



Peter Gibson (He/Him)

Partner

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Overview

Peter Gibson's practice is predominantly in the area of insurance law where he has experience in coverage disputes, defending claims and pursuing subrogated matters. He has acted for insurers and insureds in coverage matters involving a variety of policies (automobile, commercial general liability, professional errors and omissions and disability).

His litigation experience on coverage, defence and subrogated matters has included trials and applications before the Courts of Alberta, the Northwest Territories, Nunavut and Saskatchewan. He also argued in the Courts of Appeal in Alberta, the Northwest Territories and Nunavut and at the Supreme Court of Canada. He also has extensive experience in alternative dispute resolution by judicial mediation and private mediation and arbitration.

Clients turn to Peter to protect their interest in litigation arising in a wide variety of contexts, including:

- Major construction projects
- Industrial accidents, fires and fatality claims
- Employment relations
- Personal injury
- Defamation
- Liability of professionals, municipalities, governments, schools, occupiers, hospitals, manufacturers and retailers

Experience

Gagnon v Shoppers Drug Mart, 2018 ABQB 888

Condominium Plan No 7920829 v. Academy Contractors Inc., 2017 ABQB 583

Martin v Sievers, 2014 ABQB 357

645639 Alberta Ltd. (Aurora Transportation) v. Co-Operators General Insurance Company, 2013 ABQB 627

Arcelormittal Tubular Products Roman S.A. v. Fluor Canada Ltd., 2013 ABCA 279

Canadian Natural Resources Limited v. Arcelormittal Tubular Products Roman S.A. (Mittal Steel Roman S.A.), 2012 ABQB 679

Ootoova Estate v. Mosher Engineering Ltd., 2011 NUCA 6, Nunavut Court of Appeal

Industries

Insurance

Services

Litigation
Construction

Education

University of Alberta, 1993,
Bachelor of Laws
Queen's University at Kingston,
1988, Bachelor of Arts

Admissions

Nunavut, 2021
Northwest Territories, 1997
Alberta, 1994

Fallowka v. Pinkerton's of Canada Ltd., 2010 SCC 5, Supreme Court of Canada

Wainwright (Town) v. 876947 Ontario Ltd., 2010 ABCA 23

Wainwright (Town) v. 876947 Ontario Ltd., 2009 ABCA 18, Alberta Court of Appeal

Professional

The Advocates Society

Member

Fire Investigation Association of Alberta

Member

Community

Volunteer, Edmonton Community Legal Centre

Recognition

"Repeatedly Recommended" Litigation - Commercial Insurance, Canadian Legal Lexpert® Directory: 2025

Insurance Law, The Best Lawyers™ in Canada: 2019 - 2025

Product Liability Law, The Best Lawyers™ in Canada: 2024 - 2025

"Litigation Star", Benchmark Canada: 2020 - 2024

Client Stories

A landmark Supreme Court case involving complex tort law issues

Our client: The Government of Northwest Territories and its Department of Mine Safety were among the defendants in a civil action following the 1992 bombing that killed nine miners working in the Royal Oaks Mines' operations at the Giant Mine in Yellowknife.

Where we began: The Workers' Compensation Board of the Northwest Territories, having paid pensions to the miner's widows, instituted a massive subrogated civil lawsuit in their names against our client and others, alleging that some or all of them were liable along with the miner convicted of the murders for either inciting his act or for failing to prevent it. The trial judge found that our client and the other defendants were liable, as they owed a duty of care in tort, negligently breached that duty and that their actions or inactions met the "material contribution" test for causation. However, the Court of Appeal reversed on all three points, a decision which the plaintiff appealed to the Supreme Court of Canada.

Our approach: In a five-month trial, Peter and fellow Field partner Christine Pratt argued that the Government's mine safety inspector wasn't responsible for the murders and didn't do anything wrong. This was a hard-fought case involving hard facts, and contested on each element of liability, including duty of care, standard of care, breach, causation and remoteness. The trial judge, in a 400 page decision, found all elements of the case had been met. The GNWT and other Defendants appealed and the Court of Appeal reversed the Trial Judge on every one of those elements. The matter then went to the Supreme Court of Canada.

The result: Supreme Court of Canada found the Trial Judge had not erred in holding that the GNWT owed a duty of care to the deceased miners, but agreed with the court of Appeal that the Trial Judge was wrong in finding that it had failed to meet the standard of care and had applied the incorrect test for causation. *Fallowka v. Pinkerton's of Canada Ltd.*, [2010] S.C.C. 5.

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[Occupiers' Liability: Refresher on Key Issues + How to Use Biomechanical Evidence](#)

September 2022 - 4 min read

[Exposure for Developers: Potential Liability for Dangerous Defects](#)

March 29, 2022

[Coffee + Counsel: Insurance Industry Insights - What's in Store for 2022?](#)