



## Kevin McGivney

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[Responsabilité municipale](#)  
[Droit policier et responsabilité des corps de police](#)  
[Plaidoirie en appel](#)  
[Droit de la diffamation et des médias](#)  
[Contestation de réclamations d'assurance](#)  
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Kevin advises clients on a wide range of liability, insurance, administrative and commercial matters.

Throughout his career, Kevin has appeared before all levels of court, including the Supreme Court of Canada, as lead trial and appellate counsel. This also extends to judicial reviews, administrative tribunals, mediations and arbitrations.

He has significant experience defending and advising municipalities, police and related entities concerning all manner of liability claims. He has also represented insurers and insureds in property and casualty insurance claims and on insurance coverage matters.

Kevin has represented municipalities, municipal councillors, police services and other clients in a number of administrative law matters including cases before the Human Rights Tribunal and at Coroner's Inquests. He has also defended municipal and police agencies in class actions.

Kevin is an elected member of BLG's Partnership Board, the firm's governing body.

## Experience

- Successfully obtained anti-SLAPP dismissal of defamation claims against municipal councillors – *Volpe v. Wong-Tam*, 2022 ONSC 3106, upheld on appeal, 2023 ONCA 680
- Successfully obtained trial judgement dismissing negligent investigation, malicious prosecution and breach of Charter claim against police service and investigating officers in matter involving wiretap authorizations – *McCormack v. Evans*, 2023 ONSC 4340
- Successfully obtained trial judgement dismissing misfeasance in public office and conspiracy claim against municipality arising out of enforcement of municipal licensing and inspection activities – *1631651 Ontario Inc v. Toronto*, 2022 ONSC 4197
- Successful resolution of class action against police service arising out of claims connected to mass arrests during G 20 Summit – *Good v. Toronto Police Services Board*, 2020 ONSC 6332
- Successfully obtained summary judgement dismissing negligent investigation and defamation claim against police chief and police service – *Supreme Auto Group Inc. v. Chief William Blair*, 2020 ONSC 1223
- Successfully obtained trial judgement dismissing negligent investigation, false arrest and excessive use of force claims against police services and officers arising out of wiretap investigation – *DuCarmur v. Cole 2016*, ONSC 4930
- Successfully upheld appeal of summary judgement obtained in negligent investigation claim against police service – *Cochrane v. Kawartha Lakes Police Services Board*, 2014 ONCA 860

## Insights Rollup

- Auteur, « Culture shift in dismissal for delay motions – Delay alone is prejudice sufficient for dismissal », article de BLG, décembre 2024
- Driving Ontario municipalities forward, vidéo de BLG, septembre 2022
- Auteur, « BLG win: defamation claim against municipal councillors dismissed », article de BLG, mai 2022
- Cinq autres tendances du secteur des assurances : assurance rappel de produits, municipale, cargaison et des pertes d'exploitation et situation au Québec, points de vue de BLG, novembre 2021
- Auteur, « Supreme Court gives guidance on "core policy" immunity », article de BLG, octobre 2021
- Tendances à surveiller en 2021 – Technologies : l'avenir est connecté, points de vue de BLG, janvier 2021
- Auteur, « Ontario passes Bill 218 to provide COVID-19 liability protection », article de BLG, décembre 2020
- Auteur, « Ontario proposes new bill to provide COVID-19 liability protection », article de BLG, octobre 2020
- Auteur, « Ontario Court of Appeal addresses available insurance coverage and additional insured », article de BLG, septembre 2020
- Auteur, « \$name », article de BLG, avril 2020
- Auteur, « Supreme Court of Canada Addresses Common Law Police Powers », article de BLG, octobre 2019
- Auteur, « Article Unlawful Entry but Lawful Detainment Court Awards Damages for Warrantless Search », article de BLG, septembre 2019
- Auteur, « What Duty Does a City Owe to an Individual Who Gets Assaulted on its Property? », article de BLG, juillet 2019

- Auteur, « No Reasonable Expectation of Privacy in Case of Online Child Luring », article de BLG, mai 2019
- Auteur, « Court Rules Excluded Wiretap Evidence Admissible in Civil Trial », article de BLG, février 2019
- Smart Cities: Are there Privacy Potholes Ahead?, points de vue de BLG, janvier 2019
- Auteur, « Court of Appeal rejects “Appropriate Means” argument in finding that limitation period expired », article de BLG, septembre 2018
- \$name
- Auteur, « Case Alert: Campbell V. Bruce (County), 2016 ONCA 371 », article de BLG, mai 2016
- \$name
- \$name
- \$name

## Beyond Our Walls

### Professional Involvement

- Member, The Advocates' Society
- Member, Canadian Bar Association, Ontario Civil Litigation Section

### Community Involvement

- Board member, Catholic Charities of Archdiocese of Toronto 2009-2017 (President 2015-2016)

## Awards & Recognitions

- Selected by peers for inclusion in 2025 edition (and since 2013) of *The Best Lawyers in Canada®* (Insurance Law; Personal Injury Litigation) and since 2022 edition (Municipal Law).
- Recognized in the 2025 edition (and since 2016) of *The Canadian Legal Lexpert® Directory* (Litigation — Commercial Insurance, Personal Injury). Also recognized in 2012 for Personal Injury.
- Recognized in the 2025, 2024, 2023 and 2018 editions of *Benchmark Canada* as a "Litigation Star" (Insurance; Municipal Law; Commercial).
- Recognized in the 2024 edition (and since 2021) of *Lexpert Special Edition: Litigation*.

## Bar Admission & Education

- Ontario, 1991
- LLB, Université de Western Ontario, 1989
- BA in History, Université de Western Ontario, 1985, (King's College)

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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.

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