



Ariel DeJong

Partner

Vancouver

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Bar Admission

British Columbia 1989

Law School

University of British Columbia

Practices

Disputes

Insurance Litigation

Products Liability

Professional Liability

Industries

Insurance & Reinsurance

Ariel DeJong is a partner in our Litigation Group and Insurance Group in Vancouver. His practice primarily focuses on insurance coverage issues as counsel solely for policyholders. He also has significant experience in a wide variety of construction litigation matters both for plaintiffs and defendants and in education law.

Ariel acts for clients in coverage disputes and also advises on coverage reviews and insurance related clauses in commercial agreements. He acts for numerous clients in construction related insurance claims involving builder's risk policies, other property policies and wrap-up liability policies. He also has extensive experience in large commercial property losses including business interruption losses. Ariel advises clients with respect to claims and losses arising in connection with professional errors and omissions policies, directors and officers policies, pollution liability and pollution property policies, product liability policies, aquaculture and livestock policies, and umbrella and excess policies.

Ariel's clients in both the construction and insurance areas include mine owners and operators, power producers, energy services companies, professional engineering firms, developers, financial institutions, communication companies, large general contractors, owners of commercial real estate, fish farmers, manufacturers, technology and energy companies, and educational institutions. He has broad experience in bringing claims against insurers and insurance brokers for policyholder clients and in prosecuting and defending construction related claims. He has argued cases at all levels of the courts of British Columbia and has been involved in numerous mediations and arbitrations with respect to coverage and construction issues. He frequently writes and speaks on insurance coverage related legal issues. He is currently involved in a wide range of insurance coverage files and construction and professional liability related litigation. He has also acted for numerous independent schools, churches and other charitable organizations.

Ariel's experience includes the following construction and insurance related mandates:

- Defending a large construction contracting company on a transit station deficiency claim;
- Defending an international professional engineering/construction firm on a large number of different building deficiency/damage, geotechnical and environmental consulting, and insurance coverage claims over the past 20 years;
- Defending numerous well known developers in Vancouver and Victoria on a wide variety of design/construction related deficiency and damage claims;

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- Prosecuting numerous building envelope and structural deficiency claims for numerous strata corporations over the past 20 years;
- Prosecuting an \$8 million building envelope deficiency claim for the owner of major hotel in Victoria, B.C.
- Defending and advising a manufacturer of HVAC/security systems on deficiency claims;
- Prosecuting a delay claim for a contractor in relation to the construction of new prison facilities;
- Acting for the owner of a hydro power project in a claim against their builder's risk and property insurers and contractors in connection with a \$34 million loss to a transmission line in Northern B.C.;
- Prosecuting claims for a large Calgary based development company against their builder's risk insurers and the contractors responsible for a \$6 million fire loss to a new project in Calgary;
- Advising a large national general contractor on coverage issues under its professional liability policy (and excess policies) in connection with claims for \$1.1 billion by the owner of a potash mine project in Saskatchewan;
- Prosecuting claims for a large western based general contractor against its crime and fidelity insurer for a significant loss of funds arising from employee fraud;
- Defending a technology company in a claim brought by their commercial/technology liability insurer for a declaration that there is no coverage under the policy for a copyright and trade dress infringement claim brought against the technology company in California. Prosecuting a counterclaim to recover all defence costs and settlement amounts paid to settle the claim totalling \$3 million by the technology company;
- Advising an Alberta based energy services company on coverage matters related to a commercial general liability policy in connection with a \$50 million claim brought against the company and others by a large oil sands company in connection with the catastrophic failure of a 20 km oil pipeline in NE Alberta;
- Advising a large pipeline company on potential claims against their property insurer and all responsible parties in connection with a large loss resulting from a failed sulphur pipeline in Northern B.C.;
- Acting for a Vancouver based developer in connection with coverage issues arising out of wrap-up liability and commercial general liability policies in connection with design/construction related deficiencies and resultant damage claims brought by the Condominium Corporations of 4 residential condominium towers built in Calgary, Alberta;

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- Acting for a credit union on coverage matters related to the duty to defend and indemnify of the credit union's insurer with respect to 2 class actions brought in connection with prepaid cards and credit cards issued by the credit union and others; and
- Retained by a liability insurer to defend a paint supplier on 8 separate subrogated and non-subrogated actions related to the spontaneous combustion of rags which caused a large fire loss to a condominium building in Vancouver.

Ariel is a member of:

- BCRIMA, the British Columbia Risk and Insurance Managers Association;
- The Insurance Coverage Litigation Committee of the Tort Trial and Insurance Practice section of the American Bar Association; and
- The Insurance and Construction Law sections of the Canadian Bar Association.

Ariel currently serves on the Board of The King's University, where he has served as a Governor for a total of 14 years at various times. He served on the Board of Directors of the Federation of Independent School Associations for British Columbia for 21 years, on the Board of Surrey Christian School for 11 years, and as a director of the Elim Housing Society which provides housing to seniors for five years. Together with his family, he is a member of the Fleetwood Christian Reformed Church in Surrey, B.C.

He has served as a Director of the Association for Mineral Exploration B.C., the Ontario Forestry Association, and the Nature Conservancy of Canada - B.C. Region.

Ariel received his BA in 1985 from Calvin College and his LLB in 1988 from the University of British Columbia. He was called to the British Columbia bar.

Awards & Rankings

Chambers Canada

Leading lawyer: Insurance: Dispute Resolution

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The Canadian Legal Lexpert Directory

Leading Lawyer: Litigation - Commercial Insurance

Benchmark Litigation - Canada

Litigation Star: Insurance and Dispute Resolution

Who's Who Legal Canada

Known as a "fantastic counsel" on insurance coverage issues.

Best Lawyer in Canada

Leading Lawyer: Corporate and Commercial Litigation, Insurance Law