

**KRISTA L. PROCKIW**

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## Areas of Practice

Insurance Law, Environmental Law.

## Representative Work

Resolved numerous personal injury cases ranging in value from \$20,000 to \$2,000,000 including claims for significant orthopaedic injuries, brain injury, and quadriplegia.

Defended Canadian and American insurance companies and their insureds including homeowners, general contractors, construction sub-trades, manufacturers, motor vehicle owners and drivers, security companies and others.

Provided insurance coverage analysis for commercial general liability, homeowner's, property, builder's risk and automobile insurance policies and defending claims for coverage brought against insurers.

Successfully upheld coverage denial in the first British Columbia case considering the scope of coverage for water "escape" in a homeowner's policy.

Defending bad faith claims against insurers including dealing with the Court of Appeal and preparation of material and factums.

Handling coverage enforcement and contribution claims through various litigation processes.

Defending forestry contractor in claim for recovery of fire suppression costs and damaged forest resources under the *Wildfire Act* and *Regulations*.

## Profile

Krista Prockiwi is a senior associate with Clark Wilson LLP and a member of its Insurance Law and Environmental Law Groups.

With many years experience in insurance and business litigation matters, Krista has handled a number of complex and difficult cases at the trial and appellate levels. She is a successful negotiator and has brokered settlements of many complicated multi-party disputes. She has litigated a wide variety of insurance coverage and contribution claims.

Krista is the Associate Editor of the Canadian Journal of Insurance Law and has written numerous publications, as well as being a regular presenter at seminars and conferences on commercial and insurance litigation issues under the auspices of the Insurance Institute of British Columbia, the Insurance Broker's Association of BC, Insight

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Educational Services, Credit Union Insurance Services Association, and the Canadian Defence Lawyers. She has also presented in house seminars for numerous insurers.

Krista has a Bachelor of Education (Secondary) from the University of Alberta and a Bachelor of Laws degree from The University of British Columbia.

### Memberships & Associations

Member, Law Society of British Columbia (1999)

Member, Canadian Bar Association (Litigation, Insurance, Animal and Environmental)

Lecturer, Insurance Brokers' Association of British Columbia, Canadian Defence Lawyers and Insurance Institute of British Columbia.

Volunteer for the Law Society's Professional Legal Training Course

### Publications & Presentations

Some of the more recent articles and texts written by Krista include:

- [In Sickness And In Health ... BC's Health Care Costs Recovery Act Comes Into Force](#)
- [Bad Faith: Strike One For The Good Guys](#)
- Court Reforms Announced in BC
- [You Show Me Yours: Procedural Changes to Rules of Court Now Require Production of Insurance Policies](#)
- [The "Root" of all Exclusions](#)
- [A Clear and Unequivocal Denial Of Benefits Trumps A Sympathetic Plaintiff](#)
- [Keys Please - The S.C.C. Addresses Social Host Liability](#)
- [Apology Accepted](#)
- [To Protect and ... PAY](#)
- [That's Not My Dog: An Overview of Dog Liability in British Columbia](#)
- Strata Property Insurance: A Primer

Some of Krista's recent presentations including the following topics:

- [Strata Insurance Issues](#)
- Fraudulent Property Claims
- [Problems With Property Policies](#)
- Liability Endorsements In A CGL Policy
- Occupiers Liability Claims
- [Bad Faith Issues](#)
- *Health Care Costs Recovery Act*, A Primer
- Think Like A Judge: Analysis Of Common Coverage Arguments