



Deirdre L. Wade, KC

COUNSEL

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PRACTICE AREAS

Insurance Litigation • Administrative • Cybersecurity & Privacy • Corporate & Commercial • Health
• Employment & Labour • Regulated Professions

BIOGRAPHY

Deirdre L. Wade, KC, is a partner in the Saint John office of Cox & Palmer. She was called to the New Brunswick Bar in 1988 after completing her education at the University of New Brunswick. Deirdre was appointed the designation of Queen's Counsel (now King's Counsel) in 2005 and joined Cox & Palmer after many years as a partner with the former firm Barry Spalding.

Deirdre enjoys a diverse litigation practice with an emphasis on advising insurers, particularly specialized risk insurers, and insureds, on insurance coverage and duty to defend issues in all areas of insurance including commercial general liability, automobile, property, environmental, cyber liability, professional liability, hospital liability, and directors and officer's liability.

Deirdre is married and has one son. In her spare time, she enjoys cooking, entertaining, book clubs, fashion blogs and travel.

EXPERIENCE

- Advising clients with respect to privacy and access law issues including compliance with federal and provincial privacy and access legislation.
- Experience in the management of the defence of large litigation cases. Deirdre has successfully managed a products liability case involving in excess of 100 claimants, a construction law claim involving significant documentary discovery and disclosure issues and a number of highly technical property loss claims having indemnity values in excess of \$100 million.
- Advising professionals on insurance requirements and policy coverage including advice on long-term disability insurance and business and practice interruption policies.
- Retained by a variety of professionals on disciplinary issues. While assisting as co-counsel in a Constitutional Challenge to New Brunswick's Physician Resource Management Plan, Deirdre developed considerable knowledge with respect to issues pertaining to physician resource planning and management. Deirdre has worked with two professional regulatory bodies in regards to labour mobility issues and compliance with the Federal/Provincial Agreement on Internal Trade and has completed a number of mandates pertaining to privacy issues and compliance with privacy and access to information legislation for health care professionals.
- Considerable experience in the field of workers' compensation including representing the Workplace Health, Safety and Compensation Commission before the New Brunswick Court of Appeal and acting as co-counsel for the Commission in a precedent setting bad faith/negligence trial before the Court of Queen's Bench of New Brunswick (*Goodwin v. Workplace Health, Safety and Compensation Commission*, 2015 NBQB 32).
- Administrative law experience includes advising professional regulatory bodies on administrative, discipline and registration issues as well as the drafting of legislation.

- Advises clients with respect to corporate and commercial matters including private equity financings and corporate governance issues.
- Represents clients before the Provincial Court of New Brunswick, the Court of Queen's Bench of New Brunswick and the Court of Appeal of New Brunswick. Deirdre has prepared and responded to a number of Applications for Leave to Appeal to the Supreme Court of Canada. Additionally, she has appeared before the Supreme Court of Newfoundland and Labrador, the Court of Appeal of Newfoundland and Labrador, the Supreme Court of Prince Edward Island and the Supreme Court of Nova Scotia.
- Represents clients at mediations and arbitrations.
- Adjudicative experience as the Chair of the 2020 – 2024 Judicial Remuneration Commission for New Brunswick's Provincial Court Judges.

INDUSTRY RECOGNITION & AWARDS

- 2022 Law Firm of the Year for Insurance Law by The Best Lawyers™ in Canada.
- Recipient - Franklin O. Leger, Q.C. Award for Distinguished Service presented by the Law Society of New Brunswick (2017)
- Recipient - Distinguished Service Award, Canadian Bar Association New Brunswick (2011)
- Recognized in the publication The Best Lawyers in Canada since 2012 for her practice in the area of Insurance Law. This publication has also recognized her for Administrative and Public Law.

LANGUAGES

- English

LAW SOCIETY MEMBERSHIPS

- Canadian Bar Association
- Law Society of New Brunswick
- Saint John Law Society

BAR ADMISSION

- New Brunswick (1988)

LAW SCHOOL

- University of New Brunswick

EDUCATION

- University of New Brunswick (B.A. with Distinction, 1985)
- University of New Brunswick (LL.B., 1987)

PUBLICATIONS

- Privacy Law and PIPEDA: Common questions asked by businesses
- Client Alert: Remote Work, Data Breaches and Cybersecurity Considerations during COVID-19
- Legislation Protecting Innocent Co-Insureds Is Now a Reality in New Brunswick
- The Exclusion for Intentional or Criminal Acts
- Tort of Unauthorized Public Disclosure of Private Facts in State of Flux Following Overturn of Default Judgment
- When the Courts "Exclude" an Exclusionary Clause, Insurers Have a Duty to Defend

- CMPA Not an Insurer
- Ontario Court of Appeal Determines That Employer Cannot Rely Upon an Employee's Waiver of Risk of Injury

LECTURES & PRESENTATIONS

- Speaker – New Brunswick Healthcare Quality Interest Group – Patient Engagement and Patient-Centered Care Conference (October 2015)
- Speaker – Legal Leaders for Diversity Conference – Saint John, New Brunswick (May 2015)
- Lecturer & Presenter – Continuing Legal Education and Professional Development Sessions, Insurance Industry
- Presenter – Professional Development Presentations regarding availability of class actions in the common law jurisdictions of Canada.
- Presenter – Professional Development Presentations on various environmental law issues, with respect to the duties and obligations of professionals, access to personal health information and on the reform of New Brunswick's Limitation of Actions Act.

PROFESSIONAL ACTIVITIES & AFFILIATIONS

- Chair – Saint John Region Chamber of Commerce (2019 – 2021)
- Member – Editorial Board of the Solicitor's Journal – Publication of the Canadian Bar Association, New Brunswick Branch
- Executive Member & Past President – Canadian Bar Association, National Privacy and Access Law Section
- Board Member – Canadian Lawyers Insurance Association (July 2019 -)
- Member – The Privacy and Access Council of Canada (2016)
- Chair – Legal Counsel Group Federation of Medical Regulatory Authorities of Canada (2015)
- Editor-in-Chief – Federated Press, Journal of Insurance Law (2001 – 2015)
- Director – Canadian Bar Insurance Association (2007 – 2015)
- Governor – Atlantic Provinces Economic Council (2009 – 2015)
- Past President – Canadian Bar Association, New Brunswick Branch (2005 – 2006)

ACTIVITIES WITHIN FIRM

- Regional Diversity Committee Member (2013 – 2016)
- Conflicts Partner for New Brunswick (2014 – 2021)
- NB Representative & Contributor – Regional Insurance Newsletter (2013 – 2018)

COMMUNITY AND VOLUNTEER ACTIVITIES

- Member – Board of Directors, Saint John Region Chamber of Commerce (2016 – 2022)