



Christopher Rhone

Partner

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Christopher Rhone is a partner with Branch MacMaster LLP. His civil litigation practice includes product liability, occupier's liability, construction defects, motor vehicle, insurance coverage, class proceedings, and administrative law.

Before his admission to the British Columbia Bar (2001), Chris completed a judicial law clerkship with the British Columbia Court of Appeal. He then articulated and practiced at the law firm of Fasken Martineau before joining Branch MacMaster in 2002.

Chris has successfully represented clients before all levels of British Columbia's courts, the Court of Queen's Bench of Alberta, the Supreme Court of Canada and before administrative tribunals.

Areas of Practice

- General Civil Litigation
- Insurance Defence and Coverage
- Class Actions and Administrative Law

Professional Memberships and Education

- Law Society of British Columbia (2011)
- Law Society of the Northwest Territories (2013)
- Law Society of Alberta (2015)
- Canadian Bar Association
- Defense Research Institute (DRI)
- LL.B. Edinburgh University / University of Victoria
- B.Sc. (Hons, Biology) University of Western Ontario
- Best Lawyers, Recognized (2018)



Representative Experience

Chris has successfully represented clients before courts and tribunals in over thirty reported cases including claims for damages, injunctions and declaratory relief. Several examples are listed below.

Insurance coverage

- Economical Mutual Insurance v Gill, 2017 BCCA 351 (successful appeal finding no homeowner's insurance coverage for third party claim brought against father of injured plaintiff)
- Northbridge General Insurance v DeTray, Court of Queen's Bench of Alberta, Calgary Action No 1701-05005, Sept 21, 2017 (no insurance coverage for pilot car driver, jurisdiction properly with Alberta courts)
- Federated Insurance v Ironwood Building Systems, Court of Queen's Bench of Alberta, Calgary Action No 1401-02247, Jan 12, 2015 (no insurance coverage due to late notice, no relief from forfeiture)
- Economical Mutual Insurance Company v Lloyd's Underwriters, 2014 BCSC 979 (Petition compelling Lloyd's Underwriters to undertake insured's defence in an underlying Action)
- Lombard General Insurance v Canadian Direct Insurance, 2013 BCSC 40; 2013 BCCA 523 (successful defence of Lombard from attempt by Canadian Direct Insurance and Ford Credit Canada to compel Lombard to cover Canadian Direct's insured)
- Lombard v Canadian Surety, 2012 BCSC 526 (successful application to compel co-insurer to contribute towards costs to defend insured)
- Progressive Homes v Lombard Insurance Company of Canada, 2010 SCC 33 (co-counsel for insurer before Supreme Court of Canada on CGL coverage matter)
- Teck Cominco v Lloyd's Underwriters, 2009 SCC 11 (co-counsel for insurer before the Supreme Court of Canada in leading case on jurisdiction – forum non conveniens)
- Butterfield v Lombard Insurance, 2004 BCSC 1755 (defending property insurer against breach of contract claims)

Class Actions

- Douez v Facebook, 2017 SCC 33 (Supreme Court of Canada upholding plaintiff's right to sue Facebook in B.C. in the face of a click-wrap agreement requiring action only in California); 2018 BCCA 186 (upholding certification) 2014 BCSC 953 (successful application certifying class action against Facebook alleging breach of privacy); and 2012 BCSC 2097 (sequencing motion in class action against Facebook)
- Lam v. University of British Columbia, 2014 BCSC 673 (successfully opposing motion in class proceeding to have third party proceedings tried concurrently with common negligence issues)
- Hoy v Medtronic, Inc., 2003 BCCA 316 (medical device class action certification decision)



