



Douglas
Eyford KC*
Partner

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BIOGRAPHY

Douglas Eyford KC is a civil litigation lawyer and negotiator. He provides insightful and strategic advice to businesses, governments, and First Nations. Doug was appointed Queen's Counsel in 2015 (now King's Counsel), a recognition of merit and significant contributions to the legal profession.

In civil litigation proceedings, he represents clients in negligence claims, defamation actions, contract disputes, fraud, product liability, railway law, and fire loss. He also acts for securities industry participants on matters relating to investment dealer litigation and regulatory enforcement. As a committed advocate for his clients, Doug works to resolve disputes efficiently. He is experienced in alternate forms of dispute resolution, representing clients at arbitration and mediation. Other law firms and lawyers know that Doug stands ready to proceed to trial, should this course of action be in the client's best interest. He has a depth of experience serving as trial and appellate counsel at all levels of court in British Columbia, and in representing clients before regulatory and administrative tribunals. In the leading personal injury case, *Rowe v. Bobell Express Ltd.*, 2003 BCSC 472, Doug served as trial and appellate counsel (appeal dismissed 2005 BCCA 141). He has served as counsel for transportation carriers—for example as counsel for the defendant in *British Columbia v. Canadian National Railway*, 2003 BCSC 928—and as counsel for investment dealers, publishers, and numerous other clients in a diverse range of industries.

Doug provides strategic business and legal advice to First Nations, governments, and industry regarding transportation infrastructure and resource development projects. From 2007 to 2014, he served as chief federal negotiator for the Government of Canada in the comprehensive land claims process in British Columbia. The Government of Canada has retained him to provide advice regarding Aboriginal participation in the development of oil and natural gas

PRACTICE AREAS

Professional Regulation
Insurance
Motor Vehicle, Rail &
Trucking
Life & Disability
Personal Injury Defence
Indigenous Consultation &
Reconciliation
Business Disputes
Personal Injury

EDUCATION

LLB, University of British
Columbia (1990)

BAR ADMISSION

British Columbia, 1991

pipelines in Alberta and British Columbia. His 2013 report to the Prime Minister, Forging Partnerships, Building Relationships: Aboriginal Canadians and Energy Development, outlined strategies for earning trust and for fostering an inclusive energy economy. Doug continues to share his expertise in Aboriginal law—actively writing, speaking, and sharing insights on how the Crown, industry, and Indigenous groups can engage in a constructive dialogue and build a better path forward.

In 2015, Doug led the federal government’s engagement on the renewal of the comprehensive land claims policy. He canvassed the views of participants in the modern treaty process from across Canada which culminated in the publication of his report, A New Direction: Advancing Aboriginal and Treaty Rights.

In the field of insurance law, Doug advises on coverage and residency issues and acts for Canadian and U.S. insurers in proceedings involving life, disability, motor vehicle, sports, and recreation claims. In one representative case, Sander v. Sun Life Assurance Company of Canada, 2001 BCSC 1445 (appeal dismissed 2003 BCCA 55), he served as trial and appellate counsel; this leading disability insurance case established an insured’s duty to obtain reasonable medical treatment as a condition for continued disability payments.

Doug is committed to giving back to the community. He regularly presents papers and speaks about public policy and legal issues at seminars and conferences. As a member of the Association of Defence Trial Attorneys and the National Association of Railway Trial Counsel, he remains committed to the practice of law. Eyford Partners, the litigation boutique that Doug co-founded, exemplifies his approach to advocacy, leadership, and professional excellence.

NOTABLE CASES

Woodward & Company Lawyers LLP v. The Tsilhqot’in National Government, 2021 BCSC 16. Doug was counsel on this application which resulted in the dismissal of an action as an abuse of process with our client being an awarded special costs.

British Columbia v. Canadian National Railway, 2003 BCSC 928. Doug was counsel for the defendant railway company in a decision restricting the scope of the Forest Practices Code of British Columbia for the recovery of the cost of fire control operations.

British Columbia Securities Commission Re: Roger F. Bapty et al., 2006 BCSC 638. Doug was counsel for an investment dealer in the dismissal of a proceeding brought by the British Columbia Securities Commission to recover losses alleged by an investor.

Gill v. Canadian Venture Exchange, 2003 BCCA 431. Doug was counsel for the respondent in a proceeding relating to the contractual authority of a stock exchange over a former registrant.

Prodor v. Canwest Publishers Ltd., 1996 CanLII 1880 (B.C.S.C.). Doug was trial counsel for the plaintiff in a defamation action against defendant journalists.

Rowe v. Bobell Express Ltd., 2003 BCSC 472, appeal dismissed 2005 BCCA 141. Doug was trial and appellate counsel in leading personal injury case establishing principles for the assessment of loss of income earning capacity.

Sander v. Sun Life Assurance Company of Canada, 2001 BCSC 1445, appeal dismissed 2003 BCCA 55. Doug was trial and appellate counsel in leading disability insurance case establishing an insured's duty to obtain reasonable medical treatment as a condition for continued disability payments.

Sibley v. British Columbia Custom Car Association et al, 2005 BCSC 509. Doug was counsel for the defendant in the dismissal of an action based on the enforceability of a release and waiver of liability.

Stalzer v. Nagai, 2014 BCSC 1388. Doug was trial counsel for the defendant in an action resulting in the dismissal of a cyclist's claim against the defendant driver.

Viitre v. St. Peter's Estonian Evangelical Lutheran Church, 2010 BCSC 296. Doug was counsel for the respondent in a proceeding relating to the governance of a society.

Wark v. Kang, 2018 BCSC 1733. Doug was counsel in this action which was heard with a jury. This oral ruling deals with challenges to the admissibility of expert reports.

RECOGNITION

Queen's Counsel, 2015 (Now King's Counsel following the passing of Her Majesty Queen Elizabeth II)

Recognized in The Canadian Legal Lexpert Directory as a leading practitioner in Aboriginal Law

Recognized in Benchmark Litigation Canada 2021 as a Litigation Star in Aboriginal Law, Commercial Litigation, Energy, and Transport

Litigation Counsel of America

ASSOCIATIONS

Member of Law Society of British Columbia

Member of Canadian Bar Association

Member of Association of Defence Trial Attorneys

Member of National Association of Railway Trial Counsel