

Kinji C. Bouchier

Kinji has a general commercial and business litigation practice with a diverse mixture of practice areas and a broad range of experience. Kinji's primary practice areas include complex commercial and civil litigation with a focus on contractual disputes, securities, shareholder and transactional claims, environmental remediation claims, insurance recovery, construction and engineering law. He has successfully mediated and reached negotiated settlements of several disputes on behalf of his clients in the areas of contract, construction/engineering, environmental, insurance and personal injury litigation.

Kinji has extensive experience dealing with injunctive remedies in a wide range of contexts including disputes in the forestry and mining industry. He regularly appears as lead counsel in British Columbia Supreme Court, has appeared as lead counsel in the British Columbia Court of Appeal, has also regularly handled matters before the Court of Appeal and has appeared before the BC Securities Commission and Property Assessment Appeal Board. Kinji has also been involved in seeking leave to appeal to the Supreme Court of Canada.

Professional Activities

- The Hooplaw Society, Director and Member
- British Columbia Lawyer's Soccer Team, Captain and Organizer
- Vancouver Bar Association, Past Elected Executive Member
- Western Canada Business Litigation Blog, Contributor

Bar Admissions

- British Columbia (2000)

Education

- University of British Columbia (B.A. (Hons.), 1996)
- University of British Columbia (LL.B., 1999)

Experience

Representative proceedings include:

- Successfully represented the plaintiff in a leading decision on the jurisdiction of the Supreme Court of British Columbia over foreign defendants (*Xystus v. Century Mining Corporation*, 2005 BCSC 741)
- Succeeded in proving fraud against a claimant of disability benefits from a benefit trust (*The Trustees of the IWA- Forestry Industry Ltd. Plan v. Bhullar*, 2008 BCSC 168)
- Successfully represented the petitioner in a property tax appeal to the British Columbia Supreme Court (*CPR v. Vancouver (City)*, 2007 BCSC 1774)
- Represented dissident shareholders in a contested plan of arrangement proceeding involving the oppression remedy and stays of proceedings before the British Columbia Court of Appeal (*Scion Capital v. Bolivor Gold Corp*, 2006, YKSC17, 2006 YKCA001)



Kinji C. Bouchier

Partner

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Practices

- Administrative, Constitutional and Public Law
- Commercial Litigation
- Environmental
- Environmental Prosecutions
- Litigation & Dispute Resolution
- Product Liability
- Regulatory Compliance
- Securities Litigation

Kinji C. Bouchier (Cont.)

- Successfully defended a shareholder's rights plan before the BC Securities Commission (*Re: Imperial Metals Corporation, CAT Gold Corporation and bcMetals Corporation*, November 10, 2006)
- Successfully represented the defendant Chevron Canada Limited in contaminated site claims under the *Environmental Management Act* in the leading case in British Columbia on remediation allocation of costs claims (*Gehring v. Chevron Canada Limited.*, CA034609)
- Successfully represented the defendants in a leading decision on the scope of fiduciary duties (32262 *B.C. Ltd. v. Pacific Sign and Design Ltd. et al.*, 2003 BCSC 1724)
- Represented the appellant in a leading case on the law surrounding the *Railway Act*, and aboriginal title claims (*Canada (A.G) v. Canadian Pacific Ltd.*, 2002 BCCA 478)
- Pursuing claims for declaration of coverage in insurance contexts
- Represented individual and corporate plaintiffs in personal injury claims arising out of motor vehicle accidents and other personal injury contexts
- Represented both plaintiffs and defendants in products liability and engineering litigation claims involving airplane propellers, elevating devices, valves and other industrial products

News / Publications

- Vancouver Lawyers Represent Canada at the World Cup of Football for Lawyers, (May 17, 2012)
- Team of Lawson Lundell lawyers recognized in Lexpert Magazine's Big Deals for their role in the US Gold Corporation acquisition of Minera Andes Inc., (April 12, 2012)
- "Practice Procedure: Fundamental Tools for Civil Litigation" Insight Paralegal Forum
- Lawson Lundell Launches the Western Canada Business Litigation Blog, (October 1, 2010)

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