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Kim E. Stoll

Partner

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Expertise

Transportation & Logistics

Dispute Resolution

Insurance and Coverage

Education

- Osgoode Hall Law School, LLB, 1986
- York University, BA (Hons), 1986

Bar Admission

- Ontario, 1988

Executive Summary

Kim's practice includes a specialty in transportation law focusing primarily in marine and trucking including freight forwarding and logistics, cargo losses, products liability, casualty, loss transfer and transportation-related personal injury litigation and mediation. She also has years of experience in litigation, mediation and adjustment of property casualty matters. Kim regularly provides detailed complex insurance coverage advice including for bespoke transportation policies. Kim has acted as Excess Counsel and for Underinsured entities in various matters.

Kim has conducted trials in both the Ontario Superior Court and the Federal Court of Canada. She was called to the Ontario Bar in 1988 and received her law degree from Osgoode Hall Law School in Toronto.

Kim is an active mediator across Canada specializing in transportation cases but is available for all litigated matters. She holds her Certificate in ADR and Advanced ADR from the University of Windsor and also from Pepperdine University, California, regarding its STAR program (Systematic Approach to Mediation Strategies). She is a member of the Toronto Commercial Arbitration Society. Her Q. Arb designation is pending, having completed the TCAS Gold Standard Course.

Kim is very active in the transportation industry and is a Past President of the Canadian Transport Lawyers Association (2012). She is Vice President – Central Region of the Women's International Shipping and Trading Association (Canada) (2017 to present).

Representative Work

Transportation (all modes including cross-border)

- defended vessel owners (including pleasure craft), shippers, consignees, road carriers and freight forwarders/ load brokers/ warehouse owners/ insurers in respect of cargo claims including cargo damage, theft of trailers and warehouse goods claims
- defended truckers/ insurers/ leasing companies against personal injury claims for motor vehicle accidents and loss transfer proceedings
- defended road carriers and freight forwarders/ load brokers/ warehouse owners/ insurers in respect of cargo claims including cargo damage, theft of trailers and warehouse goods claims
- defended marina owners/ boat repairers regarding fire, water, winterization and storage damage claims and occupier's liability claims

Products liability

- defended international supplier/insurer of vessel engine parts regarding explosion damage
- defended manufacturers of numerous allegedly defective products including contaminated food due to infestation, garden tools, vacuum sealed flasks, hammocks, coolers, microwaves, elevators, automatic doors



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Insurance Coverage

- provided legal opinions on complex coverage issues for insurers and insureds
- defended insurers involving coverage claims both in transportation and non-transportation matters
- provided opinions to and acted for insurance brokers liability claims
- acted as excess insurance counsel for underinsured entities including individuals and corporations for motor vehicle claims and fire claims

Articles and Presentations

Kim regularly organizes and speaks at conferences, conducts seminars and writes articles in the areas of her expertise, including *The Transportation Lawyer and Truck News*. She has been Chair of or Contributor to various CLE planning committees of industry conferences including the Marine & Energy Symposium of the Americas (MESA 2018), Canadian Transport Lawyers Association and the Transportation Lawyers Association. From 2019-2021, as VP of WISTA Canada's Central Region, Kim developed a successful lecture series: *Women in Leadership: A Personal Conversation*, featuring prominent women in the transportation industry. Kim co-chairs the membership committee of the Canadian Transport Lawyers Association 2022-2023 and spoke at the 2022 Conference on "Maritime Law Updates".

Articles and Presentations

- Listed in *Best Lawyers* (2016-2023) for Maritime Law
- Listed in *Lexpert* (2016-2022) as Consistently Recommended for Transportation (Rail and Road)
- Listed in *Who's Who Legal Transport – Shipping* as Leader in the Field (2017)
- Listed in *Who's Who Legal Canada – Shipping & Maritime* as Leader in the Field (2017 – 2021)
- Listed in *Who's Who Legal: Transport 2020* as a Leader in the Field
- Listed in Chambers Global Guide 2018-2019 as a leading lawyer in Transportation: Rail & Road
- Listed in Chambers Global Guide 2019 -2020 as a recognized practitioner in Transportation: Shipping
- Listed in Doyles Guide: Leading Transport Lawyers Canada: Leading Lawyer (2020)

Professional Involvement

Kim is a member of The Canadian Transport Lawyers Association, The Transportation Lawyers Association, Women's International Shipping and Trading Association, Canadian Maritime Law Association, the Toronto Commercial Arbitration Society, The Canadian Board of Marine Underwriters, Canadian International Freight Forwarders Association, The Toronto Transportation Club, The Organization of Women in International Trade – Toronto, The Marine Club, the Marine Recovery Forum, the Advocates Society and the Defence Research Institute.