



## Adrian Pel

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[LinkedIn](#)

[Commercial Litigation](#)

[Class Actions](#)

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[Contract Disputes](#)

[Securities Disputes](#)

[White Collar Criminal Defence and](#)

[Corporate Investigations](#)

[Commercial Arbitration](#)

Adrian is developing a broad commercial litigation practice. His areas of focus include: (i) shareholder and partnership disputes, including oppression claims; (ii) securities, competition, and product liability class actions; (iii) judicial review applications; and (iv) regulatory investigations and prosecutions.

Adrian acts for individuals, public and private companies, financial institutions, healthcare institutions and public bodies. He has acted on matters before commercial arbitrators, the Ontario Court of Justice, the Ontario Superior Court of Justice (including the Commercial List), the Divisional Court, and the Ontario Court of Appeal. He has also worked on class actions matters before the Federal Court and in several other provinces.

Adrian summered and articulated at BLG's Toronto office.

## Experience - Commercial Litigation

- Act for **financial institutions** including banks, trust companies, and money services businesses in a range of civil litigation matters.
- Acted for the **majority shareholders of a technology growth equity company**, in defending an oppression claim in an arbitration that involved complex valuation issues.
- Act for an **automotive manufacturer** in proceedings brought under the National Automobile Dealer Arbitration Program (NADAP).

- Defeated a motion to impose a certificate of pending litigation over a disputed property, in the context of a complex dispute over the existence of a partnership ([2022 ONSC 6295](#)).
- Acted for a **privately-held technology company** in a lawsuit against a former executive for misappropriating company property that involved the successful execution of an *Anton Piller* (civil search) order.
- Acted for a **publicly-listed technology company** in litigation with a publicly-traded investment holding company.
- Successfully represented the **purchaser of a property** in an application for specific performance ([2022 ONSC 3823](#)).

## Experience - Class Actions

- **BMO InvestorLine Inc.**, a “discount broker”, in defeating a certification motion and ensuing appeal relating the payment of mutual fund “trailing commissions” ([2023 ONSC 16](#) aff’d [2024 ONSC 533](#)).
- **BMO Investments Inc.**, a mutual fund trustee/manager, in defending ongoing class actions relating to the payment of “trailing commissions” ([2021 ONSC 3589](#)).
- **A pharmaceutical company**, in defending class actions in multiple Canadian provinces, including government healthcare recovery claims ([2023 ONSC 6792](#); [2024 BCCA 58](#)).
- **A hospital**, in successfully obtaining the dismissal of a proposed privacy class action on the basis of delay.

## Experience - Public Law & Regulatory

- **Public school boards**, in responding to judicial review applications before the Ontario Divisional Court ([2023 ONSC 349](#); [2024 ONSC 2919](#)).
- **A defendant**, in a prosecution under the *Fire Protection and Prevention Act*.

## Insights & Events

- Author, "No certification for Boal investors – Fiduciary duty ruled individual issue", BLG Article, November 2024
- Author, "Divisional Court affirms high degree of deference to public school-board decisions", BLG Article, April 2024
- Author, "TCDSB v. OECTA: School board not liable for public statements made by trustee", BLG Article, April 2024
- Author, "Ontario Court of Appeal provides guidance on ‘risk of harm’ claims and common issues test", BLG Article, April 2024
- Co-Author, "[Claims Against Class Action Administrators: Court Reviews Leave Requirement](#)", OBA, March 2024
- Author, "B.C. introduces Bill 12: sweeping health care cost recovery legislation", BLG Article, March 2024
- Author, "[Shareholder Voting Injunctions in Canada](#)," Canadian Bar Review 237, 2023
- Author, "Appeal Court provides guidance on non-compliance with Mareva orders", BLG Article, July 2023
- Co-Author, "[Court Decertifies “Phantom Class” Following Extensive Opt-Outs: Navartnarajah v. FSB Group Ltd.](#)," OBA, June 2023

- Author, "Ontario's Divisional Court confirms regulatory rules do not create fiduciary duties", BLG Article, April 2022
- Co-Author, "[Fresco v. CIBC: Ontario Court Of Appeal Decision Offers Guidance, Leaves Open Questions.](#)" OBA, March 2022
- Author, "Why a recent ETF class action may prompt reform to the Ontario Securities Act", BLG Article, October 2021
- Author, "Court decision raises risk of securities class actions for companies receiving whistleblower report", BLG Article, November 2020
- Author, "[Reforming Section 89 of the Indian Act: Tinker, Waiver, Soldier \(On\), Sigh?](#)", Lakehead Law Journal (Vol. 4, Issue1), November 2020
- Co-Author, "Cross-Border Discovery in Canadian & American Antitrust Litigation," *ABA Antitrust Section Global Private Litigation Bulletin*, February 2020
- Author, "The Reform Act, 2014: A Critical Analysis," *Journal of Parliamentary and Political Law* 177, 2017.

## Beyond Our Walls

### Professional Involvement

- Executive Member, Ontario Bar Association, Class Actions Section
- Member, The Advocates' Society
- Member, Canadian Bar Association

### Community Involvement

- Volunteer, Pro Bono Ontario Hotline

## Awards & Recognition

- Recipient of the Principal David L. Johnston Medal in 2019 for distinguished academic standing and outstanding contribution to the McGill Faculty of Law in the areas of academic, social and community life.

## Bar Admission & Education

- Ontario, 2020
- LLB/BCL, McGill University, 2019
- MA, University of Toronto, 2015
- BA, University of Cambridge, 2014



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