



Karine Fahmy

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[Aviation Liability](#)
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Karine Fahmy is a litigation lawyer whose practice primarily focuses on complex national and transnational litigation disputes as well as on domestic and international commercial arbitrations.

As litigation counsel, Karine has experience in contractual disputes in a range of industry sectors including aerospace, construction and infrastructure, manufacturing and distribution. She also has significant experience in litigation seeking relief in aid of arbitration, including in the enforcement of arbitration agreements and the implementation of multi-jurisdictional strategies for the enforcement of arbitral awards against both private parties and foreign states. Karine has brought numerous applications for extraordinary remedies such as Anton Piller orders (civil search), Mareva injunctions (freezing orders), Norwich orders (equitable discovery) and seizures before judgment (pre-judgment attachment).

As arbitration counsel, Karine is advising and representing clients in institutional arbitrations before internationally recognized arbitration institutions, including the ICC and the LCIA, and in ad hoc arbitrations, including under the UNCITRAL Arbitration rules, arising in the aerospace, telecommunications, franchising and construction sectors.

Karine regularly appears before the Federal Court, the Superior Court of Québec and the Court of Appeal of Québec, as well as before national and international arbitral tribunals. She has also made submissions to all levels of the judiciary, including to the Supreme court of Canada to obtain leave to appeal.

Experience

- Represents shareholders of Devas Multimedia Private Limited in recognition and enforcement proceedings of investment treaty awards in excess of US\$110 million against the Republic of India in Québec, Canada.
- Represents a Chilean construction company in recognition and enforcement proceedings of an arbitration award of over C\$185 million against an Italian multinational construction company in Ontario and Québec, Canada.
- Represents a construction consortium against a public enterprise in a domestic arbitration relating to a major public sector infrastructure project in Québec.
- Represents general contractors in connection with large-scale construction claims arising from major infrastructure projects before Québec Courts.
- Represented an American aerospace manufacturer in an ICC arbitration claim in excess of US\$10 million against a Canadian aerospace manufacturer, relating to the development, production and sale of a new aircraft.
- Represented a Canadian aerospace manufacturer in an ICC arbitration claim of over U\$16 million against an American conglomerate and its Italian subsidiary, relating to the development, production and sale of a new aircraft engine family.
- Represented Construction Polaris in a C\$65 million construction claim against Hydro-Quebec arising from cost overruns in the construction works for the road leading to the La Romaine hydroelectric complex and successfully obtained the annulment of a C\$10 million transaction executed between the parties prior to instituting legal proceedings (*Construction Polaris Inc. c. Hydro-Québec*, 2018 QCCS 1652 and *Hydro-Québec c. Construction Polaris Inc.*, 2019 QCCA 990).
- Represented Rockwell Collins (Collins Aerospace) in a C\$50 million claim against Bombardier and Learjet arising from the cancellation of the Learjet 85 program.
- Successfully brought multiple Applications for provisional injunctions and other extraordinary remedies (including Anton Piller, Mareva and Norwich Orders) for clients from various industries including designers and beauty companies (for trademark protection purposes), contractors (in the context of contract awarding process) and financial institutions (upon discovery of fraudulent transactions).

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Insights & Events

- Speaker, "Top Cases in Commercial Litigation", The Advocates' Society, February 2024
- Co-author, "[The Guide to Challenging and Enforcing Arbitration Awards - Third Edition Canada](#)," Global Arbitration Review, May 2023
- Moderator, "Top Commercial Cases 2022 – What You Should Know & Why they Matter", Borden Ladner Gervais LLP, February 2023
- Author, "Foreign states are not immune from the jurisdiction of Canadian courts in proceedings for enforcement of an arbitral award", BLG Article, January 2023
- Speaker, "Chat with the Honourable Louise Arbour: Top AI Challenges in the Legal Practice", Annual Commercial Litigation Symposium, Borden Ladner Gervais LLP, March 2019
- Speaker, "Legal Aspects of Internal Fraud", Quebec CPA Order, November 2018
- Speaker, "Study Day on Construction Delays", Barreau du Québec and Ordre des Ingénieurs du Québec, October 2018

Beyond our Walls

Professional Involvement

- Member, Barreau du Québec
- Member, Canadian Bar Association
- Member, The Advocates' Society
- Member, Young Canadian Arbitration Practitioners
- Member, Vis Moot Alumni Association

Awards & Recognitions

- Recipient (with Mathieu Piché-Messier) of the « Impact Case of the year » award from Benchmark Canada (2018) for the case *Snyder c. Groupe sécurité Garda inc.* (2016 QCCS 4316 and 2016 QCCA 1181).

Bar Admission & Education

- Québec, 2014
- LLB, Université Laval, 2012

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