



Dan Downe, KC, Partner

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Overview

Dan Downe's primary area of practice is insurance litigation. He has more than 30 years experience defending insured businesses and individuals in a variety of complex litigation matters, including disputes involving motor vehicle accidents and other personal injury claims, commercial property damage and premises liability. Dan appears before all Alberta trial and appellate courts, arbitration panels and administrative tribunals, including coroner's inquests and fatality inquiries. He has assisted clients with various forms of alternate dispute resolution, including private mediation, judicial mediation and arbitration.

Dan pursues subrogation claims and defends coverage actions on behalf of insurers. He also advises clients on errors and omissions policies, defends related claims, prepares coverage opinions and represents disability insurers in numerous capacities. Also, Dan regularly counsels self-insured professional organizations and defends claims of professional negligence.

In 2010, Dan received his Queen's Counsel designation, which recognizes lawyers for exceptional merit and contribution to the legal profession. He is also a regular speaker on insurance and risk management topics at client seminars and legal conferences.

Value to Clients

Dan uses a creative approach to dispute resolution that he tailors to his client's goals and the unique circumstances of each case. While Dan excels in tough courtroom battles, he also focuses on helping clients take advantage of various forms of alternative dispute resolution to avoid the risk and expense of prolonged litigation and jury trials, including private mediation, judicial mediation and arbitration.

Outside the Office

Dan played high-level youth hockey and is still athletically active.

Experience

Lafferty v Co-operators General Insurance Co, 2021 ABCA 359

Kent v. Martin, 2013 ABQB 36 (CanLii), Court of Queen's Bench of Alberta

Smed v. Priddis Greens Golf & Country Club, 2011 ABQB 5 (CanLii), Alberta Court of Queen's Bench

Industries

Insurance
Health

Services

Litigation
Alternative Dispute Resolution
Mediation + Arbitration

Education

University of Saskatchewan, 1984,
Bachelor of Laws

Admissions

Alberta, 1985

Jin v. Canada Everich Real Estate Group Inc., 2011 ABQB 524, Alberta Court of Queen's Bench

Roadway Construction Ltd. v. ING Western Union Insurance Co., 2008 ABQB 367

Shaw v. Standard Life Assurance Co., [2005] A.J. No. 476, Alberta Court of Queen's Bench

Lam v. Bockman, 2006 ABQB 101, Alberta Court of Queen's Bench

Shaw v. Standard Life Assurance Co., 2006 ABQB 156, Alberta Court of Queen's Bench

Atlanta Industrial Sales Ltd. v. Emerald Management & Realty Ltd., 2006 ABQB 255, Alberta Court of Queen's Bench

Baum v. Graham Construction & Engineering Inc., 2006 ABQB 460, Alberta Court of Queen's Bench

Professional

Law Society of Alberta

Calgary Bar Association

Canadian Bar Association Alberta

Member

Community

Board of Directors, Federated Press Insurance Law Journal

Board of Directors, Make-A-Wish Foundation of Southern Alberta

Board of Directors, Possak School of Irish Dance

Recognition

Leading Practitioner: Personal Injury (Represents Defendants), Canadian Legal Lexpert® Directory: 2024

Listed Insurance Law, The Best Lawyers™ in Canada: 2014 - 2024

"Recommended" Litigation - Commercial Insurance, Canadian Legal Lexpert® Directory: 2019 - 2022

"Litigation Star", Benchmark Canada: 2018 - 2023

"Repeatedly Recommended" Personal Injury - Represents Defendants, Canadian Legal Lexpert® Directory: 2012, 2015 - 2017, 2019 - 2023

Distinguished, Martindale-Hubbell® Peer Review Ratings™: 2017, 2019 - 2021

Queen's Counsel: 2010

Notable Work

- Secured a favourable settlement on behalf of a construction company by pursuing a delay and impact claim in a strategically fast-paced arbitration in which we alleged that the client's inability to perform its work as originally bid was caused by failures and delays by other parties, and
- Obtained summary judgment on behalf of a pipeline project contractor that was forced to register builders' liens against the owner despite clear evidence that the work was performed per the contract's terms; judgment affirmed on appeal.

News + Views + Events

December 2021

[Court of Appeal Adopts the "Plausible Inference" Approach to Discoverability](#)

November 2021

[5-Star Insurance Law Firms and Lawyers](#)

September 2018

[The Best Lawyers in Canada 2019](#)