

David R. Mackenzie

Partner

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CALLED TO THE BAR OF ONTARIO,
2010

CALLED TO THE BAR OF BRITISH
COLUMBIA, 2000

ADMITTED TO THE STATE BAR OF
WASHINGTON , 1998

EDUCATION

- LL.M., University of British Columbia, 2000
- J.D., Seattle University, 1998
- B.A., University of Victoria, 1994

PRACTICE AREAS

- Insurance Coverage Counsel
- Insurance Litigation
- Cyber, Information and Privacy Risk

Clients value David's common sense and value-driven advice. Practicing in the areas of insurance coverage and reinsurance litigation - representing carriers, cedants and reinsurers in respect of commercial liability, technology, information and privacy, professional indemnity and first party property claims - David has extensive dispute resolution experience both as a litigator in trial and appellate courts as well as in mediation, arbitration and negotiation.

David frequently advises insurers on policy drafting matters, and is often asked to write on insurance coverage matters, particularly involving cyber, technology and information risks. He has been the Co-Chair of the Canadian Defence Lawyers Insurance Coverage Symposium, and is regularly invited to speak on insurance coverage issues.

David is called to the Bar in Ontario, British Columbia and Washington State, giving him a national and international perspective. He acts on behalf of his clients across Canada and in respect of cross-border claims.

EXPERIENCE

- *UPS Supply Chain Solutions, Inc v Airon HVAC Service Ltd.,*

2015 ONSC 1734 Successfully argued in favour of limited coverage obligation owed by insurer to additional named insureds

- *Kruger Products Ltd v First Choice Logistics Inc*, 2011 BCCA 213 Subrogated against defendants in a major fire loss
- *Donaldson v John Doe*, 2009 BCCA 38 Acted as counsel in respect of the defence of commercial host liability claims
- Acted as coverage counsel for liability insurers in respect of construction defect claims, property damage and business interruption claims, privacy and data breach actions, technology errors & omissions claims, municipal liability claims, historic sexual abuse claims, and domestic, U.S., and international environmental contamination claims.

RECOGNITION

- Listed in Expert Guides' Guide to the World's Leading Insurance & Reinsurance Lawyers
- Recognized by *Best Lawyers® in Canada 2025* in the area of Insurance Law
- Rated by *Lexpert® Canadian Legal Directory* as a Leading Practitioner (Repeatedly Recommended) in Commercial Insurance Litigation

MEMBERSHIPS

- Ontario Bar Association
- Law Society of British Columbia
- Washington State Bar Association
- Board Member, Canadian Defence Lawyers
- Federation of Defense and Corporate Counsel
- Defence Research Institute
- Federation of Defence and Corporate Counsel (FDCC)

RELATED SPEAKING ENGAGEMENTS

- [March 19, 2025](#)
Panelist, 2025 NetDiligence® - Cyber Risk Summit
- [March 29, 2023](#)
Panelist, 2023 NetDiligence® - Cyber Risk Summit
- [March 15, 2023](#)
Speaker, Critical Infrastructure – A Global View on Cyber Risk and Systemic Threats
- [April 06, 2022](#)
Moderator, NetDiligence® - Cyber Risk Summit
- [March 31, 2022](#)
Speaker, Cyber Coverage and Pressure Points
- [April 29, 2021](#)
Speaker, Ransomware: Proactive Planning and Preparation for

a Ransomware Event

- [March 25, 2021](#)
Speaker, Ransomware attacks: An ongoing threat

IN THE MEDIA

- [June 23, 2020](#)
Dominic Clarke and David Mackenzie speak to *The Globe and Mail* about growing liability insurance premiums for companies
- [April 17, 2020](#)
David Mackenzie quoted in *The Toronto Star* on the threat of cyber-attacks and shareholder lawsuits to insurance companies in the wake of COVID-19