



Samantha Ip

Partner

Insurance
Insurance Coverage
Infrastructure, Construction & Procurement
Aviation Law

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Profile

Sam's perspective in life is that nothing is impossible. She sees opportunities where others may see limitations. Known as a tireless champion for our clients, Sam thinks beyond the box to solve problems laterally and to achieve objectives with lucrative and protective solutions.

Work Highlights

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

BCAA Insurance

- > Assisted client insurer with developing new and innovative products and riders
- > Assisted with development of policy wording

International engineering firm

- > Extricated international engineering client from a multi-party construction lawsuit related to complex construction claims with zero payment of damages and before mediation and significant defence costs were incurred

Additional work highlights below

Anything but mechanical in her practice, Sam is alive to the challenges that clients face and the strain that litigation places on their resources. She views law with a business lens and overcomes obstacles with an unflappable, pragmatic approach.

Insurance Services

- > Coverage advice and disputes
- > Bad faith claims
- > Complex liability defence and multi-party litigation
- > Fire claims
- > Professional indemnity defence and coverage
- > Underwriting advice, policy wording drafting and product development

Construction Services

- > 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, roofing and building envelope related deficiencies
- > Surety bond negotiations and claims
- > Liens
- > Professional negligence claims

Commercial and Product Liability Services

- > Product liability claims relating to construction and industrial products
- > Contract disputes
- > Complex PPSA priority disputes involving international jurisdictions
- > Shareholder disputes
- > Commercial disputes
- > Admiralty law and with the Canada Shipping Act, including the unique liability provisions
- > Shareholders remedies
- > Joint venture and development disputes

Sam delivers results that matter. She provides applicable advice on which clients can base decisions and take action. With her instincts and experience, Sam thinks on her feet and anticipates the opposition's next move, instilling confidence in her clients both in and out of the courtroom.

Sam has a great stamina for work, which developed early on in her life when she pursued performance piano at the Royal Conservatory of Music. Sam now incorporates this work

ethic as head of our insurance litigation group, where she is proud to lead a team of likewise smart and dedicated lawyers.

Although disputes are adversarial, Sam believes in the power of people and problem solving. She leads negotiations and litigations to address the human element of resolution and persuades the court in our clients' favour through advocacy and with integrity.

Credentials

Industry Involvement

- > Canadian Bar Association
- > Canadian Bar Association of British Columbia
- > CBA Construction, Insurance, and Civil Litigation Sub-Sections
- > Canadian Construction Women (CCW)
- > The Continuing Legal Education Society of British Columbia, CLE Annual Law Review editor
- > University of British Columbia Alumni Board, Director
- > US Law Network

Community Commitments

- > Women Insurance Cancer Crusade

Education

- > University of British Columbia, Bachelor of Laws
- > University of British Columbia, Bachelor of Arts

Additional Languages

- > Cantonese
- > French
- > Mandarin

External Publications & Presentations

- > Annual presenter to the Insurance Institute of British Columbia, Top Cases & Industry Developments in P&C Insurance, Other Insurance, Bad Faith, Provisions/Overlapping Coverage, 2017 - Current
- > Presenter, Duty to Defend, Duty to Indemnify and the Duty of Good Faith - Coverage & Claims Risk Management in Canada, May 23, 2024
- > Presenter, Canadian Law on Bad Faith and Punitive Damages Seminar, Part 2, May 22, 2024
- > Presenter, Liability Claims in Canada - Coverage & Risk Management Seminar, October 18, 2023
- > Presenter, Canadian Law on Bad Faith, Material Change in Risk, Material Misrepresentation, September 7, 2023
- > Presenter, Canadian Law on Bad Faith and Punitive Damages Seminar, May 16 - 18, 2023
- > Panelist, The Future of Construction Law, American Bar Association, April 12 - 14, 2023

- > Featured guest speaker, International Women's Day 2023, CIMS Limited, March 8, 2023
- > Featured mentor, CCW Mentorship Breakfast Series, Canadian Construction Women, October 2022
- > Presenter, Canadian Coverage Seminar: Property, Liability & Bad Faith Seminar, September 29, 2022
- > Presenter, "Risk Management on Construction Projects", Builders Risk/Course of Construction Policy Coverage, May 2022
- > Presenter, Insurance Institute of BC, Top Cases & Industry Developments in P&C Insurance, Bad Faith, July 13, 2021
- > Presenter, "Impacts on Construction Projects in BC", June 2020
- > Co-author Evolution of bad faith claims in Canada: Risk management suggestions (Part 3 of 3), The Lawyer's Daily, LexisNexis Canada, August 2019
- > Co-author Evolution of bad faith claims in Canada: Key case law since Whiten (Part 2 of 3), The Lawyer's Daily, LexisNexis Canada, July 2019
- > Co-author, Evolution of bad faith claims in Canada (Part 1 of 3), The Lawyer's Daily, LexisNexis Canada, July 2019
- > Presenter, The Changing Environment of Denials & Bad Faith Claims, Insurance Institute of British Columbia's (IIBC) Insurance Symposium, April 2019
- > Presenter, Canadian Law on the Role of the Consultant - Claims Against Architects and Engineers, June 2018

Additional Work Highlights

Private insurer

- > Assisted client insurer with fine tuning of policy wording for a specialized product

Lloyds of London

- > Provided coverage opinion on \$2 million environmental coverage claim resulting in full resolution of the issues without litigation
- > Defence of insured in significant multi-party fire claim and achieving 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
Extricating insured contractor out of a multi-party construction claim for over \$4 million early on by proactive advocacy with zero payment of damages
- > Successfully represented client insurer on a claim for equitable contribution as between insurers

Alberta-based contractor

- > Providing delay claim advice to contractor with respect to oil and gas projects in Alberta

BC-based industrial contractor

- > Acting as counsel for unpaid fees and contract disputes

Abbarch Architecture

- > Assisted client with professional services contracts with US grocery retailers using contracts not well suited for Canada

Emco Corporation

- > Defence of claims against client and managing client's risks with respect to import of potentially defective parts

International grocer

- > Assisted client with development of security protocol in stores and general risk management

BC education institution

- > Successful representation in a multi-party and multi-action construction lawsuit in which all parties were well entrenched in their positions. After failed mediations and failed judicial settlement conferences, Sam was able to achieve resolution of all on the eve of a one-year trial

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, Sam 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, Sam 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, Sam successfully negotiated a settlement at less than 30% of the claim-due in part to a novel defence theory that Sam developed with the fire engineer