|  |  |
| --- | --- |
| Date:  | June 30, 2025 |
| To: | **Mayor and Council.** |
| Name and title: | Kris Dalio, Director of Finance and IT Services |
| Subject:  | Quarterly Litigation Summary Report – Q2 2025 |
| Attachment(s):  | Litigation Summary Table as of June 30, 2025 |
| Recommendation(s): |
| That Council RECEIVES FOR INFORMATION the report dated June 30, 2025, from the Director of Finance and IT Services titled “Quarterly Litigation Summary Report – Q2 2025.” |

Purpose:

For Council information.

Strategic Priorities:

Litigation matters listed in the attached summary are legal actions made on behalf of or against the City. Claims against the City may be covered under one or more policies of insurance. Currently, a $50,000 deductible applies to each claim/occurrence made against the City. The **bold text** portions of the attached Litigation Summary Table as of June 30, 2025, represent updates from the previous quarterly report.

Summary and conclusion:

In accordance with Council’s direction, subsequent reports will continue to be provided quarterly.

Respectfully submitted:

Kris Dalio, Director Finance & IT Services

­­­

Prepared by Sandra Shelke, Manager, Risk & Procurement

Approved:

Walter Babicz, City Manager

Meeting date: [2025/07/28]

Litigation Summary Table as of June 30, 2025

| eDoc | FILE # | CLAIMANT | DATE OF LOSS / ACTION | CLAIMANT'S LAWYER | CITY'S LAWYER | DESCRIPTION OF CLAIM | STATUS OF CLAIM | LAST DATE OF UPDATE |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 636670 | 19-049 | McCREADIE, Douglas | 21-Mar-19 | Justin Haines -HSJ Lawyers | Eve Moore (Mark Gyton covering) - Guild Yule LLP | RCMP officer slipped and fell in the parking lot on his way to work. Discovery completed January 29-30, 2025 **We are currently communicating with Plaintiff counsel with respect to outstanding document requests to ensure no delay in the action is on the part of the City. Then if no further action is taken by the Plaintiff, make an application for dismissal based on want of prosecution.** | Open | 22-May-2025 |
| 634386 | 20-068 | HAY, Leonard / Class Action | 8-Jul-20 | Dick Byl - Dick Byl Law Corporation | Ryan Darby - Whitelaw Twining | A fire at the Econo Lodge Motel with several injuries and fatalities. The CPG is named in the lawsuit due to the issuance of a business license to the operator and the completion of fire inspection. Mediation occurred March 2025 with plaintiff’s demand at ~$8M and no settlement. **Common Issues Trial set Oct 6, 2025.** | Open | 6-Jun-2025 |
| 600176 | 19-057 | 054849 BC Ltd. (Doug Tyers) | Spring 2019 / Fall 2020 | Small Claims Court - Self-Represented | Doug McLaughlan, Wilson King & Co. | Plaintiff alleges that vibration from CPG Construction caused the floor of his shop to sink. Adjournment of trial to the fall was successful by the applicant. Recommendation of Counsel to continue to hold for plaintiff action. **No recent plaintiff action.** | Hold | 10-Oct-2024 |
| 600174 | 21-03483 | GREWAL, Tanner | 15-Sep-21 | Morgan Wright. Garth Wright Law | Jeff Locke, Stewart McDannold Stuart | Administrative Claim alleging wrongful discharge of Fill Covenant. CPG liability unlikely. CPG taking low-cost passive approach and awaiting further plaintiff action. **No recent plaintiff action.** | Hold | 10-July-2025 |
| 624683 | 22-03559 | CLARK, Robert | 14-Jan-22 | Brendan Harvey - Yeager & Company Employment Law | Nicole Toye, Harris & Co. LLP | Employee claiming constructive dismissal due to vaccine mandate policy. Summary trial occurred February 25, 2025, with decision expected in coming months. **The judgment was in favour of the City and the claim was dismissed. Notice of Appeal has been received; Appearance has been filed.**  | Open | 27-May-2025 |
| 639010 | 22-03608 | City of PG v. HDR(Chandos) | DOL-Dec 2020FiledDec 2022 | Chris Hirst, Alexander Holburn (HDR)/Lyle Brookes.Chandos Legal Counsel | Sukh Manhas, Young Anderson | Primer used for steel beams faulty, HVAC also malfunctioning resulting in significant remediation costs incurred and more expected. CPG filed a claim against HDR in November 2024. Chandos identified as 3rd party by HDR. **No new developments.** | Open | 24-Jun-2025 |
| 664149 | 23-03690 | Chahal v. RCMP et al. | 21-Aug-2023 | Connor Muldoon | Paige Gibson, Stewart McDannold Stuart | Bodily Injury claim due to alleged RCMP assault; CPG seeking dismissal of claim. Repeated letters to claimant counsel unanswered, diarized to April of 2025. No new action; if inactivity continues, we expect to close. **SMS (lawyer) file closed due to inactivity. The lawsuit will remain extant but in the Court’s records can only be reactivated upon service of a “Notice of Intention to Proceed”** | **Closed** |  |
| 682890 | 23-03762 | Grenon v CPG et al | 16-Apr-2023 | Garth Wright | Thomas Haughian, SMS | Plaintiff jumped into Leisure Pool as part of adult swim lesson and broke bone in foot and is seeking costs. Preparation for next steps via retaining lifeguard expert opinion on City practices; result will set direction for either settlement or summary trial. **Expert witness found to provide report with respect to procedures and how they align to CoPG.**  | Open | 31-May-2025 |
| 675631 | 23-03747 | Yeulet v. CPG et al. | 4-Oct-20 | Kelley C. Stewart, Collette Parsons Corrin LLP | Ryan Darby, Whitelaw Twining | MVA at Davis Road and Ospika Blvd causing bodily injury while using pedestrian crosswalk which had been recently upgraded with new signage and lighting. Examination set for March 2025 with trial scheduled for February 2026.  **No further action by Plaintiff.** | Open | 25-June-2025 |
| 655626 | 23-03654 | Johnsen v. CPG et al. | 9-Jan-23 | Andrew Kemp,Andrew Kemp | Emily Dvorak, Guild Yule | Slip and fall occurred at the RCMP detachment on Victoria Street. All allegations denied by CPG. Discovery completed January 29-30, 2025 with liability assessment following. **Recommendation from counsel was not to file third party notice. No further action by Plaintiff at this time.** | Open | 17-June-2025 |
| 688622 | 23-03775 | Sakamoto (Heartbreaker) v. CPG, CCC & 4-Star | 22-Aug-23 | Roy Stewart, RJS Law Corp | Amelia Staunton, Dolden Wallace Folick LLLP | Plaintiff alleges CPG vicariously liable for RCMP and Bylaw failure to prevent explosion at neighboring business. Document Discovery continuing. No new activity from Plaintiff in response to continuing document discovery. May 6: Plaintiff will be filing a discontinuance WRT the City. **Notice of Discontinuance received the claim against the City has been discontinued.** | Closed | 10-May- 2025 |
| 754849 | 25-03923 | CFI Steel Ltd et al v CPG | Oct 23, 2024& Mar 2, 2025 | James Stephen, Clyde & Co Canada LLP |  | **Plaintiff alleges CPG is responsible for the property damage from two separate incidences due to insufficient maintenance of infrastructure resulting in flooding of the premises on two occasions. The Notice of Civil Claim was filed April 22, 2025, however, the City has yet to be served.** | Open | 30-June-2025 |