



Michael Bailey

Chair, Subrogation & Recovery, Canadian Region

Toronto

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Michael Bailey brings almost 40 years of litigation experience to the Subrogation & Recovery Department in the firm's Toronto office. Michael's experience ranges from insurance and risk management to constitutional issues and treaty-based aboriginal land claims. He held positions of leadership at a major Canadian law firm from 1992 to 2009.

Because of his experience, Michael has been sought out as a speaker for seminars on civil litigation and procedure, construction and insurance litigation, and trial advocacy at various organizations, including the Canadian Bar Association and the Society of Insurance Fellows. He has also been an instructor at the University of Calgary, teaching a business law course.

Michael received his Master of Arts in English and his LL.B from the University of Alberta. He earned his Bachelor of Arts with distinction from the University of Calgary.

Experience

Secured a \$7M settlement for a major energy company and its insurer in a case arising from a fire that caused significant damage to a large hydrocarbon storage tank. The settlement was negotiated after an extensive discovery process and once the lawsuit was entered for trial by Court Order, and was reached as a global settlement with several defendants who were involved in the activity that caused the fire.

After a four-week trial, we secured a judgment awarding our clients more than \$24 million in an action against a contractor that had been hired to operate and maintain an oil field owned by our clients' insured. A pipeline failed in multiple locations, releasing a substantial volume of oil and necessitating environmental remediation. After a decade of the defendant steadfastly denying liability, we presented compelling evidence at trial that the contractor's negligent maintenance of the pipeline caused the catastrophic failure.

Secured a \$5.25 million CAD recovery for a property owner and several insurance companies in a case arising from an explosion at a pulp and paper mill located in Prince George, BC. The recovery was the culmination of years-long litigation against the company that designed various upgrades to an air system boiler that exploded at the mill. We were able to show that the secondary air system for the boiler was defective, allowing for a buildup of unburned deposits which caused the explosion.

Practice Areas

- Subrogation & Recovery

Education

- University of Alberta, LL.B., 1985
- University of Alberta, M.A., 1982
- University of Calgary, B.A., 1980

Bar Admissions

- Alberta
- Ontario
- British Columbia

Court Admissions

- British Columbia Superior Court of Justice
- Court of Appeal of Alberta
- Court of King's Bench of Alberta
- Federal Court (Canada)
- Federal Court of Appeal (Canada)
- North West Territories Superior Court of Justice
- Ontario Superior Court of Justice
- Supreme Court of Canada

Affiliations

Canadian Bar Association

Ontario Bar Association

Ontario Trial Lawyers Association

The Advocates' Society

Law Societies of Ontario, Alberta and British Columbia

Ontario Risk and Insurance Management Society

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