



Scott Rollwagen

SCOTT ROLLWAGEN
is Partner at Lenczner Slaght.

"He has a complete comprehension and grasp of the law. He is also excellent in its application. In fact, it is remarkable to see the breadth he has in all areas of law, which is quite unique."
— *Chambers Canada*

Education

Dalhousie University (1996) LLB
University of Manitoba (1992) BA
(Honours)

Bar Admissions

Ontario (1998)

Practice Areas

Appeals
Arbitration
Class Actions
Commercial Litigation
Professional Liability and Regulation
Public Law
Securities Litigation

Contact

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Scott provides our clients with strategic advice and analysis to solve complex legal problems quickly and effectively. He crafts creative solutions that are tailored specifically to each unique litigation objective. He also leads our firm's research team.

Prior to joining Lenczner Slaght, Scott spent 15 years with a major national law firm, honing his skills in legal analysis and argument. He has played an instrumental role in many high-profile and precedent-setting cases involving banking, corporate oppression, insolvency and restructuring, securities, pensions, derivatives, auditors' negligence and other complex commercial disputes – at all levels of court, including the Supreme Court of Canada.

Scott also brings extensive corporate advisory experience to our firm. He has guided banking and insurance clients on the legal dimensions of providing cross-border financial services and has advised boards of directors during contested takeover bids. In addition, he has significant public law expertise, including in cases involving aboriginal issues.

Drawing on his deep knowledge of the law, Scott has contributed articles on a wide range of topics to legal publications.

RECOGNITION

- Best Lawyers in Canada (2021-2024)
Appellate Practice, Corporate & Commercial Litigation, Health Care Law, Administrative and Public Law (2022)
- Canadian Legal Lexpert® Directory (2020-2024)
Litigation - Corporate Commercial, Professional Liability
- Lexpert Special Edition: Canada's Leading Litigation Lawyers (2020)

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.

- **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.
- **Crosslinx v Metrolinx** – Counsel to Crosslinx Transit Solutions Constructors in an application against Metrolinx and Ontario Infrastructure (HMQE) in relation to HMQE's failure to declare an emergency as a result of the COVID-19 pandemic. Crosslinx is a design and construction consortium established to deliver and maintain the Eglinton Crosstown LRT, the second largest Canadian transit infrastructure project. We successfully resisted a motion to stay and succeeded entirely on the application to obtain contractual relief due to the pandemic. This is notable as it may have broader implications for other P3 Projects across the province of Ontario.
- **Smith v Canada** – Counsel for the intervener Ontario Superior Court Judges Association in the successful judicial review commenced by the Honourable Justice Patrick Smith challenging two decisions of the Canadian Judicial Council which were critical of Justice Smith's decision to serve as Interim Dean (Academic) at the Bora Laskin Faculty of Law at Lakehead University.
- **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.
- **Toronto District School Board v Province of Ontario** – Counsel to the Toronto District School Board in a judicial review before the Divisional Court of portions of the *Education Act*.
- **Friends of Toronto Public Cemeteries Inc v Public Guardian and Trustee** – Counsel to the successful appellant Mount Pleasant Group of Cemeteries before the Court of Appeal for Ontario overturning a decision regarding the interpretation of historical corporate governance legislation related to one of Toronto's iconic historical landmarks.
- **Construction Arbitration** – Counsel to a general contractor in respect of a complex mediation/prospective arbitration process regarding a subway extension project.
- **Icona Hospitality v 2748355 Canada Inc et al** – Counsel to a major real estate development company on appeal in a dispute relating to a large residential development and the interpretation of a restrictive covenant agreement.
- **Reddy v 1945086 Ontario Inc** – Counsel to the Vendors of a multi-tower condominium project in a claim alleging breach of contract.

