



## Ian C. Matthews

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[Commercial Litigation](#)

[Class Actions](#)

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Ian's experience includes complex commercial litigation and appellate disputes. He has significant expertise in class actions, representing both plaintiffs and defendants on diverse claims ranging from unpaid overtime to foreign currency exchange issues in Canada and the United States.

Ian has appeared at all levels of court in Ontario and at the Supreme Court of Canada.

Prior to joining BLG, Ian practiced at a leading Toronto litigation boutique and a large U.S. law firm. He served as a law clerk to the Honourable Madam Justice Marie Deschamps at the Supreme Court of Canada in 2010-11.

## Experience

- **BMO Investments Inc.**, in defending a proposed class action seeking \$200 million in damages in relation to "trailing commissions" charged in connection with certain mutual funds.
- **An individual executive**, in defending a \$30 million claim alleging fraud and breach of fiduciary obligations and a proposed worldwide *Mareva* injunction seeking to freeze assets.
- **A group of standardbred horse breeders**, in prosecuting a \$65 million lawsuit against the Province of Ontario and the provincial lottery and gaming corporation for negligence and breach of contract relating to the cancellation of a revenue sharing arrangement that placed slot machines in racetracks.
- The **Centre for Addiction and Mental Health**, in successfully responding to an appeal before the Supreme Court of Canada involving the liberty and security of the person interests of mentally ill individuals under s. 7 of the *Charter of Rights and Freedoms*.

- The **Information Technology Association of Canada**, in an intervention before the Supreme Court of Canada involving the enforceability of online forum selection clauses in consumer agreements.
- **Current and former employees of trucking and logistics company Canada Cartage**, in a successfully-certified \$100 million class action seeking damages for unpaid overtime.
- **Standard Chartered PLC**, in defending and resolving a \$1 billion class action alleging price-fixing in the foreign exchange market.
- **Mattamy Homes**, in a \$400 million dispute regarding the interpretation of the terms of a joint-venture agreement.
- **Two high school students**, in a successful constitutional challenge to their principal's decision to impose a breathalyzer test as a precondition of entry into their prom.
- **NEC Corporation, NEC Canada and TOKIN Corporation**, in a successful jurisdictional challenge made in the context of an \$85 million class action alleging price-fixing in the market for lithium ion batteries.

## Insights & Events

- Author, "Ontario Court of Appeal provides guidance on 'risk of harm' claims and common issues test", BLG Article, April 2024
- Author, "Mandatory dismissal provision in Ontario's Class Proceedings Act gets new judicial gloss", BLG Article, May 2022
- Co-Author, "[Fresco v. CIBC: Ontario Court Of Appeal Decision Offers Guidance. Leaves Open Questions.](#)" OBA, March 2022
- Author, "Bill 161: Sweeping changes to Ontario's Class Proceedings Act take effect October 1", BLG Article, September 2020
- Author, "Changes to Ontario's Class Proceedings Act passed into law", BLG Article, July 2020
- Author, "Ontario's Divisional Court confirms a two-step approach to common issues on certification", BLG Article, June 2020
- Author, "Two steps in class action "Common Issues" inquiry, court confirms", BLG Article, February 2020
- Author, "Ontario Announces Significant Proposed Changes to the Class Proceedings Act, 1992", BLG Article, December 2019
- Author, "Ontario Court of Appeal: Defendant's Jurisdiction Motion Does Not Stop 2-Year Limitation Period for Third Party Contribution and Indemnity Claims from Running", BLG Article, October 2019
- Author, "A Clash Between Class Counsel and his Class Representative", BLG Article, August 2019
- Author, "Law Commission of Ontario Report on Class Actions — Key Recommendations", BLG Article, July 2019
- Speaker, "Keeping Up With the Caselaw", Ontario Bar Association Class Actions Section, June 20, 2019
- Author, "Court Of Appeal Comes Full Circle In New Decision On "Boomerang" Summary Judgment", BLG Article, June 2019
- Speaker, "Best Practices for Managing Valuation and Litigation Support Mandates", Financial Accounting for Litigators, Law Society of Ontario, May 30, 2019
- Speaker, "Certification – Is It Summary Judgment Light?", 16th National Symposium on Class Actions, April 5, 2019
- Author, "Ontario Court of Appeal: 'Monetary Award' Grounding Payment of Class Action Contingency Fee Includes More than Money Distributed to Class Members", Ontario Bar Association, February 2019
- Co-author, "Much Ado About § 1782: Compelling American Discovery for Use in Canadian Class Actions," Annual Review of Civil Litigation, 2017
- Speaker, "How Have the Lower Courts Applied the 'Good Faith' Doctrine", Twelve Minute Civil Litigator, Law Society of Ontario, September 15, 2016

- Author, "Revisiting Bhasin v. Hrynew: How Have the Lower Courts Applied the 'Good Faith' Doctrine?," Law Society of Ontario Twelve Minute Civil Litigator, September 2016
- Guest Lecturer, "Class Actions," Osgoode Hall Law School, September 2016, 2017
- Speaker, "Affidavits of Documents, Privilege and Confidentiality," Divine Discoveries: Building a Great Case, Ontario Bar Association, March 22, 2016
- Co-author, "Dispute Resolution in Canada (Ontario)," in S. Bushell, ed., Dispute Resolution, 2016, 2017
- Author, When is a Misclassification Case Not a Misclassification Case: Baroch v. Canada Cartage," Ontario Bar Association, February 2015
- Author, "SCC Seeks Culture Shift in Strong Endorsement of Summary Judgment," Canadian Lawyer, January 27, 2014
- Co-author, "The Supreme Court of Canada's Class Actions Limbo: Just How Low Can the Certification Bar Go?" Annual Review of Civil Litigation, 2014

## Beyond Our Walls

### Professional Involvement

- Executive Member, Ontario Bar Association, Class Actions section
- Member, Canadian Bar Association
- Member, The Advocates' Society
- Volunteer Lawyer, Pro Bono Ontario
- Member, Law Society of Ontario

### Community Involvement

- Governance Committee, Toronto Cricket, Skating & Curling Club

## Awards & Recognitions

- Recognized in the 2024 edition of *Best Lawyers in Canada®* (Corporate and Commercial Litigation).
- Recognized in the 2023 and 2021 editions of *Lexpert Special Edition: Litigation*
- Recognized in the 2024 (and since 2023) and 2021 editions of the *Canadian Legal Lexpert Directory* (Litigation - Corporate Commercial) and in the 2024 edition (Class Actions).

## Bar Admission & Education

- New York, 2011
- Ontario, 2008
- LLM, Harvard Law School, 2009
- LLB, University of Windsor, 2007
- BA, McGill University, 2003, (Valedictorian)



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