



HAVELOCK (HAV) B. MADILL, Q.C. - COUNSEL



Location: Edmonton
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Preparatory Education:
 1969, B.Sc., University of Alberta

Legal Education:
 1972, LL.B., University of Alberta

Called to the Bar:
 1973 Alberta

BIOGRAPHY

With nearly 40 years of experience, Hav Madill is the Firm's most senior litigator. He has been counsel in some of the larger, more complex litigation that have come before the Courts, and is well regarded for his thorough and effective advocacy.

REPRESENTATIVE WORK

- ▣ Defence and coverage counsel in property loss claim brought by Calgary based, Cyprus registered oil and gas company involved in contractual and shareholders' dispute related to joint venture in Russia with Russian based, international oil and gas company. Claim for \$16 million currently in litigation. Major jurisdictional issues.
- ▣ Counsel for international insurance company defending contractual and tort claims against several design and construction consultants involved in construction of major oil sands project. Claims for +\$100 million ultimately resolved by extensive, multi-party mediation.
- ▣ Represented major, Calgary based, international energy company in respect to extensive structural deficiencies in a major, two-tower office high rise office complex in downtown Calgary.
- ▣ Successfully defended directors and officers of Western Canada based mining company in precedent setting litigation involving Federal Government Immigrant Investment program. Claims for approximately \$50 million. Action ultimately dismissed against our clients.
- ▣ Defence counsel for Directors and Officers in claims arising from receivership of large, national tire manufacturer and distributor.
- ▣ Defence and coverage counsel in a multi-million dollar fire loss of an under construction multi-residential complex.
- ▣ Defence counsel for international construction and fabrication company involving multi-million dollar claim for allegedly defective pipe installed in Alberta oil sands project.
- ▣ Appointed a defence counsel by international insurer regarding destruction by fire of a technical college in Edmonton.
- ▣ Appointed as defence counsel in actions arising from fire/explosion in an industrial park in central Alberta.

- ▣ Coverage counsel in respect to an industrial equipment loss resulting from forest fire.
- ▣ Defence counsel on a large forest fire loss allegedly arising from brush burning on a well site.
- ▣ Defence counsel for main stream religious organization in respect to significant sexual abuse and degradation claim.
- ▣ Represented major, Calgary based, international energy company in significant commercial dispute with prominent, Toronto based, leasing and property company involving head lease agreements, as well as structural deficiencies, pertaining to two -tower high rise office complex in downtown Calgary. Complex claims involving several 10's of millions of dollars. Resolved by litigation and negotiations.
- ▣ Counsel for Alberta based, international internet services company in commercial dispute with giant, Toronto based telecommunication company in contractual disputes involving the operation and construction of Alberta SuperNet. Complex claims involving +\$100 million. Resolved by arbitration and negotiation.
- ▣ Counsel for 134 Defendants in document intensive, class action seeking \$2.5 billion dollars related to the administration of public authority pension plans. Action ultimately discontinued against clients.
- ▣ Successfully negotiated resolution of a US\$265 million jury award in Florida for wrongful death in a products liability claim.
- ▣ Defence counsel for Architects sued for design deficiencies in major residential condominium project in downtown Calgary. Litigation ongoing.
- ▣ Counsel for environmental engineers in suit for negligence in carrying out environmental assessments for residential subdivision.
- ▣ Acted for geotechnical engineers in defence of claims for negligent design and installation of clay liner in lake forming part of new residential development. Resolved by litigation and negotiations.
- ▣ Defending structural engineer in multi-million claim in respect to design and oversight of foundation pads for break presses.
- ▣ Counsel for the Province in recovery of significant royalties resulting from production interruption of major oil sands facility due to fire.
- ▣ Numerous contractual disputes, including construction, shareholders dispute, joint ventures, passing off, performance, default and accounting issues.
- ▣ Coverage and defence counsel in several active and past architect and engineers professional liability claims.
- ▣ Served as counsel for major party in significant fire at oil sands facility involving loss of approximately \$200 million. Matter resolved by dispute resolution process.
- ▣ Coverage counsel in respect to significant, long-tail pollution claim.
- ▣ Coverage counsel in respect to claims arising from structural deficiencies in several industrial cranes.
- ▣ Coverage counsel in respect to losses arising from major gas well blow out.
- ▣ Coverage counsel in respect to construction deficiencies in a significant East coast, off-shore oil and gas project.
- ▣ Defence counsel for former directors and officers of a major tire manufacturing and distribution company in several claims arising from the demise of the company.
- ▣ Numerous contractual disputes, including construction, shareholders disputes, joint ventures, passing off, performance, default and accounting issues.
- ▣ Defence counsel in numerous serious injury and fatality claims.
- ▣ Counsel in numerous contractual disputes, including construction, shareholders dispute, joint ventures, passing off, performance, default and accounting issues
- ▣ Coverage and defence counsel in numerous and varied other construction deficiency, property and products liability losses involving commercial and public facilities

MEMBERSHIPS

- ▣ Appearances as counsel before all levels of provincial courts, various administrative tribunals and Supreme Court of Canada. Extensive experience with arbitrations and mediations.
- ▣ Member of Edmonton Bar Association, Canadian Bar Association and Alberta Trial Lawyers Association

- ▣ Member of Law Society Civil Advisory Committee, Class Action Committee, Appeal Rules Revision Committee, Case Flow management committee and Insurance Committee
- ▣ Member of Canadian Bar Association Civil Justice Reform Committee and Provincial Civil Justice Reform Implementation Committee.

RECOGNITION

- ▣ Appointed Queen's Counsel (Q.C.) in 1994.
- ▣ Named by The Best Lawyers in Canada as one of the best lawyers in Canada in Corporate Commercial Litigation, Director's & Officer's liability, Products Liability, Insurance Law, and Personal Injury Litigation.
- ▣ Named by Lawday Directory as one of the top 40 lawyers in Canada in Insurance Law.
- ▣ Recognized in L'EXPERT legal Directory as a leading practitioner in Corporate Commercial Litigation, Products Liability, Commercial Insurance, Directors & Officers Liability and Personal Injury.
- ▣ Distinguished Attorney rating by Martindale-Hubbell.