- **GCT Canada Limited Partnership v Vancouver Fraser Port Authority and Attorney General of Canada** – Counsel to Global Container Terminals in a judicial review of a decision of the Vancouver Fraser Port Authority refusing to consider Global Container Terminal's proposed port expansion project.
- **Re Sears Canada Inc** – Counsel to Sears Holdings Corporation in connection with four Canadian class actions and related CCAA insolvency proceedings in Canada.
- **The Guarantee Company of North America v Royal Bank of Canada** – Counsel to GCNA in a priority dispute with a secured creditor in the context of a receivership. Successfully overturned a body of prior jurisprudence, in an appeal heard by a five-judge panel of the Court of Appeal for Ontario, and established that deemed trust claims under the *Construction Lien Act* survive bankruptcy.
- **6524443 Canada Inc v Toronto (City)** – Counsel to the Appellant Brookfield on appeal at the Ontario Court of Appeal seeking leave to Appeal from an Arbitration Award.
- **Google Inc v Equustek Solutions Inc** – Counsel to Google in an appeal to the Supreme Court of Canada from decisions of the Supreme Court of British Columbia and British Columbia Court of Appeal...
- **The Association of Justices of the Peace of Ontario v Ontario** – Counsel to the AJPO in a successful application for judicial review of the Ontario government's response to a judicial remuneration commission. An...
- **407 ETR Concession Company Limited v Day** – Counsel to the 407 ETR in a successful motion and appeal to determine a question of law that no limitation period expired prior to the commencement of the...
- **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...
- **Ivanhoé Cambridge II Inc v The Regional Municipality of York** – Counsel to the applicant in a judicial review application arising out of the decision of the Regional Municipality of York to modify and approve an...
- **Livent Inc v Deloitte & Touche LLP** – Counsel to Deloitte & Touche LLP for the appeal to the Court of Appeal and the Supreme Court of Canada from a trial judgment awarding substantial...
- **Nova Growth Corp v Boxer** – Counsel for defendants in a lengthy commercial trial involving claims for an interest in the Niagara Falls casino. Lenczner Slaght defeated a range...

SELECT PUBLICATIONS AND PRESENTATIONS

- **COVID-19 Restart Series: How the Pandemic May Impact the Canadian Legal Landscape in the Short and Long Term** – Monique Jilesen and Scott Rollwagen led a Mondaq webinar on *How the Pandemic May Impact the Canadian Legal Landscape in the Short and Long Term*. Monique and Scott discussed the potential legal issues surrounding the pandemic now and in the future.
- **Vavilov in the age of the autocrat: Law as power that justifies itself** – Scott Rollwagen and Rebecca Jones co-authored the article "*Vavilov in the age of the autocrat: Law as power that justifies itself*", which appeared in the Fall 2020 Issue of The Advocates' Journal.

- **Commercial Litigation and Arbitration Review** – Scott Rollwagen, Sana Halwani, and Paul-Erik Veel's article "*Do courts have jurisdiction to order virtual hearings? Absolutely!*" was published in the August 2020 volume of the Commercial Litigation and Arbitration Review.
- **Speculate, Anticipate, Mitigate: How COVID-19 May Impact the Canadian Legal Landscape in the Short and Long Term** – Sana Halwani, Monique Jilesen, Scott Rollwagen, and Paul-Erik Veel shared their expertise at the Virtual GC Forum on May 12.
- **Top Appeals of 2019 from the Court of Appeal for Ontario** – Scott Rollwagen presented at the Ontario Bar Association's online program *Top Appeals of 2019 from the Court of Appeal for Ontario*. Scott discussed the implications of the decision in *The Guarantee Company of North America v RBC*.
- **Bill C-97 will complicate insolvency in 2020** – Scott Rollwagen's article *Bill C-97 will complicate insolvency in 2020* appeared in The Lawyer's Daily on January 7. In this article, Scott discusses the far-reaching implications of the changes introduced by Bill C-97.
- **OBA Construction and Infrastructure Law Section** – Scott Rollwagen shared his expertise on the panel *Construction Trusts: A?1 Asphalt and Competing Perspectives from the Construction and Insolvency Bars*. Scott explored the implications of the Ontario Court of Appeal decision in *The Guarantee Company of North America v Royal Bank of Canada* and provide insight on how it will impact both the construction and insolvency bars.
- **Alive and well: Construction Lien Act deemed trust after bankruptcy** – Matthew Lerner and Scott Rollwagen co-authored the article *Alive and well: Construction Lien Act deemed trust after bankruptcy* in The Lawyer's Daily February 8, 2019 edition. They discuss the recent decision in *Guarantee Company of North America v Royal Bank of Canada* that has upset the long-standing conventional wisdom among bankruptcy and insolvency practitioners in Ontario about the fate of provincially-created statutory trusts in bankruptcy.
- **Are courts of appeal becoming Bleak Houses?** – Scott Rollwagen's article *Are courts of appeal becoming Bleak Houses?* appeared in the October 16, 2017 issue of Law Times. Scott discusses the serious implications of Canadian appellate courts' steadily increasing willingness to defer to first instance decision-makers.
- **Is airline overbooking putting contract law up in the air?** – This article authored, by Scott Rollwagen, appeared in The Lawyer's Daily on May 30, 2017. This article discussed how recent media coverage of problems encountered by airline passengers on overbooked flights has made contract law unusually relevant.
- **The Evolution of Complex Litigation** – Scott Rollwagen joined an expert panel for *The Evolution of Complex Litigation* webinar with the Canadian Corporate Counsel Association on November 14, 2016.
- **Getting the Deal Through - Securities Litigation 2015 - Canada** – Scott Rollwagen, Shara Roy and Linda Fuerst authored the Canadian chapter in the publication *Getting the Deal Through - Securities Litigation 2015*.
- **Quistclose Trusts at the Court of Appeal** – Quistclose Trusts at the Court of Appeal

