



David J. Wahl

Associate

T: 403.298.3187 / E: wahld@bennettjones.com

Calgary

EDUCATION

University of Calgary, BA (Political Science), 2010, first class honours

University of Ottawa, JD, 2013, *cum laude*

BAR ADMISSIONS

Alberta, 2014

British Columbia, 2021

David Wahl helps clients solve their most complex international arbitrations. He has particular expertise in construction disputes, drawing on his business and executive experience in the construction industry before entering the field of law. Clients benefit from his organizational efficiency and team management experience on large-scale projects around the world.

In addition to advocating for his clients before courts and arbitral tribunals, David provides strategic advice to clients on construction projects where disputes are on the horizon. He also has extensive experience with builders' lien disputes.

David represents major institutional clients in complex multi-party litigation and international commercial arbitration with respect to significant commercial disputes. He appears as litigation counsel before all levels of courts in Alberta, and has acted as arbitration counsel under the world's leading international arbitration rule systems, including ICC, LCIA and UNCITRAL.

Select Experience

- **International Commercial Arbitration**
 - **A Qatari subcontractor**, in a multi-million dollar ICC arbitration seated in Doha against Lebanese and Qatari contractors in the construction of three LNG facilities in Qatar.

- **An Israeli technology company**, in a multi-million-dollar ad hoc arbitration seated in Calgary against a Canadian manufacturing company in the fabrication of equipment for the oil sands in northern Alberta.
- **A Canadian utilities company**, in a multi-million-dollar LCIA arbitration seated in Mexico City against a Mexican state-owned entity in the Engineering, Construction, Operation, and Maintenance, of a natural gas pipeline in Mexico.
- **A Canadian oil and gas exploration company**, in a multi-million dollar UNCITRAL arbitration seated in Calgary against a Canadian oil and gas company in the identification of promising oil leases in Colombia.
- **A Canadian contractor**, in a multi-million-dollar ICC arbitration seated in Mexico City against a Mexican subcontractor in the construction of a natural gas pipeline in Mexico.
- **A Canadian utilities company**, in a multi-million-dollar ICC arbitration seated in Mexico City against a Mexican contractor in the construction of a natural gas pipeline in Mexico.
- **A Canadian contractor**, in a multi-million dollar ICC arbitration seated in St. Kitts & Nevis against an owner in the design and construction of a cruise ship pier.
- **A Canadian oil and gas company**, in a multi-million dollar ICC arbitration seated in Paris, France, against a Romanian state-owned oil and gas company in a production enhancement contract.
- **Domestic Commercial Arbitration**
 - **A home buyer**, in an ad hoc arbitration with a home builder in the construction of a residential home.
 - **An owner**, in an ADRIC arbitration seated in Calgary, Alberta, against an engineering contractor in the design of a pressure relief system.
- **Construction Litigation**
 - **A contractor**, in a multi-million dollar dispute in Saskatchewan against an owner in the construction of work camp facilities.
 - **A subcontractor**, in a litigation in Alberta against a general contractor and developer in the construction of a residential property.
 - **An owner**, in a multi-million dollar litigation in Alberta against

contractors and subcontractors in the construction of an oil and gas facility that exploded in the Alberta oil sands.

