



## David G. O'Brien, KC

PARTNER

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### PRACTICE AREAS

Insurance Litigation • Administrative • Health • Regulated Professions

## BIOGRAPHY

David O'Brien, KC, is a partner in the Saint John office of Cox & Palmer. He was called to the New Brunswick Bar in 1984 after completing his education at Dalhousie University. He was appointed the designation of Queen's Counsel (now King's Counsel) in 2010.

David is a recipient of the "Distinguished Service Award / Médaille de Service Méritoire Exceptionnelle" of the New Brunswick Branch of the Canadian Bar Association. David routinely represents the interests of a number of insurers in the courts of New Brunswick. He has participated in the drafting of private legislation pertaining to health law, and has prosecuted professional misconduct cases for the medical, architects', and opticians' professional associations in New Brunswick.

David attended St. Francis Xavier University where he won the Governor-General's Gold Medal in 1980. His thesis under the direction of Senator John B. Stewart considered "Civil Liberties Under Emergency Government: A Case Study Of The War Measures Act". He won the Law Foundation of Nova Scotia Scholarship to Dalhousie Law School, where he was winner of the Legal Writing Prize (1981). While a law student in Halifax, he worked as a newscaster at ATV News/CJCH/C-100 Radio, as he had done during High School and College at CFBC/C-98 Radio in Saint John, and CFXU in Antigonish, NS.

## INDUSTRY RECOGNITION & AWARDS

- 2022 Law Firm of the Year for Insurance Law by The Best Lawyers™ in Canada.
- Recognized in the publication The Best Lawyers in Canada since 2013 for his practice in the areas of Insurance Law, Legal Malpractice Law, Defamation and Media Law, and Personal Injury Litigation.
- Recipient - "Distinguished Service Award / Médaille de Service Méritoire Exceptionnelle", Canadian Bar Association New Brunswick Branch (2010), for his work in law reform.
- Recognized in the Canadian Legal Lexpert Directory as a leading practitioner in Commercial Insurance and Personal Injury Litigation.

## LANGUAGES

- English
- French
- Spanish

## **LAW SOCIETY MEMBERSHIPS**

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

## **BAR ADMISSION**

- New Brunswick (1984)

## **LAW SCHOOL**

- Dalhousie University

## **EDUCATION**

- St. Francis Xavier University (Political Science/Economics, Honours, 1980)
- Dalhousie University (LL.B., 1983)

## **PUBLICATIONS**

- NBCA Decision Broadens Limitation Rules for Plaintiffs
- New Brunswick Court of Appeal Rejects Loss of Inheritance Claim Under Fatal Accidents Act in Absence of Proof of Reasonable Expectation of Inheriting

## **PROFESSIONAL ACTIVITIES & AFFILIATIONS**

- Member – File Retention Policy Committee, Law Society of New Brunswick
- Member – Law Society of New Brunswick, Ethics Committee (2008-2020)
- President – Canadian Bar Association, New Brunswick Branch (2012-2013)
- Council – Law Society of New Brunswick (2007-2012)
- National Chairperson – Canadian Bar Association, Civil Litigation Section (2010-2011)
- Treasurer – Canadian Bar Association New Brunswick Branch (2010-2011)
- Past Provincial Chairperson – Canadian Bar Association New Brunswick Branch, Civil Litigation Section (2005-2010)
- Past National Chairperson – Canadian Bar Association, Health Law Section (2004-2005)
- Member – Canadian Defence Lawyers; Defence Research Institute (Chicago, Ill.)
- Past National Board Member – Canadian Bar Association

## **COMMUNITY AND VOLUNTEER ACTIVITIES**

- Trustee – UNB Faculty of Law Endowment Trust
- Past President – Uptown Saint John Inc.
- Past Board Member – Saint John Development Corporation
- Past Trustee – Board of Commissioners of the Saint John Free Public Library
- Past Co-Chair – Saint John Belfast Children's Vacation Project
- Former Member and Deputy Chair – City of Saint John, Planning Advisory Committee