



Surety

Todd Kathol (He/Him)
 400 - 444 7 AVE SW
 Calgary, AB T2P 0X8
 T 403-260-8581
 F 403-264-7084
tkathol@fieldlaw.com

Overview

Field Law has an extensive client base in the surety industry and a substantial practice in surety law. We aim to keep our clients well informed by providing regular updates on changes, development and practices within the industry.

In addition to being involved in some of the most high profile and leading cases in surety law, our team of lawyers has gained in-depth experience instructing in the field, conducting seminars and writing articles on surety issues.

Field Law assists surety clients in several areas of the surety industry including:

- Preparing and revising standard forms of indemnity agreements and other bonding documents
- Obtaining additional or alternate security from principals and indemnitors
- Assisting in investigations of potential or actual defaults on bonded contracts
- Negotiating and preparing security and other arrangements for financing to complete bonded projects
- Assisting in arrangements for completion of bonded contracts, including preparation of contract take-over and completion contracts
- Securing and recovering contract funds and other security held by the surety from project owners and third parties
- Settling, arbitrating or litigating disputed claims and disputes with third parties over priority to contract funds
- Recovering from indemnitors under indemnity agreements or other security
- Recovery of misappropriated funds in subrogated claims under fidelity bonds
- Providing opinions on coverage and defending claims on fidelity and miscellaneous bonds as well as construction bonds

Field Law is an Affiliate Member of the [Surety Association of Canada](#).

Experience

Park Avenue Flooring Inc v EllisDon Construction Services Inc, 2019 ABQB 73

Cranbrook (City) v. Gabriel Construction (Alberta) Ltd., 2014 BCSC 2280

Industries

Construction
 Real Estate

Services

Construction
 Construction Bonds
 Construction Liens
 Delay Claim Litigation
 Deficiency Claim Litigation

People

Todd Kathol (He/Him)
Partner
Calgary
tkathol@fieldlaw.com

Jill Bishop (She/Her)
Partner
Calgary
jbishop@fieldlaw.com

Anthony Burden (He/Him)
Partner
Calgary
aburden@fieldlaw.com

Julie Shepherd
Lawyer
Calgary
jshepherd@fieldlaw.com

News + Views + Events

April 2020

Uncertain Surety: Expiration of a Limitation Against a Principal is not a Defence to a Bond Claim

Notable Work

Some examples of Field Law's notable work in this area include:

- Defending a surety from a Performance Bond claim where it was alleged the penal sum of the bond should not apply
- Acting for a surety in a Performance Bond claim requiring a replacement general contractor to complete a multi-million dollar road construction project
- Acting for a surety in responding to Labour and Material Payment Bond claims with respect to major airport construction
- Assisting a surety with respect to recovery of contract funds from an obligee as a result of having to pay claims under a Labour and Material Payment Bond