



BRANDON
COOK
ASSOCIATE

BIOGRAPHY

Brandon Cook is an associate in our Insurance and Construction + Engineering Practice Groups.

Brandon's practice focuses on complex insurance litigation and defending home inspectors, engineers, and other construction-related professionals in professional liability claims. He also has experience with first-party property damage claims, fraud, personal injury, and insurance coverage matters.

Brandon puts his clients' needs at the forefront of all advocacy and negotiations on their behalf to ensure an efficient and cost-effective solution to their often-complex legal issues. Brandon frequently appears before the Ontario Superior Court and has also been involved in appeals before the Ontario Court of Appeal.

ON A PERSONAL NOTE

Outside of his professional life, Brandon can frequently be found at concerts and music festivals. He is also an avid reader, craft beer enthusiast, and enjoys traveling and spending time at his family's cottage.

REPRESENTATIVE EXPERIENCE

- Aviva Insurance Co. of Canada v. Sibia Towing & Storage Ltd., [2020] O.J. No. 3999
- Le Treport Wedding & Convention Centre Ltd. v. Co-operators General Insurance Co., 2020 ONCA 487

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EDUCATION

- 2017, University of Western Ontario, Juris Doctor
- 2013, University of Toronto, Hon. B.A.

BAR ADMISSIONS

- 2018, Admitted to Bar of Ontario

PRACTICE AREAS

BUSINESS

- Construction + Engineering

INSURANCE

- Construction + Engineering
 - Coverage Disputes
 - Professional Liability
 - Personal Injury
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- Kutlarovski v. Aviva Insurance Co. of Canada, 2021 ONSC 6850

He has appeared as counsel at the Superior Court and Appeal levels in Ontario, and has conducted numerous examinations for discoveries, motions, mediations, and pre-trial conferences. He has also appeared as counsel at trial.

He has been appointed as defence counsel on behalf of home inspectors, engineers, architects, and other construction-related professionals in professional liability claims.

In particular, in this area, his defence work has included:

- Defending home inspectors in claims involving a buyer's discovery of water infiltration, mould development, structural deficiencies, and electrical and plumbing deficiencies following the purchase of a home
- Defending engineers and architects in claims involving allegations of negligent structural, mechanical, and landscape design
- Drafting pleadings, motion materials, and reports to insurance and non-insurance clients, including opinions on the scope and limitations of home inspections
- Advocating for clients in mediations to secure reasonable resolutions, including on the basis of enforcing limitation of liability clauses and return of inspection fees
- Assessing damages claims against home inspectors on the basis of the diminution in value of properties
- Conducting and defending examinations for discovery, including on the scope and limitations of his client's services, to significantly reduce his client's exposure
- Retaining experts to provide opinions on standard of care and assessment of damages as part of the defence strategy
- Working with home inspection companies to review and develop inspection agreements to incorporate the relevant standards of practice and limitation of liability terms

PROFESSIONAL & COMMUNITY AFFILIATIONS

- Law Society of Ontario, Member
- The Advocates' Society, Member
- Toronto Lawyers' Association, Member

INDUSTRIES

- Construction
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- Professional Liability Underwriting Society, Member



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