



Jason Squire

Partner

Commercial Litigation Practice Group

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Areas of Practice

Commercial Litigation
Class Actions
Shareholder and Corporate Litigation
Product Liability Litigation
Employment and Fiduciary Litigation

Noteworthy Cases

Ford v. OMERS: Acted for Ford of Canada and Ford Motor Company in a Commercial List trial, appeal and Supreme Court of Canada leave application in a complex minority shareholder claim arising out of Ford Motor Company's compulsory acquisition of Ford of Canada's publicly traded shares. Issues included the appropriateness of Ford's North American transfer pricing regime between 1965 and 1995; the application of the business judgment rule to the board of directors of a publicly-traded subsidiary; the valuation of the Ford entity in Canada, Australia and New Zealand; the ability of shareholders to claim the oppression remedy for periods prior to their ownership of shares; and the application of the *Limitations Act* to oppression remedy claims.

DeWolf v. Bell ExpressVu: Acted for Bell ExpressVu in a class action brought by subscribers charged administration fees for late payment of accounts; the plaintiff claims the fees amount to interest at a criminal rate. The Court of Appeal granted summary judgment and dismissed the class action: the administrative fees charged by Bell ExpressVu were found not to constitute interest, and instead, to be fees which are, in substance, a reimbursement to Bell ExpressVu of administration costs and, as such, not a charge "paid or payable for the advancing of credit". The Supreme Court of Canada refused leave to appeal.

Poulin v. Ford and Magna: Acted for Ford in a putative class action brought with respect to allegedly defective door latches in over 300,000 trucks. The plaintiff's motion for certification was defeated, and the motions judge ordered the U.S. law firm he found was underwriting the litigation to pay costs on a substantial indemnity scale. An appeal to the Divisional Court on the merits was dismissed; the appeal on the costs issue was allowed.

Professional Experience

Partner, Lerner LLP (August, 2008 to present)

Partner, Hodgson Shields DesBrisay O'Donnell MacKillop Squire LLP (May, 2004 to August, 2008)

Associate lawyer, Hodgson Tough Shields DesBrisay O'Donnell (1999 to 2004)

Completed articles clerking for the Office of the Chief Justice, Superior Court of Justice (Toronto, including for the Commercial List) (1998-1999)

A Selection of Presentations/Publications

"Non-competition agreements rarely pay off", The Lawyers Weekly, May 22, 2009 (read article)

"Poulin highlights role of U.S. counsel", Law Times, April 6/13, 2009 (read article)

Memberships

Law Society of Upper Canada

The Advocates' Society

Toronto Lawyers Association

Canadian Bar Association

Education

Feb 2000, Called to the Ontario Bar – In the Bar Admission Course, attained the highest grade in Civil Litigation

1998, LL.B., University of Victoria – Participated in UVic Law's unique co-op program, completing work terms in Victoria, Vancouver and Wellington, New Zealand

1994, Hon. B.A., University of Toronto – Specialist in Sociology and Urban Studies; Graduated with Distinction