



# Jonathan McDaniel

**JONATHAN MCDANIEL**  
is a partner at Lenczner Slaght.

Jon maintains a broad litigation practice with a focus on complex commercial litigation and arbitration, and public law. His clients have included government agencies, boards of directors, oil and gas companies, regulated professionals, manufacturers, financial institutions, developers, insurers, and technology companies, among others.

Jon has appeared before all levels of court in Ontario, the Alberta Court of King's Bench, the Manitoba Court of King's Bench, the Nova Scotia Supreme Court, and various administrative tribunals including the Ontario Human Rights Tribunal. He has defended the interests of a wide range of clients at trial, on appeal, and at a variety of other hearings.

Jon obtained his law degree from the University of Toronto where he received the Laskin Prize in Constitutional Law, and previously practiced at a national firm in Calgary and Toronto.

## Education

University of Toronto (2016) JD  
McGill University (2012) BA (First Class Joint Honours in History, Political Science, Classics)

## Bar Admissions

Ontario (2018)  
Alberta (2017)

## Practice Areas

Appeals  
Arbitration  
Class Actions  
Commercial Litigation  
Defamation and Media  
Securities Litigation

## Contact

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## SELECT CASES

- **Annapolis Group v Halifax Regional Municipality** – Counsel to the plaintiff in an action concerning alleged de facto expropriation, misfeasance in public office, and unjust enrichment relating to the plaintiff's efforts to develop its lands within the Halifax Regional Municipality. Successfully represented the plaintiff at the Supreme Court of Canada with the Court clarifying the test for de facto expropriation and concluding that our client's claim for de facto expropriation could proceed to trial.
- **WSIB Investments (Infrastructure) Pooled Fund Trust et al v Plenary Group (Canada) Ltd. et al** – Trial counsel to several public sector pension funds in a breach of fiduciary duty and breach of contract claim with a manager of public infrastructure projects.
- **Zurich Insurance Company Ltd v 2442931 Ontario Inc, Bondfield Construction Company Limited, John Aquino, Vasos Georgiou and Unity Health Toronto** – Counsel to Zurich in an action to rescind surety bonds worth nearly \$300 million, and to recover over \$68 million, due to collusion and misrepresentations in the bidding process for the St. Michael's Hospital Redevelopment Project in Toronto.

- **Urban Mechanical Contracting Ltd et al v Zurich Insurance Company Ltd** – Counsel to Zurich in an appeal from several applications brought by the lenders and subcontractors on the St. Michael's Hospital Redevelopment Project in Toronto. The lenders and subcontractors sought to prevent Zurich from seeking rescission of surety bonds worth nearly \$300 million in a separate action. The Court of Appeal dismissed the appeal, allowing Zurich to continue with its action for rescission.
- **The Mangrove Partners Master Fund v TransAlta Corporation** – Counsel to the directors of TransAlta Corporation in an oppression claim brought by a significant shareholder.
- **Boyer v Callidus Capital Corporation** – Counsel to a former employee at Callidus Capital Corporation, who commenced a wrongful dismissal claim in 2017. Callidus counterclaimed against our client for \$150 million, which we successfully argued to have dismissed as an "Anti-SLAPP" proceeding at the Court of Appeal. We then obtained summary judgment in the main employment action for over \$1.3 million plus interest.
- **1544656 v Independent Electricity System Operator** – Counsel for IESO in a dispute relating to the interpretation of a feed-in-tariff program contract.

#### SELECT PUBLICATIONS AND PRESENTATIONS

- **A New Handbook for All Litigators** – Jonathan McDaniel and Samantha Hale co-authored the article "A New Handbook for All Litigators", published in *The Advocates' Journal*. In this article, Jonathan and Samantha review Robert Harrison and Richard Swan's book, *Skillful Witness Examinations in Civil and Arbitration Cases*, exploring witnesses, counsel, documents, and expert reports in the case of *Laveneer Inc v Svengali Ltd*, and providing a new take on a litigator's go-to handbook.

#### BLOG POSTS

- **The Trade and (E-)Commerce Power: Federal Court of Appeal Affirms the Constitutionality of Canada's Anti-Spam Legislation** – The Federal Court of Appeal has affirmed the constitutionality of Canada's federal anti-spam legislation ("**CASL**") in *3510395 Canada Inc v Canada (Attorney General)*, on both federalism and *Charter* grounds.

#### SELECT NEWS ARTICLES

- **Introducing Our New Partners** – Canada's leading litigation firm is proud to announce the promotion of Meghan Bridges, Madison Robins, and Jonathan McDaniel to its partnership.
- **Our Bench Strength Gets Stronger** – Canada's leading litigation firm continues to attract top legal talent, with the addition of three exceptional new associates.

#### PROFESSIONAL ACTIVITIES

- The Advocates' Society
- Ontario Bar Association

➤ American Bar Association