Torts

- Cannon v. Al Perrett Enterprises Inc., 2018 BCSC 337 (successful defence of motorcycle repair shop in claim for defective repairs and resulting accident)
- Kerr v Global Investments House, 2014 BCSC 1544 (successful defence of hotel against personal injury claim)
- Fentiman v BC SPCA, 2009 BCSC 1141 (successful defence of the British Columbia SPCA against conversion action in B.C. Supreme Court)
- Zhang v Garrison, 2009 BCSC 1741 (successful addition of a medical doctor as defendant in Richmond airplane crash case. Medical doctor sought immunity under the federal Aeronautics Act)
- Willey v Ronik Security Ltd., 2006 BCSC 1003 (upholding default damages judgment in property loss claim)
- ICBC v Lemare Lake Logging Ltd., 2003 BCSC 1906 (defence of logging company against subrogated recovery action by ICBC)

Administrative Law

BCSPCA (Wild Animal Rehabilitation Centre) v Deputy Regional Manager, Recreational Fisheries and Wildlife Programs 2015-WIL-006 (Environmental Appeal Board, May 2016)

Binnersley v BC SPCA, 2016 BCCA 259 (successfully arguing appellant brought moot appeal, appeal dismissed)

Mason v Community Living Society, 2014 BCHRT 218 (summary dismissal of human rights complaint)

McLeod v BCSPCA, British Columbia Farm Industry Review Board, July 15, 2014 (successful defence of BCSPCA's conduct in seizing 99 malnourished cattle from the appellant's ranch)

Addo v Shekinah Homes Society, 2012 BCHRT 378 (successful application to dismiss human rights complaint before the B.C. Human Rights Tribunal)

Johnson v BC SPCA, (B.C. Supreme Court, June 14, 2011) (successfully seeking imposition of terms respecting injunctive relief sought by petitioner)

In the Matter of a Production Order (s. 487.012, Criminal Code) (BCPC, Feb 14, 2011) (successful application to compel production of Workers Compensation Board records for investigation into alleged massacre of 100 sled dogs at Whistler, B.C.)

Ulmer v BC SPCA, 2010 BCCA 519 (counsel for the BC SPCA on appeal by animal owner contesting removal animals from her property and re.opposing application to appeal to the Supreme Court of Canada (2011 CanLII 35964)



Publications

- C. Rhone, J. MacMaster and W. Branch, Environmental Insurance Recovery: Legal Issues in Relation to the Buy-Back of Insurance Policies (CLEBC: 2008)
- C. Rhone and W. Branch, Insurance Issues in Class Actions, in Litigating and Managing Insurance Coverage Disputes, The Canadian Institute, Conference, June 17-18, 2008 (Toronto)
- C. Rhone, CGL Coverage and Long-Tail Pollution Claims: Several Triggering Issues Considered (CLEBC: 2008)
- Co-author (with Ward Branch), Liability Insurance Issues in Construction Practice, British Columbia (CLEBC: 2007)
- Co-author (with W. Branch), "Solving the National Class Problem", 4th Annual Symposium on Class Actions (Toronto: Osgoode Hall Law School of York University, 2007)
- Co-author (with M. Wingert), The Settlement Conference: Cornerstone of the Small Claims Process, British Columbia (CLE: 2005)
- Co-author (with W. Branch), The Bond Between Class Members – The Wedge Between Counsel: Trans-National Class Actions in the Wake of Parsons v. McDonald's Restaurants, British Columbia CLE (February, 2005)
- Co-author, Chaos or consistency? : The National Class Action Dilemma paper for symposium National forum on drug and medical device liability: key developments and cutting edge strategies for litigating ongoing claims and minimizing future exposures (Toronto: Canada Law Institute, 2003)
- Co-author, "If it Ain't Broke, Don't Fix it!' Does B.C. Need a New Costs Regime for Class Actions?" (2003) Vol. 1, No. 4 Class Action 82
- Author, "Accepting the Words of Parliament: Parliamentary History as a Means to Interpret Legislation" (September 2001) 59 The Advocate 697
- Author, Criminal Jury Addresses, CLE (B.C.) November 23, 2000 (Criminal Law Advocacy CLE)
- Co-Author with C. Tollefson and C. Rolfe, Cleanair.ca: A Citizen's Action Guide (Vancouver: Sierra Legal Defence Fund, 2000)
- Author, "From the European Commission to National Courts" (1998) 2 Edinburgh Law Review 345 article