



## Kirsten Crain

### Partner

T 416.367.6404  
613.787.3741

F 416.367.6749  
Toronto, Ottawa

[KCrain@blg.com](mailto: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.

She serves as a director on 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 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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