



### Rebecca von Rüti

**Associate Counsel**

[email protected]

#### **Vancouver**

T: +1 604 643 6493

F: +1 604 605 3734

Rebecca von Rüti is a senior commercial litigation lawyer in the firm's Vancouver office.

Rebecca's practice is focused on the defence of complex class proceedings and individual claims brought against international pharmaceutical companies of prescription and OTC drugs (including a proposed class proceeding on behalf of the BC government seeking recovery of health care costs related to the opioid crisis), medical product manufacturers of a variety of devices such as spinal screws and rods, international educational publishers, international airlines (baggage and passenger fees), specialty chemical manufacturers, raw material manufacturers and global electronic manufacturers of various computer chips and other electronic components.

She has extensive experience defending consumer protection claims, product liability claims, negligence, and allegations of price fixing conspiracy and other anti-competitive conduct.

Rebecca also routinely defends insured and self-insured clients in multi-party and complex bodily injury claims as well as wrongful death, occupier liability and professional negligence matters.

She routinely appears before all levels of British Columbia courts.

### LANGUAGES SPOKEN

- English
- German

### CREDENTIALS

#### Admissions

- British Columbia, 2009

### RELATED SERVICES

- Litigation, Arbitration and Investigations
- Personal Injury
- Product Liability, Mass Torts and Product Stewardship

### RELATED SECTORS

- Insurance
- Life Sciences

### LANGUAGES SPOKEN

English German

## Recognitions

- *Canadian Legal Lexpert® Directory (Class Actions)*, 2018
- LMG Life Sciences Awards 2018 - Canadian Rising Star, Shortlisted
- Lexpert® Rising Stars Awards 2017, Finalist
- Martindale-Hubbell, Distinguished® Peer Review Rated

## Education

- LL.B., University of British Columbia, 2008
- B.A., (First Class Honors), Psychology, Simon Fraser University, 2003

## Memberships

- Member, Law Society of British Columbia
- Member, Canadian Bar Association

## INSIGHTS

---

### Publications

#### **What directors and officers of Canadian organizations need to know about potential individual liability for cyber-claims**

16 APR 2019

This information bulletin addresses the potential individual culpability and/or liability of directors and officers of Canadian organizations for breach of privacy or anti-spam legislation, and highlights corporate regulatory offences under such laws.

---

#### **BC's Class Proceedings Act to get a facelift?**

14 MAY 2018

The Government of British Columbia introduced Bill 21 containing its proposed amendments to the *Class Proceedings Act*, RSBC 1996, c. 50 (the "CPA") on 23 April 2018. If passed, these amendments will significantly change class proceedings in British Columbia by bringing them in line with the Uniform Law Conference of Canada's *Uniform Class Proceedings Act (Amendment) 2006* and with other provinces, such as Alberta and Saskatchewan, whose legislation already permits certification of multi-jurisdictional class actions.

---

#### **Up, up and away: BC Court of Appeal dismisses unjust enrichment class action against international airlines**

15 SEP 2017

On September 12, 2017, the BC Court of Appeal upheld the decision of the B.C. Supreme Court in *Unlu v Air Canada*, 2015 BCSC 1453, refusing to certify as class proceedings five separate actions against each of Air Canada, Deutsche Lufthansa Aktiengesellschaft, Delta Air Lines, Inc., United Air Lines, Inc., and British Airways PLC.

---

#### **Gatekeeping - stops class action cold!**

6 DEC 2016

---

On 16 November 2016, Madam Justice Dillon issued her decision in *Harrison v. Afexa Life Sciences Inc.*, 2016 BCSC 2123, denying the certification of a class action against the makers of Cold-Fx under the *Class Proceedings Act*, R.S.B.C. 1996, c. 50. Dillon J. confirmed the court's important gatekeeping role is to ensure that the powerful machinery of class proceedings legislation is only invoked to assist genuine plaintiffs with genuine claims.

---

### **Interaction between Ontario Securities Act and the Class Proceedings Act: Supreme Court of Canada trilogy affirms the reasonably low threshold for leave under the Ontario Securities Act**

8 DEC 2015

The decision provides helpful insight into the balance struck between parties in securities class actions and reaffirms the applicable standard to obtain leave under the OSA in order to commence a statutory secondary market misrepresentation claim under the OSA.

---

### **BC Supreme Court dismisses applications for certification of consumer protection claims in five class actions against international airlines**

27 AUG 2015

On August 18, 2015, Madame Justice Adair of the B.C. Supreme Court refused to certify as class proceedings five separate actions against international airlines. *Unlu v. Air Canada*, 2015 BCSC 1453 is an important decision for consumer protection claims in British Columbia.

---

### **The preliminary merits test for secondary market claims is not just a “speed bump” to certification: The Supreme Court of Canada clarifies the test with its decision in *Theratechnologies Inc. v. 121851 Canada Inc.***

5 MAY 2015

Following amendments made in the last decade to various provincial Securities Acts to include statutory causes of action in the secondary market against public issuers for misrepresentation and/or failure to make timely disclosure to investors there has been ongoing debate about the appropriate threshold test for obtaining the requisite leave to commence a secondary market class action.

---

### **The Marcotte Decision: The Supreme Court of Canada rules against banks in provincial consumer protection class action**

22 Sep 2014

On September 19, 2014, the Supreme Court of Canada (the “Court”) ruled in *Bank of Montreal v. Marcotte* (“Marcotte”) that Quebec’s consumer protection legislation is applicable to federally regulated banks such that it provides the basis for consumer class actions in Quebec against those banks.

---

## **NEWS**

---

**DLA Piper (Canada) LLP has strongest showing to date in 2018 *Canadian Legal Lexpert Directory***

---

2 MAY 2018

DLA Piper (Canada) LLP is pleased to announce that forty-three of the firm's lawyers have been recognized as leading practitioners in the 2018 edition of the *Canadian Legal Lexpert Directory*. The firm was also featured as a leader in eleven different practice areas.

---

**DLA Piper (Canada) LLP secures victory for international airlines as BC Court of Appeal upholds dismissal of class action certification applications**

15 SEP 2017

The decision has important implications for unjust enrichment and consumer protection claims in British Columbia and has garnered international attention.

---