



Jason
Murray*
Partner

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BIOGRAPHY

Jason Murray is a Vancouver-based litigator with a broad range of experience representing clients in commercial, insurance, and product liability litigation as well as in Indigenous law matters.

Jason works to provide clients with effective guidance in Indigenous law matters, advising First Nations, industry, and government clients on the implications of Aboriginal rights and title on resource development. He provides counsel to both industry and First Nations communities in the negotiation of impact benefit agreements (IBAs) and agreements with the Crown. He has advised clients with applications before the National Energy Board. Jason has also helped guide clients engaged with environmental assessment of projects before the Canadian Environmental Assessment Agency and BC Environmental Assessment Office. Clients turn to Jason for his help in negotiating agreements that build partnerships and foster good working relationships so that projects may move forward with the recognition of the duty to consult and accommodate Aboriginal peoples.

Should it come to trial, Jason has the experience to represent his clients' best interests. An experienced trial lawyer, Jason has represented clients before all levels of court in British Columbia and before tribunals, including the British Columbia Utilities Commission. He has acted as counsel in the significant Aboriginal rights and land title trial, *Tsilhqot'in Nation v. British Columbia*. He has represented clients in a variety of commercial disputes and class actions involving consumer products, deceptive/misleading marketing, and government and institutional negligence. Jason has also represented clients in personal injury matters involving brain injury, psychiatric injury, chronic pain, and business losses.

Jason has authored papers and presented on a variety of topics, including class actions, Aboriginal land claims, fiduciary duties of

PRACTICE AREAS

- Insurance
- Motor Vehicle, Rail & Trucking
- Product Liability
- Personal Injury Defence
- Indigenous Consultation & Reconciliation
- Business Disputes
- Professional Regulation
- Class Action
- Personal Injury

EDUCATION

- LLB, Queen's University (2001)
- BA, University of British Columbia (1998)

BAR ADMISSION

- British Columbia, 2003

pension trustees, and contaminated sites.

Jason is also involved in the community. He has served as legal counsel to electoral campaigns and nomination contestants in federal and municipal elections. Jason is a past director of the Jewish Federation of Greater Vancouver and the Centre for Israel and Jewish Affairs.

A graduate of Queen's University with a Bachelor of Laws, and the University of British Columbia with a Bachelor of Arts, Jason served as a law clerk to seven justices of the Supreme Court of British Columbia after completing law school.

NOTABLE CASES

Winick v. Goddard, 2020 BCSC 4. Jason acted as counsel for the defendants in a trial in which the plaintiff sought significant compensation for injuries arising out of three successive motor vehicle collisions. The court ultimately found that there was reasonable prospect for the plaintiff to enjoy some increased functioning and scope for a return to a more moderate level of activity. The plaintiff was awarded only half of the compensation she sought at trial for her future loss of earning capacity and roughly half the damages she sought for her future care and diminished housekeeping capacity.

Repin v. Aam Ventures Ltd., 2020 BCSC 227. Jason acted as counsel for the defendants in a trial where the defendants were successful in undermining the credibility of the plaintiff and the weight ascribed to one of the plaintiff's key medical experts. All of the plaintiff's applicable damages were reduced 25% for failure to mitigate, except for future cost of care, which was reduced by 10%. In the result, the court awarded the plaintiff a mere 10% of the compensation she sought at trial.

New Day Agreement, February 2020. Jason and Douglas Eyford, Q.C. were pleased to act for Cheslatta Carrier Nation in its successful negotiation of a comprehensive agreement with Rio Tinto. The New

Day agreement involves the parties in the areas of training, employment, business opportunities and environmental stewardship, including the creation of the Nechako Reservoir Stewardship Program, a joint initiative that will leverage local knowledge to maintain the Nechako Reservoir watershed ecosystem while promoting recreation and tourism opportunities consistent with ongoing Cheslatta stewardship activities.

Dabu v. Schwab, 2016 BCSC 613. Jason acted as counsel for the defendant in a trial involving diagnoses of major depressive disorder, somatic symptom disorder, and chronic pain syndrome, resulting from a motor vehicle accident.

Jones v. Zimmer GMBH, 2011 BCSC 1198, aff'd 2013 BCCA 21. Jason acted as counsel for the representative plaintiff in a successful application to certify a national class action against the manufacturers of the Durom acetabular hip implant.

Chalmers v. AMO Canada Company, 2010 BCCA 560. Jason acted as counsel for the representative plaintiff in an appeal upholding certification of a class action against the manufacturers of Complete All-In-One MoisturePLUS contact lens solution.

Tsilhqot'in Nation v. British Columbia, 2007 BCSC 1700. Jason acted as counsel for the Provincial Crown in landmark litigation involving the elements of the test for establishing Aboriginal title to land and the duty of the Crown to consult and accommodate in respect of development of land over which Aboriginal rights and title are asserted.

Transpacific Petroleum Corp., et al. v. The Minister of Petroleum-Egypt, et al. (12 September 2009), Vancouver S083864 (B.C.S.C.). Jason acted as counsel for the Egyptian Minister of Petroleum in a successful application to strike claims on the basis of state immunity under the State Immunity Act, R.S.C. 1985, c. S-18.

ASSOCIATIONS

Member of Vancouver Bar Association

Member of Canadian Bar Association

Member of Law Society of British Columbia

Member of International Association of Jewish Lawyers and Jurists

Vice Chair, Pacific Region, Centre for Israel and Jewish Affairs