

## DWF Adjusting Canada is part of the expanding DWF Adjusting global footprint.

Specializing in liability insurance claims, we understand the importance of providing our clients with a solution that delivers the desired results by utilizing our technical expertise, with a clear focus on a partnership approach with all involved stakeholders.

---

### What we do

Our technical adjusting expertise is focused on the handling of liability claims, including investigation, coverage analysis, liability and damage analysis, determination of appropriate reserves, development of defence strategies, working with legal counsel and experts, participation in alternative dispute resolution facilities and settlement of claims, in accordance with client requirements.

### Our approach

Our mission is to utilize our expertise and experience to deliver technical adjusting services, focusing on exceeding the needs of our clients with creative, effective and efficient strategic approaches to the handling and resolution of liability claims.

We work with policy holders and claimants to develop an in-depth technical understanding of claims in the early stages and as they develop, so that we are well positioned to provide all involved stakeholders with recommendations for reserve management as well as resolution strategies.

### Why DWF Adjusting Canada?

We are a dynamic team of experienced professional independent adjusters offering expertise across multiple disciplines including;

- General liability
- Wrap-up liability
- Professional liability for a wide array of professions
- Medical malpractice
- Pharmaceutical product liability
- Directors' and Officers' liability
- Municipal liability
- Environmental impairment liability

We utilize our technical expertise to deliver customer centric solutions by cultivating and fostering strong relationships with various stakeholders including Lloyd's syndicates, brokers, cover holders, retail brokers and MGA's, as well as domestic insurers.

We offer the best of both worlds: Our offices are locally managed and operated, such that we can offer bespoke solutions to meet client needs, while our back office functions such as accounting,

data management and compliance are managed centrally, which creates efficiencies that are passed on to our clients.

As part of the DWF Connected Services division, we work closely with DWF Claims Canada, which offers TPA services where required to complement our technical expertise.

---

### Key highlights of our claims handling experience

**Project specific wrap up liability claim:** This claim involved extensive vibration damage to buildings caused by TBM's (Tunnel Boring Machines). After extensive investigation including the use of ground monitoring, we were able to conclude that although there was damage to the buildings as a result of the TBM work, the project engineers failed to appropriately determine the correct "zone of influence" and the extent of the vibration that would be caused by the TBM's during construction. We were able to deflect liability to the engineers on the project.

**Biotechnology product liability claim:** This claim involved multiple putative class action lawsuits and individual lawsuits, resulting from alleged packaging deficiencies in several birth control pill products. We were involved in the early investigation of the manufacturing process for the products, as well as the involvement of all stakeholders in the distribution chains, in order to determine the liability exposure of all involved parties. The claims were defended with the involvement of multiple defence lawyers as well as experts, and it was established that the margin for deficiency of the products was so low that claims could not be substantiated without proof of purchase and causation by the putative class plaintiffs as well as individual plaintiffs. All of the claims were eventually resolved by way of nominal economic based settlements and several of the putative class actions were dismissed in their entirety.

**Event specific liability:** This claim involved multiple gunshot victims at a music festival in a foreign country, resulting in 7 fatalities and 14 non-fatal injuries. We completed a thorough investigation of the circumstances surrounding the loss, including the coordination of multiple jurisdictional laws and claimants.

**Environmental impairment liability:** This was a claim involving bitumen contamination within a lake, with total damages in excess of \$2,000,000. Our investigation included determining the circumstances surrounding the loss, and the nature of the involvement of our insured and all other parties. We retained defense counsel, as well as various experts, including environmental consultants and engineers. We also successfully pursued a subrogated claim against an involved party facing liability exposure.

**Municipal liability:** Claims involving both bodily injury and property damage, including multiple fatalities from general liability, road liability, and professional liability of building inspectors and other consultants.

**Commercial general liability:** We have handled liability claims for a wide array of construction contractors, including sprinkler companies, roofing contractors and general contractors. We are presently involved in the handling of a roofing claim with damages over \$7,000,000, as well multiple water damage claims against sprinkler companies with damages ranging from \$50,000.00 to several million dollars. Our initial investigation of these claims allows us to obtain the facts at the outset, to facilitate our analysis of the liability exposure of all involved parties and obtain the required evidence to evaluate the damages. In a significant number of cases, we are able to negotiate resolutions without the matter proceeding through litigation.

**Product liability:** This claim involved allegations of deficiencies in the manufacturing of locomotive parts, resulting in consequential damages in excess of 1 million dollars. We completed a thorough liability investigation with the involvement of experts, and were able to effect a quick resolution thereby avoiding litigation proceedings being initiated.

**Environmental impairment liability:** This was a claim involving the discovery of extensive contamination, arising from the escape of dry-cleaning solvents into the soil and groundwater surrounding a dry cleaning plant. Litigation proceedings were initiated against the insured by a neighbouring property owner asserting allegations of property damage, degradation of property value, and bodily injury, with damages sought well in excess of the policy limits. We retained multiple experts, including several environmental consultants and engineers, to delineate the source and extent of the contamination and put measures into place to avoid further spread of the contamination onto neighbouring properties. We also retained defence counsel to address the proceedings, and co-ordinated the efforts of counsel and our various experts to craft a negotiated resolution.

**Medical malpractice:** We have handled liability claims against a wide array of medical and quasi-medical professionals, including naturopaths, physiotherapists, psychologists, occupational therapists, and respiratory therapists. These claims often involve fatalities and other serious bodily injuries, allegations of sexual misconduct, and regulatory complaints. Our involvement in such

claims includes analysing the policies to determine the availability of coverage, and communicating Underwriters' position in this regard to the insured entities.

**General liability:** This was a claim involving an advanced snow boarder colliding with a tree when he tried to cross from one run to another through a forested area. The snowboarder suffered severe brain trauma and as a result of the accident, became a quadriplegic. Using advanced Lidar (Light detection And Ranging) methods to survey the terrain immediately after the accident, we were able to show that the occupier had little to no liability in the case.

## Contacts



**Steve Snider**

Director

M +1 289 404 7798

E [Steve.Snider@dwfadjusting.com](mailto:Steve.Snider@dwfadjusting.com)



**Stephen Cordery**

Director

M +1 289 979 7646

E [Stephen.Cordery@dwfadjusting.com](mailto:Stephen.Cordery@dwfadjusting.com)



**Sharon Coutinho-de Souza**

Director, Special Risks

M +1 416 889 7557

E [Sharon.Coutinho@dwfadjusting.com](mailto:Sharon.Coutinho@dwfadjusting.com)



**David Carthy**

Principal Adjuster

M +1 647 878 5014

E [David.Carthy@dwfadjusting.com](mailto:David.Carthy@dwfadjusting.com)

### Global Adjusting locations

