



Sean Tessarolo

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Partner

Business Litigation
Insurance
Insurance Coverage
Fraud & Asset Recovery

Profile

Individuals and businesses approach litigation with different outcomes in mind. Sean provides his clients with practical and considered advice tailored to advance their specific objectives and minimize potentially adverse consequences. Sean works closely with business owners, Indigenous governments and insurance professionals to resolve complex disputes both inside and out of the courtroom.

Clients trust Sean to represent their interests in commercial and Indigenous litigation matters including bringing and responding to claims involving shareholder and partnership disputes, commercial contracts, fraud claims, real estate development and land use matters, judicial review applications and advancing specific claims on behalf of First Nations under Canada's Specific Claims Policy.

Insurance is an integral part of the modern economy. Sean applies his litigation and analytical skills to advance his insurance clients' interests in subrogation, defence and coverage matters. Sean's insurance experience includes subrogating and defending significant property loss claims, defending professionals, and advising insurers on a broad-range of coverage matters.

Work Highlights

Significant Property Loss Claim

- > Represented international sulphuric acid vendor in 11 separate lawsuits alleging over 800 vehicles were damaged after travelling through sulphuric acid spills in Trail, BC. In the course of defending that client, Sean was successful in obtaining orders requiring ICBC to store and preserve 519 vehicles at its own expense during the course of the litigation. (The Insurance Corporation of British Columbia v. Teck Metals Ltd., 2020 BCSC 1617)

Commercial Lease Dispute

- > Represented commercial tenant at trial and appeal in novel case involving the corporate identification doctrine and interpretation of a commercial lease's insurance covenant in the context of arson (Austeville Properties Ltd. v Josan, 2019 BCCA 416; Austeville Properties Ltd. v Josan, 2016 BCSC 1963)

Shareholder Dispute

- > Represented director and shareholder of a business, and others, at trial against claims for breach of fiduciary duty and fraud (Roussy v Savage, 2019 BCSC 1669)

Additional work highlights below

Sean is a steadfast advocate who achieves results for his clients. He has represented clients in matters before the Supreme Court of British Columbia, the Alberta Court of King's Bench, the Federal Court of Canada and the British Columbia and Federal Courts of Appeal.

Services

- > Commercial litigation
- > Shareholder and partnership disputes
- > Fraud claims
- > Creditors' rights
- > Collections
- > Commercial lease disputes
- > Contract disputes
- > Insurance subrogation, defence and coverage matters

Credentials

Awards & Distinctions

- > Best Lawyers in Canada, Insurance Law, 2024

Industry Involvement

- > Canadian Bar Association, member, 2016 - Present
- > Canadian Bar Association of British Columbia, member, 2016 - Present
- > Law Society of British Columbia, member, 2016 - Present

Education & Call to Bar

- > Call to Bar: British Columbia, 2016
- > University of Saskatchewan College of Law, Juris Doctor (Great Distinction), 2015
- > University of British Columbia, Bachelor of Arts (Political Science) 2010

External Publications & Presentations

- > Annual presenter to the Insurance Institute of British Columbia, 2017 - current, Top Cases in P&C Insurance
- > Author, "You're not criminally responsible, but are you covered under your insurance policy?", Canadian Insurance Law Reporter (LexisNexis), January 2023, No. 857
- > Author, "Court finds actual harm to property required to constitute ‘direct physical loss or damage", The Lawyers Daily, August 5, 2021
- > Author, "B.C. Supreme Court rules in insurance case that timing of an occurrence matters", The Lawyer's Daily, January 18, 2018

Additional Work Highlights

Bankruptcy Proceedings

- > Represented trustee in bankruptcy in recovery actions arising from the Rashida Samji Ponzi scheme

Public Company Transactions

- > Represented target companies in both contested and unopposed plans of arrangement

Commercial Landlord-Tenant Dispute

- > Represented commercial landlord at the summary trial in recovery action against a former tenant for rental arrears and special costs (Port Manor Apartments Inc. v Yang et al (15 June 2017), Vancouver S-166492 (BCSC) (unreported))