



## Robert (Rob) Dawkins

### Partner

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[Banking Litigation](#)

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Rob has a wide-ranging **financial services** litigation, commercial and regulatory compliance practice. His expertise includes:

- financial services industry litigation
- financial crime compliance, including anti-money laundering and economic sanctions compliance and administrative monetary penalty appeals
- consumer protection law compliance
- assisting in FinTech and other financial services product design (advising on regulatory compliance issues and assisting with customer facing agreements)
- advising cryptocurrency exchanges, payment processors and digital wallet providers on financial crime compliance and consumer protection matters

Rob also acts in **fraud recovery** and **securities fraud litigation**, including financial institutions in Ponzi scheme and consumer protection class actions, anti-piracy litigation, and general commercial and shareholder disputes.

Rob's clients include:

- banks
- credit unions
- FinTech companies and cryptocurrency exchanges

- business clients ranging from large public companies to individual local entrepreneurs

Rob frequently acts as a supervising solicitor and as plaintiffs' counsel with respect to enforcement of civil search (Anton Piller orders). He was a member of the Law Society of British Columbia's Model Order Committee, tasked with establishing model civil search and asset freezing (Mareva orders) for use in British Columbia litigation.

He is a member of our Blockchain and Cryptocurrency Steering Committee.

## Experience

- Acted for financial institutions, fidelity insurers and business owners in fraud litigation and investigations, and in designing and implementing commercial fraud recovery plans.
- Acting for clients defending claims of third-party and vicarious liability for fraud.
- Acted for financial institutions in negligence, misrepresentation, breach of contract, breach of fiduciary duty and *Bills of Exchange Act* disputes.
- Advises financial institutions on risk management and operational risk issues, including design and review of anti-money-laundering compliance regimes, account-operating agreements, duties of confidentiality and responding to third-party claims on customer funds (e.g., constructive trust claims, Mareva injunctions, garnishing orders, seizures and CRA requirements to pay).
- Acted in commercial disputes, including contract disputes, shareholder remedies litigation and oppression claims, termination of agency relationships, and matters before the BC Securities Commission.
- Assists clients in pre-litigation risk management, including advising boards of directors with respect to fiduciary obligations and conducting litigation risk audits of standard form contracts.
- Acted for commercial landlords in lease disputes, including termination, drafting surrender of lease documentation and distraint proceedings.

## Insights & Events

- Preparing for open banking: Lessons from the U.K., BLG Perspective, February 2020
- Author, "Federal Financial Institutions Legislative and Regulatory Reporter - September and October 2019", BLG Article, November 2019
- Author, "FINTRAC Issues Final Guidance for Non-Face-To-Face Verification Using Identification Documents", BLG Article, November 2019
- Author, "Federal Financial Institutions Legislative and Regulatory Reporter - July and August 2019", BLG Article, September 2019
- Author, "Federal-Financial-Institutions-Legislative-and-Regulatory-Reporter-May-and-June-2019", BLG Article, July 2019
- Author, "Federal Financial Institutions Legislative And Regulatory Reporter — April 2019", BLG Article, May 2019
- Author, "Amendments to Monthly Sanction Reporting Requirements", BLG Article, May 2019
- Author, "Federal Government makes Amendments to monthly Sanction reporting requirements", BLG Article, May 2019
- Author, "Federal Financial Institutions Legislative and Regulatory Reporter — March 2019", BLG Article, May 2019

- Author, "AML Enforcement in Canada: Budget 2019 Targets Financial Crime and Trade-Based Money Laundering", BLG Article, April 2019
- Author, "Have your say on how crypto trading platforms should be regulated post-QuadrigaCX", BLG Article, April 2019
- Author, "Navigating the Blockchain Revolution – Cryptocurrencies may be traced, but to where and whom?", BLG Article, February 2019
- Quoted, "All that glitters is not gold," Lexpert, February 2019.
- Author, "Anti-Money Laundering And Fraud In Canada", BLG Article, January 2019
- Author, "Administration of Canada's Sanctions Regime get a Welcome Makeover", BLG Article, October 2018
- Author, "SEC Settlement Decision Disrupts The Rise Of Free Tokens And Bounty Programs", BLG Article, August 2018
- Author, "Will the Coffey Class Action have a Ripple Effect?", BLG Article, July 2018
- Author, "Department of Finance Proposes Significant Amendments to AML/ATF Regulations", BLG Article, June 2018
- Author, "Department of Finance Launches Consultations on the Canadian Payments Act", BLG Article, May 2018
- Author, "Interesting Overdraft Charge Decision – Criminal Rates of Interest Class Action Successful at Summary Trial", BLG Article, May 2018
- Author, "Updating Canada's Anti-Money Laundering and Anti-Terrorist Financing Regime", BLG Article, February 2018
- Author, "Prepaid Cards: Deposit Accounts? Or Something Else? Answer: It depends.", BLG Article, February 2018
- Presenter, "Blockchain / Bitcoin 101," BLG 2017 Investment Management Forum, November 2017
- Moderator, "Smart contracts and financial services: A discussion on the transactional application of blockchain," Canadian FinTech Forum, October 2017
- Author, "Department of Finance Launches Second Round of Consultations on Reform of Federal Financial Institution Statutes", BLG Article, August 2017

## Beyond Our Walls

### Professional Involvement

- Member, Canadian Bar Association
- Member, Law Society of British Columbia (LSBC)

## Awards & Recognitions

- Recognized in the 2019 edition of *Benchmark Canada — The Definitive Guide to Canada's Leading Litigation Firms & Attorneys* (commercial)
- Recognized in the 2018, 2017 and 2016 editions of *Benchmark Canada — The Definitive Guide to Canada's Leading Litigation Firms & Attorneys* as a "Local Litigation Star: British Columbia" and a "Litigation Star: Commercial"

## Bar Admission & Education

- British Columbia, 2004
- LLB, Dalhousie University, 2001, (Hons.)
- BA, University of Toronto, 1998, (High Dist.)

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