

# Representative Legal Matters

## Kenneth Jull

- Acted as co-counsel in the Supreme Court of Canada concerning the constitutional validity of administrative monetary penalties, *Guindon v. Canada*, 2015 SCC 41.
- Acted as co-counsel in the Supreme Court of Canada concerning the constitutional validity of administrative monetary penalties (December 2014).
- Counsel for a major telecommunications company assisting with ongoing compliance programs relating to telecommunications.
- Retained to review Compliance Codes by a Canadian mining company.
- Counsel in an internal investigations for a Canadian company concerning potential fraud and design systems to mitigate risk, 2014.
- Acted as counsel in a Superior Court Trial, November 2014, concerning commercial contracts and allegations of Securities Act oppression (continuing into 2015).
- Canadian counsel in a global internal investigation concerning the Canadian Corruption of Foreign Public Officials Act. The scope of this investigation included extensive witness interviews and document review, working with law enforcement including the Royal Canadian Mounted Police, and review of compliance procedures and risk assessment, 2012-2013.
- Revised Codes of Conduct relating to compliance with the Corruption of Foreign Public Officials Act.
- Obtained an injunction preventing construction of a bridge in a floodplain on behalf of Halton Region Conservation Authority, 2014.
- Representing Halton Region Conservation Authority in a successful appeal concerning the removal of an illegal structure in a hazard zone (Justice Cooper's Reasons were delivered November 19, 2012, leave to Court of Appeal granted November 26, 2013).
- Counsel for a major telecommunications company in the Federal Court and Federal Court of Appeal (2011) dealing with Canadian ownership and control.
- Recently retained to review Compliance Codes by a Canadian mining company and a telecommunications company.
- Acted as co-counsel in the Supreme Court of Canada concerning the constitutional validity of administrative monetary penalties.

- Counseled in an internal investigation for a Canadian company concerning potential fraud and design systems to mitigate risk.
- Acted as counsel in Superior Court Trial concerning commercial contracts and allegations of Securities Act oppression.
- Acted as Canadian counsel in a global internal investigation concerning the Canadian Corruption of Foreign Public Officials Act. The scope of this investigation included extensive witness interviews and document review, working with law enforcement including the Royal Canadian Mounted Police, and review of compliance procedures and risk assessment.
- Revised Codes of Conduct relating to compliance with the Canadian Corruption of Foreign Public Officials Act.
- Obtained an injunction preventing construction of a bridge in a floodplain on behalf of Halton Region Conservation Authority.
- Representing Halton Region Conservation Authority in an appeal concerning the removal of an illegal structure in a hazard zone (Justice Cooper Reasons delivered 19 November 2012, leave to Court of Appeal granted 26 November 2013).
- Counseled a major telecommunications company assisting with ongoing compliance programs relating to telecommunications.
- Counseled a major telecommunications company in the Federal Court and Federal Court of Appeal dealing with Canadian ownership and control.
- Counseled client in a Commercial List (Superior Court of Justice) trial involving allegations of fraud and breach of fiduciary duty.
- Counseled the prosecution in *R. v. Symphony Golf Inc.* decision given by Justice of the Peace B. Quinn on July 14, 2008 at Burlington, Ontario. As prosecutor, this set a precedent for the responsibility of consultants in environmental matters — Provincial Offences Court.
- Counseled in a Mining and Lands Commission decision concerning an appeal under s. 28(15) of the *Conservation Authorities Act* against the refusal to grant permission for the development (between Michael Hanna and Susan Hanna and Conservation Halton, released 9 July 2009).
- Counseled in a medial negligence case in the Superior Court, resolved mid-way through trial (2008).
- Counseled on the issue of whether a court has jurisdiction to award constitutional damages against individuals. *Hawley v Bapoo*, Ontario Court of Appeal (See 2007 ONCA 353).

- Counseled in a precedent setting case establishing the duty to accommodate a disability in the context of policing, *Toronto Police Service v. Kelly*, Ontario Divisional Court (See [2006] O.J. No. 1758).
- Counseled an individual acquitted of charges of perjury arising out of civil proceedings, *R. v Householder*, Ontario Superior Court. See 0[2004] O.J. No. 1842).
- Counseled the Ontario Ministry of the Environmental with respect to environmental charges related to their role as remediator of last resort at the contaminated site located at Deloro, Ontario, which set a precedent for the standard of due diligence at complex contaminated sites. (See [2001] O.J. No. 2581).
- Counseled an individual executive charged with misleading advertising in a case that set a precedent for products that have short life cycles (see *R. v Woolworth Canada Inc.* and *Donald Cameron* (2000), 3 B.L.R (3d) 174).