BLOG POSTS

- **Court of Appeal Polices Strategic Behavior in Valuation Under a Buy-Sell** – A recent decision of the Ontario Court of Appeal illustrates

how the doctrine of repudiation of contracts applies to buy-sell agreements. The Court found that a contract created under a buy-sell mechanism can be repudiated where one party's conduct undermines the integrity of the valuation machinery of the buy-sell.

- **The Court Stresses Stability and Coherence: The Top 10 SCC Private Law Cases in 2021** – If there is a theme unifying the Court's most significant private law decisions of 2021, that theme is coherence. From the principles of good faith policing contractual discretion, to the principles defining what policy decisions of public authorities are immune from negligence, this year's decisions display a Court paying careful attention to order and structure.

Click here for Scott Rollwagen and Kaitlin Soye's case commentary on the top 10 SCC private law cases in 2021.

- **Private Practice and the Duties of Tribunal Counsel** – A recent decision of the Canadian International Trade Tribunal (CITT) provides rare guidance on the issues that can arise when counsel to an administrative tribunal enters private practice and begins to advise parties to matters before the tribunal. In *Certain Container Chassis*, the CITT rejected a motion seeking to remove counsel to a complainant because counsel had recently been employed by the Tribunal.
- **Wastech Services Ltd v Greater Vancouver Sewerage and Drainage District: The SCC Drops the Other “Good Faith” Shoe** – The Supreme Court of Canada released its long-anticipated decision in *Wastech Services Ltd v Greater Vancouver Sewerage and Drainage District* today, a major decision concerning the scope of the obligation to perform and enforce contracts in good faith. While it rejected any suggestion that it is the Court's role to impose unbargained-for terms on a private agreement, the Court affirmed a general power—that cannot be excluded—to police the exercise of discretion under contracts where its exercise would undermine the purpose of the parties' agreement.
- **Public Values, Private Law: The Key SCC Private Law Cases in 2020** – In 2020 the Supreme Court of Canada tested the boundaries between public and private law, releasing several decisions in which the Court struggled with the role that Courts should be playing in holding parties to public standards of justice and fairness in their private dealings.
Click here for Scott Rollwagen's case commentary on those key decisions.
- **A New Year's Resolution for Civil Practice: New Rules Amendments Nudge Civil Litigation into the Digital Age** – On January 1, 2021, significant changes to the *Rules of Civil Procedure* will come into force. The COVID-19 pandemic has materially transformed the day-to-day practice of litigation, and these rule changes are a significant attempt to capture the pragmatism and efficiencies that the pandemic has pushed litigators to adopt to keep their files moving.

