



EILEEN  
**VANDERBURGH**  
ASSOCIATE COUNSEL

## BIOGRAPHY

Eileen Vanderburgh is an Associate Counsel and the leader of the firm's Administrative Law, Appellate Advisory and Information + Privacy Practices. She is also a member of the Labour + Employment, Local Government, Wills, Estates + Trusts, Charities + Non-Profit and Insurance Practices.

She advises and represents clients on a variety of matters including administrative and judicial review proceedings, information and privacy, human rights, contractual disputes, tort claims and estate and trust litigation. She acts for public sector clients including health authorities, universities, school boards, Crown agencies, regulatory bodies and local governments. She also acts for corporations and non-profit organizations in a variety of sectors including the forest industry, sports and recreation, insurance and business.

Ms. Vanderburgh has appeared on behalf of clients at all levels of court in British Columbia and at the Supreme Court of Canada. She has also appeared before a number of statutory tribunals and represented clients in arbitrations and mediations. In her litigation practice, she has conducted and advised on numerous appeals in various areas, including administrative law, torts, contracts, trust and estate matters, costs and procedural issues.

## REPRESENTATIVE EXPERIENCE

Ms. Vanderburgh has extensive experience in administrative law matters, including hearings before statutory decision makers and judicial review of decisions made in a wide variety of areas, including WorkSafe, Human Rights, Residential Tenancy, Information and Privacy, and decisions made by government officials. Recent decisions in this area include:

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## EDUCATION

- 1990 LL.B. [University of British Columbia](#)

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## BAR ADMISSIONS

- 1991 Admitted to the British Columbia Bar

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## PRACTICE AREAS

### BUSINESS

- Administrative Law
- Information + Privacy
- Charities + Non Profit
- Appellate Advisory

### PERSONAL

- Administrative Law
- Wills, Estates + Trusts
- Information + Privacy
- Appellate Advisory

She regularly advises and represents private organizations, including sport governing bodies, in matters related to governance, privacy, litigation, disciplinary proceedings and proceedings under the *Societies Act*.

- She has represented forest industry clients and major insurers in tort and contract claims including liability and damages arising from forest fires, timber trespass, and forest road use.
- She has acted for beneficiaries, executors and trustees in estate and trust litigation, including issues of resulting trust and undue influence and interpretation of a testamentary trust.
- She regularly advises public bodies on compliance with privacy and access to information obligations under the *Freedom of Information and Protection of Privacy Act* and has represented public bodies in numerous proceedings before the information and Privacy Commissioner. She also advises private sector clients on compliance with the British Columbia *Personal Information Protection Act* and the federal *Personal Information Protection and Electronic Documents Act*, including issues of employee privacy, use of customer and member personal information, security and appropriate disclosure of personal information.

## PUBLICATIONS

- Information and Privacy Law, *Quickscribe Services Ltd.*, Expert Legal Annotator (ongoing)
- November 1, 2017, Appellate Practice 2017, *CLEBC*, Co-chair
- March 2017, "Counsel Comments – *Dunn v. TD Canada Trust*", *Take Five (BC) Onpoint Legal Research*, Speaker
- October 20, 2016, Summary Trials, *CLEBC*, Faculty member
- April 17, 2015, Appellate Practice 2015, *CLEBC*, Co-chair
- May 22, 2014, "Thinking Like an Appellate Lawyer", *Canadian Defence Lawyers 2014 Bootcamp*, Speaker (with Kathryn McGoldrick)
- January 23, 2014, "Legal Update – 2013 in Review", *International Association of Privacy Professionals*, (Vancouver), Speaker
- Spring/Summer 2013, "B.C. Court of Appeal upholds indemnity in school rental contract", *RiskEd*, (a risk management newsletter for the Schools Protection Program's members), *Vol. 17, No. 2*, Author
- May 2013, "Personal Information in Cyberspace – Managing the Risk of a Privacy Breach", *RIMS Canada Newsletter*, Author

## INSURANCE

- Appellate Advisory
  - Local Government
  - Directors + Officers
  - Information + Privacy
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## INDUSTRIES

- Charities + Non-Profit
  - Education
  - Health Care
  - Local Government
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- November 20, 2012, “Designing and implementing a privacy management program”, *6th Managing Privacy Compliance Course* (Federated Press), Speaker
- October 30, 2012, “Establishing ‘harm’ when withholding records under FIPPA“, *International Association of Privacy Professionals* (Vancouver), Speaker
- June 2012, “Employers’ Use of Facebook in the Hiring Process – it’s not a ‘Like’”, *Internet and E-Commerce Law in Canada, Volume 13, No. 2*, Author
- May 2012, “Whose e-mail is it? University does not control personal e-mail of faculty members”, *Canadian Privacy Law Review, Volume 9, No. 7*, Author

## EVENTS

- 24/02/2021, Labour + Employment Webinar: COVID Continued

## PROFESSIONAL & COMMUNITY AFFILIATIONS

- [Law Society of British Columbia](#), Member
- [Vancouver Bar Association](#), Member
- [Canadian Bar Association](#), (Administrative Law, Information and Privacy, Appellate Advocacy, and Civil Litigation), Member
- [Law Foundation of British Columbia](#), Chair, (2017 – 2018), Governor, (2014 – 2019)
- [The KidSafe Project Society](#), Board Member
- [International Association of Privacy Professionals](#), Vancouver Chapter, Member
- [Access Pro Bono Society of BC](#), Court of Appeal Referral Counsel



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