



BEARDWINTER LLP

## John D. Dean

Mr. Dean specializes in the area of defence insurance litigation, particularly motor vehicle tort and accident benefits, personal injury, disability, homeowner's insurance and general liability insurance matters.

He appears frequently, on behalf of his clients, at all levels of court in Ontario, including both jury and non-jury trials, and at arbitrations conducted at the Financial Services Commission of Ontario.

Over the course of his career, Mr. Dean has completed approximately 20 trials, mostly jury and appeals, involving predominantly BI claims with some property damage matters. He has 28 reported FSCO decisions on AB matters and also handles private arbitrations involving priority disputes and loss transfer matters.

Brief details of some of Mr. Dean's trials are detailed below:

- Conducted a tort jury trial for the defendant and successfully beat the plaintiff's Rule 49 Offer to Settle;
- Conducted a judge alone trial in which he successfully defended the insurer against the insured's claim for water damage by upholding the insurer's interpretation of the policy exclusions and conditions. The decision was upheld by the Court of Appeal;
- Successfully argued against a FSCO applicant on a benefit entitlement issue which was upheld on appeal; and
- Conducted a jury trial for the defence and received a jury verdict less than the defendant's offer to settle thereby receiving a costs award in favour of the defence.

### Contact

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### Call to Bar

1980

### Education

LL.B., 1978

Queen's University Law School

B.A.Sc.(Hons.), 1975

Queen's University

### Practice Areas

- ▶ Professional Liability Litigation
- ▶ Bodily Injury Defence
- ▶ Coverage Opinions/Disputes
- ▶ Accident Benefits/License Appeal Tribunal (LAT)
- ▶ Loss Transfer and Priority Disputes
- ▶ Subrogation
- ▶ Professional Negligence / Errors & Omissions
- ▶ Occupiers' Liability
- ▶ Commercial Host Liability
- ▶ Property and Commercial General Liability
- ▶ Sport and Recreation Liability
- ▶ Products Liability

### Associations

- ▶ Canadian Defence Lawyers
- ▶ Ontario Bar Association
- ▶ The Advocates' Society

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