- **Mr. Sub franchisees order a large class action, but the Supreme Court is fresh out of duty of care** – The concept of a duty of care is foundational to the common law concept of negligence. Whether a duty of care exists and, if so, the scope of that duty of care are hotly contested issues that have made their way to the Supreme Court of Canada many times over the last few decades. Today, the Supreme Court of Canada released its long-anticipated decision in *1688782 Ontario Inc v Maple Leaf Foods Inc*, in which a narrow majority of the Supreme Court found that Maple Leaf Foods owed no duty of care to Mr. Sub franchisees in connection with a listeria outbreak and product recall. While the principles set out in *Maple Leaf Foods* are not fundamentally new, the majority’s decision provides insight into the application of the duty of care analysis in cases involving pure economic loss.
- **The Supreme Court of Canada Affirms the Anti-Deprivation Rule in Bankruptcy** – In *Chandos Construction Ltd v Deloitte Restructuring Inc* (“*Capital Steel*”) a strong majority of the Supreme Court of Canada affirmed the continuing relevance in Canada of the common-law anti-deprivation rule in insolvency. The rule invalidates any provision in an agreement providing that upon an insolvency (or bankruptcy), value is removed from the reach of the insolvent person’s creditors which would otherwise have been available to them, and places that value in the hands of others. It is a rule protecting the strong public policy in favour of the fair distribution of an insolvent person’s assets among unsecured creditors.
- **Court of Appeal Affirms Jurisdiction to Hear Appeals in Writing** – The old saying that “to a hammer, every problem looks like a nail” is disquietingly relevant to traditional approaches to the dispensation of justice. For a long time, commentators have observed that the legal profession and the Courts lag behind much of the rest of society in leveraging digital resources to improve the quality, speed, and efficiency of litigation.
- **Do courts have jurisdiction to order virtual hearings? Absolutely!** – The initial reaction of most Canadian courts in the face of the COVID-19 pandemic was to shut down completely. This undoubtedly made sense from a public health perspective. However, as the Ontario Superior Court of Justice noted in its recent practice direction, courts have “constitutional responsibility to ensure access to justice remains available”. Consequently, courts have been taking gradual steps towards reopening and allowing certain cases to be heard.
- **Small Changes, Big Implications: 2019 Sees Significant Corporate and Insolvency Law Amendments** – Earlier this year, in Bill C-97, Parliament introduced significant changes to the *Canada Business Corporations Act* (“**CBCA**”), the *Bankruptcy and Insolvency Act* (“**BIA**”) and the *Companies Creditors Arrangement Act* (“**CCAA**”). The changes to the BIA and CCAA have now been proclaimed in force effective November 1, 2019.
- **The UKSC’s Prorogation Ruling and Its Implications for Public Law** – On September 24, 2019, the United Kingdom Supreme Court released a historic decision nullifying the recent prorogation of Parliament obtained on the advice of the British Prime Minister. The implications of the decision are potentially far-reaching as a matter of public law, even though the Court took pains to describe its decision as a “one off.”
- **Orphan Well Association v Grant Thornton Ltd: The Supreme Court Pivots on the Enforceability of Environmental Claims in Bankruptcy** – The Supreme Court of Canada today released its long-awaited decision in *Orphan Well Association v Grant Thornton Ltd*. The Court reversed a decision of the Alberta Court of Appeal that allowed the trustee of a bankrupt oil and gas company to sell its profitable wells and

disclaim unprofitable ones, leaving the public to bear the end-of life liability associated with those wells.

- **Don't Believe What You've Heard: Provincial statutory trusts do survive bankruptcy** – A five-judge panel of the Court of Appeal for Ontario has upset the long-standing conventional wisdom among bankruptcy and insolvency practitioners in Ontario about the fate of provincially-created statutory trusts in bankruptcy.
- **UKSC Dials Back Gains-Based Contract Damage Awards** – The law of contracts has been around for a very, very long time. Which is why it is important to take notice when a major appellate Court finds it necessary to restate the applicable principles, if only to settle the law concerning what may appear to be a narrow damages point.
- **Cowper-Smith v Morgan: The Supreme Court Renovates Proprietary Estoppel** – Lord Denning once said that estoppel is a house with many rooms. In December 2017, in *Cowper-Smith v Morgan*, 2017 SCC 61, the Supreme Court of Canada undertook some significant renovations to an important, but little used, room in that house: proprietary estoppel. And just like your neighbour's renovations to build their monster home can have a real impact on your property, this is a decision that has impacts well beyond the particular facts of that case.
- **The UK Supreme Court Revisits "But for" Causation in Economic Negligence Cases** – "If my grandmother had wheels, she'd be a wagon" –Yiddish proverb
- **The Supreme Court Puts Down its Legal Dictionary** – Sometimes small disputes about technical matters unearth deeper truths about how the law works. This happened in a decision released on January 27, 2017 by the Supreme Court of Canada. *Sabeen v Portage La Prairie Mutual Insurance Co* on its face concerned a narrow issue of interpretation defining amounts payable under automobile insurance policies. In resolving this issue, the Court bumped into a much more general issue concerning whether and how jurisprudence influences the meaning of words used in private contracts.
- **Commercial Law Backwards and Forwards: The Supreme Court Dials Back the Remedy of Rectification** – Kierkegaard famously observed that life can only be understood backwards. Many a commercial lawyer finds this easy to understand. It is a reality of modern commercial life that increasingly complex and sophisticated transactions can have implications that are not understood or anticipated when they are executed, but only become clear later, and in hindsight. This may especially be the case where complex transactions need to be executed quickly and in real time.
- **At the Boundaries of Commerce, Concealment, and Common Sense: Royal Bank of Canada v Trang** – "Privacy is something you can sell, but you can't buy it back."
- **Plaintiffs Hit The Jackpot at the Ontario Court of Appeal** – At the risk of stating the obvious, gambling is unpredictable. Most people would agree that law is different. We think of law as being a predictable discipline governed by rules. Or at least we want to think that it is. A recent decision of the Ontario Court of Appeal—one that fittingly involves gambling—reminds us, however that predictability is not the only principle that courts value.
- **The Admission of Expert Evidence: The Role of Impartiality** – It is commonly accepted that the evidence of expert witnesses must be impartial and that they owe a duty to the court to give fair, objective and non-partisan opinion evidence.
- **A change in law, but not in fact?** – Law and fact, deference and correctness seem no less muddled than ever, as judges begin to

