



Chris Kinnear Hunter

CHRIS KINNEAR HUNTER is a lawyer at Lenczner Slaght.

His practice encompasses a broad range of civil litigation, including corporate-commercial, investment and regulatory matters. He has a particular focus on commercial disputes, corporate restructuring and insolvency proceedings and class actions.

As part of his professional liability practice, he also routinely defends physicians on behalf of the Canadian Medical Protective Association.

Chris has been counsel at all levels of Court in Ontario, the Supreme Court of Canada and any number of statutory and arbitral tribunals involving domestic and international arbitrations. He has published a number of articles on topics ranging from domestic and international arbitration to securities law.

Prior to joining Lenczner Slaght, Chris worked for the Missing Women Commission of Inquiry undertaken by the Province of British Columbia and in the trade law and investment group at the Canadian Embassy in Washington D.C.

While at law school, Chris and his teammates placed first in both the Lerner LLP and Gale Cup moots and were selected to represent Canada at the Commonwealth Moot in Cape Town, South Africa. Since being called to the Bar, Chris has remained involved in mooting and now serves as the President of the Gale Cup Moot Committee. He also serves as a member of the Young Advocates Standing Committee, a committee representing young advocates within The Advocates' Society.

Education

Osgoode Hall Law School (2013) JD
McGill University (2010) BA

Bar Admissions

Ontario (2014)

Practice Areas

Arbitration
Class Actions
Commercial Litigation
Insolvency and Restructuring
Class Actions
Securities Litigation
Professional Liability and Regulation

Contact

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SELECT CASES

- **Cheesman v Credit Valley Hospital** – Counsel to a defendant ophthalmologist in an Action alleging negligence in respect of the care and treatment of an infection resulting in sepsis and multiple complications. Successful in having the Action dismissed following a 15 week trial before a jury.
- **Galway Gold Inc v Republic of Colombia** – Counsel to Galway Gold Inc in an investor-state arbitration against the Republic of Colombia before the International Centre for the Settlement of Investment Disputes (ICSID).

- **Re Sears Canada Inc** – Counsel to Sears Holdings Corporation in connection with four Canadian class actions and related CCAA insolvency proceedings in Canada.
- **Sexton v Smith** – Counsel to a dermatologist and medical clinic alleged to have engaged in negligence, breach of the *Occupiers' Liability Act*, breach of contract and misrepresentation in relation to cosmetic treatments. Successful in having all allegations dismissed.
- **Andersson v Aquino** – Counsel to the plaintiff in oppression proceedings concerning the alleged fraudulent execution of a share transfer agreement. Successfully obtained an order setting aside a finding of contempt of court.
- **Commercial Arbitration** – Counsel in an arbitration concerning a Project Management Agreement governing the development of a 150 unit condominium complex in midtown Toronto.
- **Mancinelli v Royal Bank of Canada** – Counsel to Société Générale in a putative class action pending in the Ontario Superior Court of Justice relating to allegations of conspiracy and price fixing in the global foreign exchange market.
- **Worley v Ontario Cycling Association** – Counsel to the International Olympic Committee in an application before the Human Rights Tribunal of Ontario. Successful in having proceeding dismissed for lack of jurisdiction.
- **Di Filippo v The Bank of Nova Scotia** – Counsel to Société Générale in a proposed class action alleging conspiracy and price fixing in connection with the interna...
- **Khavari v Mizrahi** – Counsel to a developer in a dispute relating to the construction and management of two condominium developments. Successfully opposed a motion to...
- **SG Air Leasing Limited v Inchatsavane Company (Proprietary) Limited** – Counsel to the successful applicants in an application to recognize and enforce a worldwide freezing order in respect of an aircraft.
- **World Bank Group v Wallace** – Counsel to an international organization in an appeal at the Supreme Court of Canada relating to the immunities of international organizations in criminal...
- **East Guardian v Mazur** – Counsel to the applicant lender. Successful in obtaining a Mareva injunction and receivership over the respondent, a guarantor of the loans.

SELECT PUBLICATIONS AND PRESENTATIONS

- **YASC's 3rd Annual TAS Big Mingle** – Chris Kinnear Hunter will be a mentor at the Advocates' Society's 3rd Annual Big Mingle for law school, articling, summer, and LPP students.
- **The Art of the Deal** – Shara Roy and Chris Kinnear Hunter co-authored *The Art of the Deal*, an article on trusts and how they have become common features of commercial litigation...

