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Sandra L. Kovacs, Lawyer

Bar Admissions

- British Columbia, 2005
- Yukon, 2015 (Non-Practicing)

Education

- University of Alberta, LL.B., 2004
- Simon Fraser University, B.A., 2000

Leadership and professional memberships

- Trial Lawyers Association of British Columbia, Member (Current)
- Law Courts Inn (Lawyers' Inn) Society (President, 2015 – 2016)
- Vancouver Bar Association (President, 2010-2011)
- Canadian Bar Association, National Air and Space Law Section (Secretary, 2013 - 2015)
- Peter S. Hyndman Mentorship Award (Committee Member, 2011 – 2014)

Recognition

- 2016 Canadian Legal Lexpert Directory, Ranked Lawyers and Law Firms – “Repeatedly Recommended” for Aviation (Regulation & Liability).
- Selected "Litigation Lawyer to Watch" in the 2012 Lexpert Guide to the Leading US/Canada Cross-border Litigation Lawyers in Canada (US Litigation Guide)
- 2011 Nominee for the University of Alberta Alumni Horizon Award

Professional experience

Sandy is a trial lawyer. Her current caseload consists mostly of complex injury claims for plaintiffs, including:

- Psychological injuries arising from historical sexual assault or clergy abuse;

- Physical injuries including traumatic brain injuries, fractures, or chronic pain arising from motor vehicle, aviation, or occupiers' accidents;
- Wrongful death claims arising from motor vehicle or aviation accidents;
- Injuries arising from medical malpractice, dental malpractice, pharmacy malpractice, and/or defective products.

Recent trials

- *Anderson v. Diocese of Kamloops*, 2020 BCSC 1247
- *Uy v. Dhillon et al.*, see 2019 BCSC 1136 (Liability); 2020 BCCA 163 (Appeal on Liability) and 2020 BCSC 1302 (Damages: \$9,076,854.19)
- *Livingstone v. Nguyen*, January 2019, by judge and jury
- *Crawford v. Nazif et al.*, by judge and jury (resolved on day 13 of 19-day trial)

Published Reasons (Interlocutory Applications or Tribunal Matters)

- Counsel for the plaintiff in *Nagra v. Cruz*, 2016 BCSC 2469; 2017 BCSC 347
- Counsel for the plaintiff in *Dhaliwal v. Lindstrom and The City of Richmond*, WCAT Decision Number: A1600870
- Counsel for the plaintiff in *Maanaki v Hossain*, 2019 BCSC 940
- Counsel for the plaintiff in *Uy v. Dhillon et al.*, 2019 BCSC 1136

Prior to joining KazLaw, Sandy's practice was defence-focused for more than a decade. The following is a sample of the cases Sandy was involved in as defence counsel:

Aviation

- Small aircraft accidents resulting in hull damage, bodily injury claims, and/or wrongful death, including the defence of a floatplane operator and pilot through to mediated resolution following an accident involving six fatalities, see: *Glenn v. Seair Seaplanes Ltd.*, 2012 BCSC 1184
- Defence of a hot air balloon operator through to mediated resolution of several catastrophic personal injury and wrongful death claims
- Instructing U.S. counsel in product liability and wrongful death actions in the State of Georgia against a British Columbian aircraft engine manufacturer
- Defence of a British Columbian heli-fishing tour company after a fatal helicopter crash involving cross-jurisdictional injury and wrongful death claims from Washington State

Motor Vehicle

- Defence counsel instructed by ICBC in a two week jury trial turned into a judge-alone trial: *Ellis v. Duong*, 2017 BCSC 459
- Defence counsel instructed by ICBC through trial in *Lampkin v. Walls*, 2016 BCSC 1003

Medical Malpractice

- Defence counsel for a urologist through trial in an action alleging surgical error causing kidney failure: Tai v. Chow et al., 2007 BCSC 34
- Defence counsel for an otolaryngologist through trial in an action alleging surgical error causing blindness: MacDonald v. Stevens, 2008 BCSC 1018
- Defence counsel for cardiologists through trial of an action alleging traumatic brain injury arising from an allegedly defective ICD: Konken v. Kerr, BCSC (unreported)
- Defence counsel through trial for a plastic surgeon: Groves v. Thompson, BCPC
- Defence counsel for physicians in an application to dismiss premised on a limitation period expiry: Rahmani v. Vancouver Coastal Health Authority, 2009 BCPC 0182
- Defence counsel at closing argument for defendant physicians in an action involving a compromised birth: Seattle et al. v. Purvis et al., 2005 BCSC 1567

Historical Sexual Assault

- Defence counsel for a family physician accused of historical sexual assault: McClelland, Woods, et al. v. Stewart, Asplin, et al., 2006 BCSC 1948
- Defence counsel for a Catholic priest accused of historical sexual exploitation of a minor
- Defence counsel for a dentist accused of workplace sexual assault, breach of privacy
- Defence counsel for a carpenter accused of sexual assault in the workplace

Commercial General Liability (CGL) Insurance

- Defence of injury actions from slips-and-falls and other accidents (occupiers' liability), including through trial in Harris v. Ladner Centre Holdings Ltd., 2008 BCSC 1735
- Counsel for subrogating insurers seeking disclosure of early adjusters' reports and expert evidence: Brown v. Wilkinson, 2012 BCSC 398
- Counsel for subrogating insurers seeking to join a third party belatedly: Shvalian v. Seafresh Products Distributors, Inc., 2014 BCSC 964
- Counsel for the defendant applicant in a summary trial seeking dismissal for injuries arising from a slip-and-fall in a parking lot: Estabrooks v. Gauvin 2000 Construction Ltd., 2013 BCSC 628

Defamation / Nuisance

- Defence counsel through trial, appeal, and leave to appeal to the Supreme Court of Canada: Martin v. Lavigne, 2010 BCSC 1136, aff'd 2011 BCCA 10, aff'd 2011 CanLII 69656 (SCC)

Real Estate / Trust Dispute

- Defence counsel through trial and appeal in Haigh v. Kent, 2012 BCSC 1361, aff'd with dissenting reasons, 2013 BCCA 380; revisited with a remedy achieved for the defendants in 2016 BCSC 333

Family / Appellate

- Appellate counsel seeking reinstatement of an appeal in *Hannigan v. Hannigan*, 2005 BCCA 408

Human Rights

- Counsel through resolution for two B.C. complainants with Achondroplasia (dwarfism) seeking out-of-country coverage for medical treatment, see: *Drake v. B.C. (Ministry of Health)*, 2004 BCHRT 166 and *Whitehead v. B.C. (Ministry of Health)*
- Complainant's counsel through to mediated resolution for an applicant sheriff alleging discrimination on the basis of physical disability: *Paterson v. British Columbia (Ministry of Attorney General – Sheriff Services)*
- Respondents' counsel for a harbour authority in a complaint alleging human rights violations: *Binger v. Campbell River Harbour Authority*, 2013 BCHRT 281