interpret the Supreme Court's decision in *Sattva Capital Corp v. Creston Moly Corp*, 2014 SCC 53. In *Sattva Capital*, the Court held that pure contractual interpretation matters generally raise issues of mixed fact and law requiring deference, unless it is possible to clearly identify extricable issues of law.

SELECT NEWS ARTICLES

- **The 2024 Lexpert Directory Recognizes Lenczner Slaght's Litigation Excellence** – Lenczner Slaght's litigators continue to be recognized by their peers as the foremost practitioners in their fields.
- **Top 10 Business Decisions of 2022–2023** – Peter Griffin, Rebecca Jones, and Scott Rollwagen were featured in Lexpert's Top 10 Business Decisions of 2022-23 for their success in the case *Annapolis Group Inc v Halifax Regional Municipality*, which represents an important decision that clarified the test for constructive taking. Rebecca Jones was further interviewed.
- **Lenczner Slaght Litigators Recognized as Best Lawyers in Canada** – In the latest edition of *Best Lawyers in Canada*, 41 of our expert litigators are recognized for their expertise across 24 practice areas. The following lawyers have also been recognized as “Lawyer of the Year” for receiving the highest overall peer-feedback in their practice areas in Toronto.
- **Lenczner Slaght's Litigation Excellence Recognized in 2023 Lexpert Directory** – Following comprehensive peer review surveys and interviews with senior members in the legal profession, the 2023 *Canadian Legal Lexpert Directory* has recognized 31 of the firm's expert litigators for their experience, knowledge, and precision, with 108 rankings spanning 17 practice areas.
- **Lenczner Slaght Successful for Annapolis at Supreme Court of Canada** – In *Annapolis Group Inc. v Halifax Regional Municipality*, our expert litigators were successful at the Supreme Court of Canada in reversing a decision of the Nova Scotia Court of Appeal granting summary judgment against Annapolis Group Inc. (“Annapolis”). The Supreme Court of Canada concluded that Annapolis' claim for *de facto* expropriation (or, “constructive taking”, the term preferred by the majority of the Supreme Court) could proceed to trial. Peter Griffin, Scott Rollwagen, Rebecca Jones and Amy Sherrard were counsel to Annapolis Group, the successful appellant.
- **SCC Takes Expansive Approach to Regulatory ‘Constructive Taking’ Claims Against Public Authorities** – The Lawyer's Daily discussed the SCC's decision in *Annapolis Group Inc. v Halifax Regional Municipality*. As counsel to the successful appellant, Peter Griffin, Scott Rollwagen, Rebecca Jones, and Amy Sherrard are mentioned in the article.
- **Lenczner Slaght Litigators Recognized Among the Best Lawyers in Canada** – In the latest edition of *Best Lawyers in Canada*, 39 of our expert litigators are recognized by their peers for their expertise across 24 practice areas.
- **Lenczner Slaght Represents Ukrainian World Congress in Significant Judicial Review Application** – Today, our expert litigators, Monique Jilesen and Katelyn Leonard, supported by Scott Rollwagen, have issued a notice of application for judicial review on behalf of the Ukrainian World Congress, an international non-governmental organization representing the interests of Ukrainians worldwide, as well as Daniel Bilak, a Canadian citizen and resident of Ukraine.
- **The 2022 Lexpert Directory Recognizes Lenczner Slaght's Litigation Excellence** –

31 of our expert litigators are recognized by their peers as the foremost practitioners across 18 fields.