- **A home seller**, in a dispute with a home purchaser regarding latent defects in the construction of a residential property.
- **A contractor**, in a litigation in Alberta against an owner regarding the construction of a residential property.
-
- **A general contractor**, in a litigation in Alberta against subcontractors regarding the construction of a residential property.
- **An owner**, in a litigation in Alberta against a developer in the construction of a residential property.
- **A general contractor**, in a dispute in Alberta with an owner regarding the construction of a commercial property.
- **A home builder**, in a litigation in Alberta with an owner regarding the construction of a residential property.
- **A contractor**, in a litigation in Alberta with an owner regarding the construction of a commercial property.
- **A contractor**, in a multi-million dollar litigation in Saskatchewan against a subcontractor in the construction of work camp facilities.
- **An owner**, in a litigation in Alberta against a general contractor in the construction of a commercial property.
- **A general contractor**, in a litigation in Alberta against a subcontractor in the construction of a residential property.
- **A contractor**, in a litigation in Alberta against a subcontractor in the construction of residential properties.
- **An owner**, in a litigation in Alberta against a general contractor in the construction of a residential property.
- **A contractor**, in a litigation in Saskatchewan against a subcontractor in the construction of work camp facilities.
- **A subcontractor**, in a litigation Alberta against labourers in the construction of residential properties.
- **A general contractor**, in a litigation in Alberta against the owner of a residential property.

- **A general contractor**, in a litigation in Alberta against a subcontractor in the construction of a commercial property.
- **A general contractor**, in a litigation in Alberta against the owner of a residential property.
- **A general contractor**, in a litigation in Alberta against an owner in the construction of an equestrian facility.
- **General Commercial Litigation**
 - **A real estate investment company**, in a litigation with a non-realtor seeking a commission on the sale of lands.
 - **A real estate investment company**, in a multi-million dollar litigation in Alberta against another real estate investment company in a right of first refusal agreement.

Recent Insights, News & Events

- **Mandatory Tender Conditions: A Promise to Comply Is Enough**

Blog / May 12, 2020

The Alberta Court of Appeal recently confirmed in *Aquatech Canadian Water Services Inc v Alberta (Minister of Environment and Parks)*, 2020 ABCA 153 that for a bid to be valid, a tenderer does not need to meet all mandatory conditions of a tender, provided that the tenderer commits to meeting them by the time the work is to be performed.

- **2020 Construction Adjudication Symposium**

Speaking Engagements / February 27, 2020

David Wahl is a panelist on "Implications of Prompt Payment for Construction" at the CIQS/RICS 2020 Construction Adjudication Symposium in Calgary.

- **Confidential Arbitrations Are Not Always Confidential**

Blog / June 26, 2019

In its recent decision, *Flock Estate v Flock*, 2019 ABCA 194, the Alberta Court of Appeal considered the extent to which evidence and submissions proffered in an arbitration might be admissible in a related [...]

- **Incorporation of Arbitration Clauses by Reference: A Cautionary Tale**

Blog / June 04, 2019

The British Columbia Supreme Court in *MRC Total Build Ltd. v F&M Installations Ltd.*, 2019 BCSC 765 [MRC Total Build] recently considered an application by a general contractor to stay proceedings [...]

- **Planning for Construction Success**

Blog / September 22, 2017

Regardless of project size or scope, a comprehensive and tailor-made written construction contract provides the foundation for success. At a project's outset, it is also imperative that owners understand [...]

- **Bennett Jones Construction Breakfast Seminar**

Speaking Engagements / October 05, 2016

Construction and infrastructure projects give rise to a broad range of legal issues that require careful consideration to ensure that legal risks are minimized and project budget and schedule are maintained. As advisors on a broad range of projects, our construction and infrastructure team provides answers to clients on a wide range of issues spanning many different areas of the law. Geoff Stenger, Jason Roth, Tom McInerney, Brian Reid, and David Wahl presented.

- **Unanticipated Site Conditions - Beware the Danger Below**

Blog / December 07, 2015

Brad Gould Trucking & Excavating Ltd v Bird Construction Co, 2015 NBCA 47 The recent New Brunswick Court of Appeal decision in Brad Gould Trucking & Excavating Ltd v Bird Construction Co, 2015 NBCA 47 [...]

Supreme Court to Clarify the Liability of Canadian Corporations for Acts of

- **their Foreign Affiliates**

Blog / December 11, 2014

The Supreme Court of Canada today heard argument in a case that will clarify whether a judgment obtained in a foreign country against a foreign corporate entity can be enforced in Canada against a Canadian [...]