



Markus Kremer

Associé

T 416.367.6658
F 416.367.6749
Toronto
MKremer@blg.com
[LinkedIn](#)

[Actions collectives](#)
[Plaidoirie en appel](#)
[Différends contractuels](#)
[Litige bancaire](#)
[Régimes de retraite et avantages sociaux](#)
[Activités internationales et droits de la personne](#)

Markus has dedicated his practice to class actions, commercial litigation and public law.

His class actions practice includes defending the country's largest financial institutions and corporations in actions involving breaches of contract, privacy breaches, regulatory compliance, consumer protection and mass tort issues, arising in the financial services, pension and retail industries.

Markus also practices commercial litigation and public law. He is regularly retained by employers and administrators of single- and multi-employer pension plans with respect to plan administration issues. He has particular expertise with respect to difficult religious rights issues in the education system.

Markus has appeared as counsel before all levels of Court in Ontario, the Saskatchewan Court of Queen's Bench, the Federal Court and the Supreme Court of Canada, as well as the Financial Services Tribunal and other administrative tribunals.

Markus is fluent in English, French and German.

Experience

- Successfully represented **Canada's largest retailer** in the Ontario Court of Appeal and below in a proposed international mass tort class action arising out of the 2013 collapse of a building in Bangladesh, obtaining a dismissal of the action at certification.
- Successfully represented a **public hospital** in a privacy breach class action, obtaining a dismissal of the action at certification.
- Successfully represented the defendant in a proposed class action alleging misleading advertising of soft drink products, obtaining a dismissal of the action at certification.
- Represented **Weyerhaeuser Canada** in a dispute involving the interpretation of an environmental indemnity, currently on appeal to the Supreme Court of Canada.
- Acted as counsel for a **major Canadian bank** in proposed class actions relating to the use of VISA cards for foreign exchange transactions, overtime pay, breach of privacy, the process for clearing cheques and the fees paid by merchants who accept VISA cards.
- Acted as counsel to the plaintiffs in a class action over the pension benefit entitlements of members of the clinical faculty of **McMaster University**.
- Acted as counsel to **Monsanto** at the Supreme Court of Canada and all levels of court below. (Monsanto is the leading pension case regarding distribution of actuarial surplus on the partial wind-up of a pension plan).
- Successfully represented the **Bank of Canada** in the Ontario Court of Appeal and below in a class action related to the charging of administrative expenses to its pension plan, resulting in a discontinuance of the action.
- Acted as counsel for German, Russian and American companies in proceedings to enforce foreign judgments and arbitral awards in Ontario.
- Acted as counsel to a human resources consulting firm in litigation regarding actuarial services provided to a pension plan, appearing in the Ontario Court of Appeal and below, as well as defending quasi-criminal charges in Provincial Court.
- Acted as counsel to a school board with respect to litigation arising out of ownership of a surplus and demutualization funds remaining after the wind-up of an employee group benefits trust.
- Represented a not-for-profit healthcare provider before the Financial Services Tribunal and the Divisional Court with respect to its funding obligations with respect to a pension plan.
- Negotiated with the Government of Canada for the implementation of special funding arrangements for pension plans.

Insights & Events

- Auteur, « La Cour d'appel confirme une décision limitant l'application du délit d'intrusion dans l'intimité aux atteintes importantes à la vie privée », article de BLG, février 2023
- Auteur, « Failing to prevent a cyber attack is not intrusion upon seclusion », article de BLG, juin 2021
- Auteur, « \$name », article de BLG, septembre 2020
- Auteur, « Uber v. Heller: Supreme Court applies the law of unconscionability to arbitration agreements and identifies a new role for the Court », article de BLG, juin 2020
- Auteur, « \$name », article de BLG, décembre 2019
- Co-Host, BLG Class Actions Update, November, 2019.
- Auteur, « Law Commission of Ontario Report on Class Actions — Key Recommendations », article de BLG, juillet 2019

