WeirFoulds LLP

# Michael Statham

Partner

**Toronto**
Tel: 416.947.5023
Mobile: 416.709.5042
Fax: 416.365.1876
Email: mstatham@weirfoulds.com

**Practice Areas**

Class Actions
Commercial Litigation
Fraud & Anti-Corruption
Litigation & Dispute Resolution
International/Cross Border

## Michael Statham is a Partner at WeirFoulds and a former Managing Partner of the firm. His practice encompasses many aspects of corporate-commercial litigation, with a particular emphasis on complex contractual disputes.

Michael's forte is complex business litigation. He has specific experience in cross-border commercial disputes, as well as in litigation raising issues of professional liability, taxation law, the rights and responsibilities of directors and officers, defamation, the defence of class actions and constitutional and public law.

He has appeared as counsel before all levels of courts in Ontario, including the Superior Court, the Divisional Court and the Ontario Court of Appeal. He has also appeared before the Federal Court of Canada, and before various administrative tribunals, including the Ontario Securities Commission.

He was recognized as one of Canada's 2010 *Lexpert Rising Stars: Leading Lawyers Under 40*, has been listed in the 2016 edition of *Benchmark Canada – the Guide to Canada's Leading Litigation Firms and Attorneys* and the 2022 and 2023 editions of *Best Lawyers in Canada* as a leading practitioner in Corporate and Commercial Litigation.

Michael is a co-editor and contributing author of Canada Law Book's recent text *Electronic Documents: Records Management, e-Discovery and Trial*.

**Called to the Bar**
- Ontario (1998)

**Education**
- LL.B., Dalhousie University, 1996
- B.A. (Hons.), Wilfrid Laurier University, 1993

**Affiliations**
- Ontario Bar Association
- Metropolitan Toronto Lawyers' Association
- Canadian Bar Association

WeirFoulds LLP
4100 – 66 Wellington St. West
PO Box 35, TD Bank Tower
Toronto, ON M5K 1B7

www.weirfoulds.com

## Reported Cases

*Trillium Motor World Ltd. v. General Motors of Canada Ltd.* (2015), 48 B.L.R. (5th) 142 (Ont. S.C.J.)

*Guelph (City) v. Super Blue Box Recycling Corp.* (2009), 58 M.P.L.R. (4th) 1, 56 B.L.R. (4th) 37 (Ont. C.A.)

*Guelph (City) v. Super Blue Box Recycling Corp.* (2007), 38 M.P.L.R. (4th) 267 (Ont. S.C.J.)

*Amalgamated Transit Union, Local 113 v. Ontario (Labour Relations Board)*, [2007] O.J. No. 3907 (Div. Ct.)

*Bank of Montreal v. Cogan* (2005), 13 C.B.R. (5th) 43 (Ont. C.A.)

*Re Cogan* (2005), 74 O.R. (3d) 223 (S.C.J.).

*Guelph (City) v. Super Blue Box Recycling Corp.* (2004), 2 C.P.C. (6th) 276 (Ont. S.C.J.)

*Re YBM Magnex International Inc.* (2003), 26 O.S.C.B. 5285

*Lederer v. Fenwick* (2002), 27 C.P.C. (5th) 305 (Ont. S.C.J.)

*CC&L Dedicated Enterprise Fund (Trustee of) v. Fisherman* (2002), 26 B.L.R. (3d) 281 (Ont. S.C.J.)

*QEW 427 Dodge Chrysler (1991) Inc. v. Ontario (Minister of Revenue)* (2002), 59 O.R. (3d) 460 (S.C.J.)

*Supply Chain Express Inc. v. Ontario (Labour Relations Board)* (2001), 151 O.A.C. 186 (Div. Ct.)

*Lederer v. 372116 Ontario Ltd.* (2001), 53 O.R. (3d) 203 (C.A.)

*QEW 427 Dodge Chrysler (1991) Inc. v. Ontario (Minister of Revenue)* (2000), 50 O.R. (3d) 694 (S.C.J.)

*QEW 427 Dodge Chrysler (1991) Inc. v. Ontario (Minister of Revenue)* (2000), 49 O.R. (3d) 776 (S.C.J.)

*CC&L Dedicated Enterprise Fund (Trustee of) v. Fisherman* (2000), 49 O.R. (3d) 187 (S.C.J.)

*Care Canada v. Canadian Broadcasting Corp. (1999)*, 123 O.A.C. 357 (Div. Ct.)

*OEB International Ltd. v. Leyden* (1998), 78 C.P.R. (3d) 1 (Ont. C.A.)

## Awards

- Recognized by *Best Lawyers in Canada* as a leading lawyer in Corporate and Commercial Litigation (2022, 2023)
- Recognized in 2016 *Benchmark Canada – the Guide to Canada's Leading Litigation Firms and Attorneys*
- Recognized as one of Canada's 2010 *Lexpert® Rising Stars: Leading Lawyers Under 40.*

## Corporate Directorship

Michael is the former Managing Partner of WeirFoulds LLP

## Speaking Engagements

- Speaker, "Spoliation in Canada", *Obtaining, Producing and Presenting Electronic Evidence*, Osgoode Professional Development, Toronto, January 2011.

## Publications

- Webinar: Commercial Litigation – Professionalism Issues in a Virtual World, November 25, 2020
- Substance Over Form in the Enforcement of Franchisees' Statutory Rescission Rights: the Anomalous Case of Notice by Pleading, April 08, 2020
- Webinar Series: Beware of Boilerplate, February 05, 2020
- Webinar: Exclusion of Liability Clauses, October 30, 2019
- The Final Skirmish in the *Trillium* Class Action: Class Counsel's Charge With Respect to Fees and Disbursements Trumps GM's Prior Perfected Security Interest, April 23, 2019
- Libel Tourism and Forum Shopping: The Supreme Court of Canada Applies the Van Breda Test to an Internet Defamation Claim, June 19, 2018
- "Entrepreneurial" Class Plaintiff Hit With $1 Million Costs Award, December 08, 2017
- Electronic Documents: Records Management, e-Discovery and Trial (loose-leaf textbook), July 01, 2012