

Representative Legal Matters

David Gadsden

- *The Trustees of the Labourers' Pension Fund of Central and Eastern Canada et al. v. Sino-Forest Corporation et al.* - counsel for consultant to main defendant in class action involving alleged securities fraud and negligence (a CAD9.2 billion claim) and in simultaneous Ontario Securities Commission and RCMP investigations / proceedings.
- *Waldock et al. v. Greyhawk Equity Partners Ltd. et al.* - act for investor in fraudulent Ponzi scheme dispute concerning distribution of comingled investment proceeds and clawback of improper fund redemptions.
- *Attis v. Ontario*, [2011] O.J. No. 6222 (C.A.) - successfully appealed decision holding class counsel personally liable for costs awarded against representative plaintiff clients.
- Represented defendant in class action involving alleged price-fixing in the cathode ray tube industry (court-approved settlement negotiated resulting in dismissal of all claims against client).
- *Mintz et al. v. General Dynamics Ordnance and Tactical Systems - Canada Inc.* - act for defendant in claim for CAD20 million in damages arising from alleged toxic contamination of residential condominium property.
- *Dent Wizard Canada Ltd. et al. v. Catastrophe Solutions International Inc. et al.*, [2011] O.J. No. 994 - successfully defended automotive repair company at trial against allegations of breached non-competition clauses in share purchase agreement (action dismissed, with costs).
- Represented the plaintiff in class proceeding relating to alleged contractual breaches and misrepresentations made to investors in index tracking investment funds.
- Represented the plaintiff class in certified class proceeding involving the manufacture and sale of alleged defective heart devices.
- Lead counsel for global accounting firm, defending allegations of receiver's misconduct, misrepresentation and breach of contract arising from court-approved asset liquidation.
- Regularly advise global manufacturers and distributors on product liability issues, risks and strategic considerations in Canada.
- Counsel to financial institutions, receivers, trustees and creditors with respect to insolvency matters, commercial reorganizations, debtors' and creditors' rights and enforcement of security.