



IAN C. MATTHEWS

Partner

T 416.367.6723

F 416.367.6749

Toronto

IMatthews@blg.com

<https://www.linkedin.com/in/imatthews>

Corporate Commercial Litigation and Arbitration

Class Actions

Appellate Advocacy

Litigation and Arbitration

Education / Bar Admissions

LL.M, Harvard Law School, 2009

LL.B, University of Windsor Faculty of Law, 2007

B.A. in Economics, McGill University, 2003 (Valedictorian)

New York, 2011

Ontario, 2008

Professional Involvement

Member, Law Society of Ontario

Member, Canadian Bar Association

Member, Advocates' Society

Volunteer Lawyer, Pro Bono Ontario

Executive Member, Ontario Bar Association, Class Actions section

Community Involvement

Member, Governance Committee, Toronto Cricket, Skating & Curling Club

EXECUTIVE SUMMARY

Ian Matthews is a Partner in the Commercial Litigation Group of BLG's Toronto office. His 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.

Ian is actively involved with Pro Bono Ontario.

REPRESENTATIVE WORK

- 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: *HZC Capital Inc. v. Lee*
- 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: *Seelster Farms Inc. v. Ontario*
- 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: *R v. Conception*
- The lawyers for class members, in upholding a \$16.4 million legal fee payable to class counsel following a common issues trial: *Jeffery v. London Life Insurance Company*

- 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: *Douez v. Facebook, Inc.*
- Current and former employees of trucking and logistics company Canada Cartage, in a successfully-certified \$100 million class action seeking damages for unpaid overtime: *Baroch v. Canada Cartage*
- Standard Chartered PLC, in defending and resolving a \$1 billion class action alleging price-fixing in the foreign exchange market: *Mancinelli v. Royal Bank of Canada*
- Mattamy Homes, in a \$400 million dispute regarding the interpretation of the terms of a joint-venture agreement: *Rubner v. Bistricher*
- As Amicus Curiae appearing before the Divisional Court, in successfully arguing that a professional regulator did not have jurisdiction to discipline its members for pre-membership conduct: *Association of Professional Engineers of Ontario v. Leung*
- 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: *Gillies v. Toronto District School Board*
- 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: *Shah v. LG Chem, Ltd.*

PUBLICATIONS & PRESENTATIONS

- 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 Publications*, October 2019.
- Author, "A Clash Between Class Counsel and his Class Representative," *BLG Publications*, August 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 Publications*, 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.
- Guest Lecturer, "Class Actions", *Osgoode Hall Law School*, September 2016, 2017.

- Co-author, "Dispute Resolution in Canada (Ontario)" in S. Bushell, ed., *Dispute Resolution*, 2016, 2017.
- 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.
- Speaker, "How Have the Lower Courts Applied the 'Good Faith' Doctrine", *Twelve Minute Civil Litigator*, *Law Society of Ontario*, September 15, 2016.
- Speaker, "Affidavits of Documents, Privilege and Confidentiality", *Divine Discoveries: Building a Great Case*, *Ontario Bar Association*, March 22, 2016.
- Author, "When is a Misclassification Case Not a Misclassification Case: *Baroch v. Canada Cartage*," *Ontario Bar Association*, February 2015.
- 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.
- Co-author, "Canada – Law & Practice," in E.R. Chesler, ed., *Chambers Practice Guides - Litigation* (London: Chambers & Partners), 2014.
- Author, "SCC Seeks Culture Shift in Strong Endorsement of Summary Judgment," *Canadian Lawyer*, January 27, 2014.
- Co-author, "Playing the Summary Judgment Waiting Game," *Law Society of Ontario Twelve Minute Civil Litigator*, November 2013.
- Co-author, "Supreme Court Sounds the Death Knell for Fundamental Breach – *Tercon Contractors Ltd. v. British Columbia (Transportation and Highways)*," *Banking and Finance Law Review*, 2011.
- Author, "Preliminary Merits Review for Class Actions in Ontario: Thanks, but No Thanks!", *Canadian Class Actions Review*, 2011.
- Co-author, "Canada [Country Report for the Globalization of Class Actions Conference]" *The Annals of the American Academy of Political and Social Science*, 2009.

ABOUT BORDEN LADNER GERVAIS LLP

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 725 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration