of the continuing lawsuit early after a failed mediation. This result was particularly significant given the limits issues facing the insured

### **International insurer**

- > Excess counsel on a product liability claim by four separate plaintiffs, two of whom were rendered high lesion quadriplegics at a young age as a result of the incident. As counsel for a prime defendant's excess insurer, we led negotiations with the plaintiffs, resulting in settlement of all claims after a 14-hour mediation. Each of the other defendants tendered their limits almost immediately. The claims were settled well under the excess insurer's risk while ensuring reasonable and fair settlements for the disabled plaintiffs

### **Insured contractor**

- > As counsel in a \$6M multi-party fire claim by the subrogating insurer, we successfully negotiated a settlement at less than 30% of the claim-due in part to a novel defense theory that we developed with the fire engineer