



Kirsten Crain

Partner

T 416.367.6404
613.787.3741

F 416.367.6749
Toronto, Ottawa

KCrain@blg.com

[LinkedIn](#)

[Commercial Litigation](#)

[Class Actions](#)

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Kirsten is an experienced trial lawyer. She has conducted trials and hearings across the country. **Kirsten's broad litigation practice includes complex commercial litigation** (including class actions and multi-jurisdictional proceedings), intellectual property litigation, and administrative law matters. These include matters for clients in a range of sectors, including financial services, construction, transportation and pharmaceutical/health.

She appears as counsel in the Federal Court of Canada and before the Superior Courts of Ontario and Québec. She has also represented clients in a vast range of administrative law proceedings before national and provincial tribunals and boards. In addition to courtroom advocacy, Kirsten is a trusted advisor to boards and senior leaders. Kirsten is a Fellow of the American College of Trial Lawyers.

Kirsten serves as Chair of the BLG LLP Partnership Board, and is a past director of The Advocates' Society.

Experience

- Counsel to Canadian Pacific Railway Ltd. in the trial of three actions, including a class action, in respect of a train derailment in Lac-Mégantic. *Ouellet v. Compagnie de chemin de fer Canadian Pacifique*, 2022 QCCS 4643, aff'd 2025 QCCA 230.
- Counsel to Metrolinx and Infrastructure Ontario in an arbitration proceeding regarding the construction of a major infrastructure project in the GTA.

- Counsel to AIC Limited in an Ontario class action concerning “market timing” trading in mutual funds of AIC Limited (trial pending April 2025).
- Counsel to a Canadian bank in a breach of contract and breach of fiducial duty action (trial pending October 2025).
- Counsel to the City of Ottawa in a breach of contract claim involving the development of land, *Ottawa (City), v. ClubLink Corporation ULC*, 2019 ONSC 7470, reversed 2021 ONCA 847, leave to appeal of the SCC denied, 2023 ONSC 5004, appeal denied 2025 ONCA 34, leave to appeal to the SCC pending.
- Counsel to M-I LLC (affiliate of SLB) in a patent infringement case involving technology in the oil and gas sector, *Western Oilfield Equipment Rentals Ltd. v. M-I LLC*, [2019] F.C.J. No. 1535, aff’d 2020 F.C.A. No. 323.
- Counsel to JTI-MacDonald Corporation in a Quebec consumer class action involving harm associated with cigarettes, *Letourneau v. JTI-MacDonald Corporation*, 2015 QCCS 2382.

Insights & Events

- Author, "Top commercial decisions of 2022", BLG Article, February 2023
- Co-Chair, “Preparation Series: Opening Statement and Closing Argument”, The Advocates’ Society, September 2021.
- Speaker, “The Year in Review: Key Cases in 2020” The Advocates’ Society Spring Symposium, April 2021.
- Panelist, "Demonstration and Commentary: Examining and Cross-Examining Experts," Advocacy in Ottawa Symposium: Superior Court, Federal Court and Beyond, The Advocates' Society, May 11, 2018.
- Co-Chair, "Women in Litigation Symposium," The Advocates' Society, February 2017.

Beyond Our Walls

Professional Involvement

- Fellow, American College of Trial Lawyers
- Past Director, The Advocates' Society
- Past Chair, Education Committee, The Advocates’ Society
- Past Vice-Chair, Standing Committee on Advocacy and Practice, The Advocates’ Society
- Past Member, Ontario Superior Court of Justice Civil Working Group

Awards & Recognition

- Selected by peers for inclusion in the 2025 edition (and since 2019) of *The Best Lawyers in Canada*® (Administrative and Public Law, Corporate and Commercial Litigation).
- Recognized in the 2025 edition (and since 2021) of *Benchmark Canada - The Definitive Guide to Canada's Leading Litigation Firms & Attorneys* as a Litigation Star and in the "Top 100 Women in Litigation", and in the 2020 edition (and since 2015) as a Future Star.
- Recognized in the 2025 edition *Lexpert Special Edition: Health Sciences*.
- Recognized in the 2024 edition (and since 2020) *Lexpert Special Edition: Litigation*.
- Recognized in the 2025 edition (and since 2022) of *The Canadian Legal Lexpert® Directory* (Litigation - Corporate Commercial), and the 2025 and in the 2021 editions (Litigation - Regulatory & Public Law).

- Recognized in the 2021 edition of *The Best Lawyers in Canada* (Corporate and Commercial Litigation as well as Administrative and Public Law).
- Recognized in Acritas Stars 2019: Independently Rated Lawyer (Nominated as a stand-out lawyer by senior in-house counsel).
- Recognized in the 2018 & 2017 editions of *The Canadian Legal Lexpert® Directory* (Litigation — Public Law). Also recognized in the 2018-2016 editions (Litigation — Corporate Commercial).

Bar Admission & Education

- Ontario, 2001
- LL.B (Great Distinction, Dean's Honour List), McGill University, 1999
- M.Sc. (Distinction), London School of Economics and Political Science, 1996
- B.A. in Economics (Distinction), McGill University, 1995

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As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 725 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

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