BLOG POSTS

- **Despite Heller Decision, Superior Court Affirms Preference for Enforcing Arbitration Agreements** – A recent decision of the Ontario Superior Court of Justice affirms the preference of Ontario courts for enforcing arbitration provisions between parties to commercial agreements.
- **Foreign Discovery in Advance of Certification in a Class Action? Not So Fast, says Divisional Court** – Given the expansive discovery rights available under US law, plaintiffs may be tempted to try to use those rights in pursuit of proceedings under Canadian law. In its recent decision in *Mancinelli v RBC*, the Divisional Court placed an important limit on the ability of parties to do so. The Divisional Court upheld an order requiring plaintiffs in a proposed class action to obtain Court approval before taking any steps in furtherance of a subpoena issued by an American court.
- **The Limitation Period for the Enforcement of Foreign Judgments in Ontario** – Like most jurisdictions, Ontario requires parties contemplating litigation to bring an action within a certain period of time. Pursuant to the *Limitations Act, 2002*, the standard limitation period applicable to most causes of action in Ontario is two years, after which a plaintiff will not be able to maintain the action. Like most jurisdictions, Ontario requires parties contemplating litigation to bring an action within a certain period of time. Pursuant to the *Limitations Act, 2002*, the standard limitation period applicable to most causes of action in Ontario is two years, after which a plaintiff will not be able to maintain the action.
- **Ontario Updates International Commercial Arbitration Act** – Ontario's new legislation governing international commercial arbitration, the *International Commercial Arbitration Act, 2017*, came into force on March 22, 2017, replacing the *International Commercial Arbitration Act* previously in place.
- **Appealing Commercial Decisions: Where To?** – Businesses need to be able to resolve disputes quickly and effectively. For that reason, the Ontario *Business Corporations Act* (the "OBCA") provides that any appeal of an order made under the OBCA lies to the Divisional Court (a special branch of the Superior Court of Justice), instead of the Court of Appeal. In theory, appeals to the Divisional Court are resolved more quickly than appeals to the Court of Appeal.
- **SCC Espouses "Generous and Liberal Approach" to Recognition & Enforcement of Foreign Judgements** – The Supreme Court of Canada has released its highly anticipated decision in *Chevron Corp. v. Yaiguage*, 2015 SCC 42.
- **Governing Law in Contractual Disputes – The Importance of Choice of Law Clauses** – Whose law governs contractual disputes when the parties are in different jurisdictions and the contract itself is silent on the matter?
- **Court of Appeal Rules PHIPA Does Not Oust Common Law Tort of Breach of Privacy** – On an appeal from a Rule 21 motion, the Court of Appeal ruled that the *Personal Health Information Protection Act*, S.O. 2004, c. 3, Sch. A (*PHIPA*) does not create an exhaustive code precluding a civil action for intrusion upon seclusion.

- **Preventing Trial by Ambush – Court of Appeal Places Tight Lid on Surveillance Evidence** – The Court of Appeal addressed the admissibility and permissible use of surreptitiously recorded video surveillance evidence at trial in its recent decision *Iannarella v. Corbett*, 2015 ONCA 110.

SELECT NEWS ARTICLES

- **Four Lenczner Slaght Litigators Elected to Join The Advocates' Society's Leadership** – We are proud to announce that Peter J. Osborne, Monique Jilesen, Shara N. Roy, and Chris Kinnear Hunter have been elected to prominent executive positions at The Advocates' Society, a preeminent organization dedicated to promoting effective advocacy and access to justice.
- **Supreme Court upholds World Bank's Immunity** – The Supreme Court of Canada has ruled that the World Bank cannot be compelled to produce internal documents from an investigation into foreign corruption that resulted in the Royal Canadian Mounted Police laying criminal charges in Canada.
- **Lenczner Slaght Welcomes Four New Associates** – Canada's leading litigation practice grows to 53 lawyers.

PROFESSIONAL ACTIVITIES

- The Advocates' Society
Member of the Young Advocates Standing Committee
- Young Canadian Arbitration Practitioners
- Toronto Commercial Arbitration Society
- Osgoode Society for Canadian Legal History
- Canadian Bar Association
- Ontario Bar Association
Civil Litigation Section, E-Discovery Section