- **Top 10 Business Decisions of 2020-2021** – In Lexpert's Top 10 Business Decisions of 2020-2021 article, Lenczner Slaght is featured for its involvement in *Grant Thornton LLP v New Brunswick* and *Corner Brook (City) v Bailey*. Peter Griffin also provides his expert insights on the significance of *Grant Thornton LLP v New Brunswick* for the feature.
- **Lenczner Slaght Litigators Ranked Among Best Lawyers in Canada** – In the latest edition of *Best Lawyers in Canada*, 37 of our expert litigators are recognized for their expertise across 25 practice areas.
- **The 2021 Lexpert Directory Recognizes 30 Lenczner Slaght Lawyers** – An increasing number of our expert litigators are recognized by their peers as the foremost practitioners in their fields.
- **Legal Notes: Contracted compensation clauses run afoul of the law during bankruptcy** – Scott Rollwagen was quoted in the Daily Commercial News article *Legal Notes: Contracted compensation clauses run afoul of the law during bankruptcy*.
- **Lexpert Recognizes Lenczner Slaght Lawyers for Litigation Excellence** – An increasing number of our expert litigators continue to be recognized as the foremost litigators in their fields by peers and senior members of the legal profession.
- **Best Lawyers in Canada Recognizes Lenczner Slaght's Litigation Expertise** – Lenczner Slaght is proud to announce that 33 of our expert litigators are recognized in *Best Lawyers in Canada 2021*. Our lawyers received a total of 128 rankings, up from 100 in 2020.
- **Lexpert Highlights Lenczner Slaght's Professional Excellence** – Lenczner Slaght's litigators continue to be recognized by their peers as the foremost practitioners in their fields.
- **Top 10 business decisions of 2019: From bankruptcy to beer** – *The Guarantee Company of North America v Royal Bank of Canada* is named in the Lawyers' Daily's article *Top 10 Business Decisions in Canada for 2019*. Matthew B. Lerner and Scott Rollwagen are mentioned as counsel to the successful appellant, The Guarantee Company of North America. Matt is also quoted in the article.
- **Top 10 and More Deals** – Canada's leading litigation firm is proud to have acted in one of Lexpert's Top 10 Deals of 2018. *Algoma Steel Inc.* was featured in the February issue of Lexpert Magazine as one of the most impactful deals in Canada last year. Lenczner Slaght represented GIP Primus, L.P. and Brightwood Loan Services L.L.C. in connection with the sale of the port assets with a team consisting of Peter Griffin, Monique Jilesen, Scott Rollwagen, and Matthew Lerner.
- **Provincially created trusts deemed valid** – Matthew B. Lerner and Scott Rollwagen were interviewed by Law Times in their featured story on the Court of Appeal's recent landmark decision in *The Guarantee Company of North America v Royal Bank of Canada*. The decision upset the long-standing conventional wisdom among bankruptcy and insolvency practitioners in Ontario about the fate of provincially-created statutory trusts in bankruptcy. Matt and Scott acted for the successful appellant, The Guarantee Company of North America.
- **Lenczner Slaght Raises over \$17,000 for Covenant House Toronto** – On February 7, 2018, our lawyers participated in the Covenant House Guts + Glory Obstacle Challenge and fundraised over \$17,000 which will go to providing health care, food, shelter, and clean clothes to at-risk, homeless and trafficked youth.
- **Top 10 Business Decisions of 2017** – *Google v. Equustek Solutions, 2017 SCC 34* is ranked second in Lexpert's Top 10 Business Decisions

of 2017. Lenczner Slaght's William C. McDowell and Scott Rollwagen are mentioned as counsel to Google Inc.

- **SCC takes restrictive approach in rectification case** – Scott Rollwagen was quoted in the Canadian Lawyer article *SCC takes restrictive approach in rectification case* on December 22, 2016.
- **Court opens door to extending liability to gamblers** – Scott Rollwagen speaks on *Paton Estate v. Ontario Lottery and Gaming Corporation* in the Law Times article *Court opens door to extending liability to gamblers* on October 10, 2016.
- **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.
- **Supreme Court allows blocked merger in landfill case** – Scott Rollwagen was quoted in the Canadian Lawyer in regards to the Supreme Court of Canada ruling in *Tervita Corp. v. Canada (Commissioner of Competition)*.
- **High-profile partners join Lenczner Slaght** – Canada's leading litigation practice gains two new widely admired lawyers.

PROFESSIONAL ACTIVITIES

- Canadian Bar Association
- Ontario Bar Association