

ANGUS T. MCKINNON

Defence Class Actions

PARTNER

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PROFESSIONAL HISTORY

- ◆ Partner, Lernalers LLP (2014 to present)
- ◆ Partner, Heenan Blaikie (2000-2014)
- ◆ Associate/Partner, Genest Murray (1987-2000)
- ◆ Associate lawyer, Cassels, Brock and Blackwell (1987)

AREAS OF EXPERTISE

- ◆ Angus has been active in class action defence work since 1997 representing large corporations in the consumer and health science products, securities, power generation, manufacturing and educational sectors. Over the years he has acted for the Trustee of the Estate of Bre-X Minerals Ltd., the University of Toronto, Ontario Power Generation, Novopharm, BMW Canada, Aurelian Resources, Kaba Ilco, Hitachi-LG, Samsung, Husqvarna Canada, Tokai Rika and various school boards in a wide variety of different class actions.
- ◆ Mr McKinnon has appeared before all levels of court in Ontario and before the Supreme Court of Canada. In addition to those class action matters that have come before the Courts, Mr. McKinnon regularly advises clients in respect of threatened class action proceedings. He has advised a prominent national franchisor that was threatened with a class action by its franchisees, foreign lenders considering loans to companies targeted by securities class actions and investors and shareholders in companies threatened by class actions.

ACHIEVEMENTS

- ◆ Selected by peers for inclusion in Best Lawyers in Canada for Class Action Litigation and Corporate and Commercial Litigation (2020-2022)
- ◆ Recognized as a leading litigator in the Lexpert Special Edition - Canada's Leading Litigation Lawyers (2018)
- ◆ Selected by peers for inclusion in Canadian Legal Lexpert directory for Corporate Commercial Litigation (2016 - 2018, 2020); Class Actions (2019, 2021)
- ◆ Selected for inclusion in Lexpert Guide to the Leading US/Canada Cross-border Litigation Lawyers in Canada (2016)
- ◆ Benchmark Canada, Litigation Star (2013-2020) - Recognized in the following areas: Competition Law and Class Actions (2013-2020); Commercial (2020); Product Liability (2013-2019)

NOTEWORTHY CASES

- ◆ Mr. McKinnon is currently actively defending class actions brought against Kaba Ilco Inc. and Tokai Rika Co. Ltd. The former involves claims under the *Ontario Consumer Protection Act* concerning consumer locks while the latter is a multi-billion dollar price fixing case involving automotive parts
- ◆ Mr. McKinnon served as lead plaintiffs' counsel in Canada's second longest and arguably most complex common issues trial - *Andersen v. St. Jude Medical, Inc.*, 2012 CanLII 3660 (ONSC). The action was a medical products class action and the common issues trial lasted 146 days.
- ◆ Mr. McKinnon has successfully opposed certification motions in gender based salary discrimination cases and insurance company demutualization cases.
- ◆ Mr. McKinnon has successfully settled consumer products class actions, securities class actions, price fixing class actions and employment based class actions.
- ◆ In addition to his class action practice, Mr. McKinnon also carries on a defence side professional negligence and commercial litigation practice.

MEMBERSHIPS

- ◆ The Advocates' Society
- ◆ Ontario Bar Association
- ◆ Canadian Bar Association
- ◆ The Law Society of Upper Canada (Ontario)

EDUCATION

- ◆ Admitted to the Ontario Bar (1987)
- ◆ Bachelor of Laws, McGill University (1985)
- ◆ Bachelor of Arts (Honours), Queen's University (1982)