STEWART MCKELVEY
LAWYERS • AVOCATS

Koren Thomson

Partner

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Language(s) spoken: English

Bar Admission(s): Newfoundland and Labrador, 2011

Legal Assistant(s): Joanne Taylor

Koren has a civil litigation practice with an emphasis in the areas of privacy and access to information, cybersecurity, class actions and medical malpractice. She regularly advises Universities, municipalities, regional health authorities, and private sector entities with respect to information management practices and policies, access to information requests, privacy breaches and cybersecurity events. She is often engaged by organizations to:

- Provide advice with respect to the collection, use and disclosure of personal information and policies relating to same;
- Assist with responses to access to information requests, and to defend complex access to information appeals;
- Guide investigations and direct responses to cybersecurity and privacy breaches up to and including advice with respect to breach containment and notification requirements; and to,
- Defend privacy complaints and claims.

Koren's robust class action practice includes privacy breach class action claims. She also frequently makes submissions to the Information and Privacy Commissioner of Newfoundland and Labrador, and advocates for her clients before the Supreme Court of Newfoundland and Labrador. In July 2020, she and Colm St. Roch Seviour successfully represented the appellant, Spielo International Canada ULC in the seminal class action case on Waiver of Tort before the Supreme Court of Canada, *Atlantic Lottery Corp Inc. v Babstock.*

Practice Areas

Class Actions
Cybersecurity

Education
Health
Insurance
Litigation & Alternative Dispute Resolution
Privacy

Education & Career

Education

University of New Brunswick, LLB, 2010
Mount Allison University, BA, Honours in International Relations, 2004

Activities

Chair, NL Privacy Law Section, Canadian Bar Association
Member, International Association of Privacy Professionals
Member, Canadian Bar Association
Former chairperson, Thrive CYN St. John's, Inc.
Former Women's Law Forum Co-Chair, Canadian Bar Association (NL Branch)
Lecturer for the Law Society of Newfoundland and Labrador Bar Admission Course

Thought Leadership

Privilege protected: Court of Appeal rules NL's Information and Privacy Commissioner barred from reviewing solicitor-client privileged information
September 20, 2023

Digital Charter Implementation Act, 2020: The long-awaited overhaul of private sector privacy legislation in Canada
November 20, 2020

Publications

Author, "Keep your hands off my records: solicitor-client privilege & access to information", Discovery: Atlantic Education and the Law
July 19, 2022

Author, "Privileged records and access to information reviews: to produce or not produce?", Discovery: Atlantic Education and the Law
September 26, 2018

The New Brunswick Court of Appeal Walks the Talk: Interest on a Litigation Loan Constitutes a Taxable Disbursement, CBA

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National Insurance Law Section Newsletter, May 2013

Atlantic Business Counsel Newsletter, *Changes to Newfoundland and Labrador Small Claims Act*, Vol. 11, No. 2, July 2010

Presentations

"Dealing with Self-Represented Litigants", Panelist for the Advocates Society forthcoming on May 16, 2024

Represented the Newfoundland and Labrador branch of the Canadian Bar Association before the Access to Information and Protection of Privacy Statutory Review Committee 2020

"Cyber Security and Privacy", for 2022 International Association of Privacy Professionals seminar

"ATIPPA & Councillor Records", for 2018 Municipalities Newfoundland and Labrador 69th Annual Conference

"Cyber Liability & Privacy: Cyber Security Matters" for 2019 Atlantic Insurance Seminar

"Cyber Liability & Privacy" for 2019 Atlantic University Seminar

"Medical Documentation & Litigation" for Patient Safety Seminars for various Regional Health Authorities

Regular presenter at annual Newfoundland and Labrador and Regional Insurance Day Seminars

"ATIPPA Primer", for municipalities in Newfoundland and Labrador

"Managing Privacy Breaches", for Canadian Corporate Counsel Association members, Newfoundland and Labrador