- Speaker, “Managing Third Party Claims in Class Proceedings”, 16th National Symposium on Class Actions, April, 2019.
- Speaker, “Pitfalls in Multi-jurisdictional Class Actions Settlement,” BLG Class Actions Update, November 20, 2018.
- Co-Author, "Class and Collective Actions in Canada," Lexology Guide, November, 2018.
- Auteur, « Supreme Court of Canada Won't Rule on Permissibility of Global Class Actions: Leave is Denied in Airia Brands », article de BLG, octobre 2018
- Auteur, « Where Does The Internet Happen? The Supreme Court Of Canada Tackles The Thorny Issue Of Which Law Applies To Defamation Claims », article de BLG, juin 2018
- Discussion Leader, “Multi-Jurisdictional Developments in Class Actions”, Northwind’s 2018 Class Actions Invitational Forum, Certification and Beyond, June 11 – 13, 2018.
- Speaker, “Class of Absent Foreign Claimants – Constitutional and Jurisdiction Simpliciter Issues”, Colloque National Sur L’Action Collective, Barreau du Québec, March 22 – 23, 2018.
- Panel Member, “Emerging Issues in Jurisdiction”, Class Actions Advocacy, Advocates’ Society, February 12, 2018.
- Co-author, “Reaching Beyond its Grasp? The Ontario Court of Appeal Asserts Jurisdiction Over Absent Foreign Claimants in Class Actions,” Colloque national sur l’action collective, Développements récents au Québec, au Canada et aux États-Unis, 2018.
- Speaker, “Borders, Barriers and Bureaucracy”, BLG Class Actions Update, November 20, 2017.
- Auteur, « Wind-downs, Retainers And Releases: The Ontario Court Of Appeal Decision In Trillium Motor World », article de BLG, juillet 2017
- \$name
- La réduction des risques associés aux régimes de pension peut occasionner un litige
- Co-Chair, panel discussion on "Restructuring Distressed Businesses: Strategies for Saving Healthy Assets, Carve-Out and Divestment of Losing Assets and Recognizing the Difference", International Bar Association Conference, Washington D.C., September 2016.
- Auteur, « Ontario Court Rules Putting Students First Act Unconstitutional », article de BLG, mai 2016
- Author, "Nipping the Class Action in the Bud: Saskatchewan Court Dismisses Claim Pre-Certification," Class Actions Bulletin, November, 2015.
- Co-Author, "Securities Class Action Trilogy Heard by the Supreme Court," Class Actions Bulletin, February, 2015.

Beyond Our Walls

Professional Involvement

- Former Member, Financial Services Tribunal legal advisory committee, 2012-2018
- Member (pension and benefits section) and former member of the executive, Ontario Bar Association
- Member, Canadian Bar Association, Commercial Litigation Section
- Member, Ontario Bar Association, Class Actions Section
- Member, The Advocates’ Society

Awards & Recognitions

- Selected by peers for inclusion in the 2025 (and since 2010) edition of *The Best Lawyers in Canada*® (Employee Benefits Law), since 2021 (Class Action Litigation) and since 2022 (Corporate and Commercial Litigation).
- Recognized in the 2024 edition (and since 2022) of *Benchmark Canada - The Definitive Guide to Canada's Leading Litigation Firms & Attorneys* as a "Litigation Star" (Commercial; Class Action; Public Law) and from 2016 to 2021 as a "Future Star: Ontario".
- Recognized in the 2023 edition (and since 2021) of *Lexpert Special Edition: Litigation*.
- Recognized in the 2025 edition (and since 2022) of *The Canadian Legal Lexpert*® *Directory* (Class Actions).

Bar Admission & Education

- Ontario, 1999
- LLB, Université York, 1997
- BA (Hons.), University of Guelph, 1994, (One year at University of Mannheim, Germany)

BLG | Vos avocats au Canada

Borden Ladner Gervais S.E.N.C.R.L., S.R.L. (BLG) est le plus grand cabinet d'avocats canadien véritablement multiservices. À ce titre, il offre des conseils juridiques pratiques à des clients d'ici et d'ailleurs dans plus de domaines et de secteurs que tout autre cabinet canadien. Comptant plus de 725 avocats, agents de propriété intellectuelle et autres professionnels, BLG répond aux besoins juridiques d'entreprises et d'institutions au pays comme à l'étranger pour ce qui touche les fusions et acquisitions, les marchés financiers, les différends et le financement ou encore l'enregistrement de brevets et de marques de commerce.

[blg.com](https://www.blg.com)