



## Glenn Zakaib

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Glenn Zakaib is one of Canada's most experienced product liability and class action defence lawyers, and one of only a handful across the country to devote their practice to these areas.

He was named one of the top 30 product liability practitioners worldwide by IFLR. Chambers Canada ranks him Band 1 Nationwide for product liability litigation and Band 3 Nationwide for class action defence, stating he is widely recognized as a top lawyer in the market. Lexology Index says he "commands a spectacular reputation," recognizing him as a Global Elite Thought Leader.

Peers and clients say Glenn "gets the big picture issues," "takes reasonable positions that will be a success in the long run," is a "sophisticated professional who is able to break down complex matters into manageable bite sizes" and is willing to "come up with creative solutions." "I've not seen a better strategist," says one reviewer. "He's at the top of my list for handling nationwide matters."

His practical, proactive and sensitive approach to high stakes, high profile matters has made him the go-to advisor for clients as diverse as global auto manufacturers, life sciences companies, governments, aviation businesses and worldwide religious institutions. He has successfully defended claims ranging from misrepresentation and product defects to failure to warn and alleged violations of competition law.

Glenn thinks like both a lawyer and a businessperson, working hard to minimize pressure on inhouse resources and maximize time-saving collaboration and support. For Glenn, success is always defined by the client, whether

that's a well-argued defence before the courts or a well-negotiated low-profile settlement. But even before a claim is filed, he's looking around corners so his clients are prepared to mitigate risks with confidence.

Glenn is dedicated to building the firm's reputation across the country and mentoring the next generation — bright lights who will ensure BLG remains Canada's class actions law firm in the decades to come.

A natural connector and collaborator, he uses his wide network of international contacts to ensure clients facing multi-jurisdictional class actions have the best talent in the U.S., UK and Europe. Closer to home, Glenn coordinates BLG's representation on all domestic class actions so clients get top-notch BLG lawyers who know the courts and judges in the local jurisdiction.

## Experience

- **Fiat Chrysler Automobiles Canada (FCA Canada) in winning dismissal** of the certification of a product liability class action in Ontario related to the Takata airbag inflator recall —the largest automotive recall in history. Corresponding actions in Québec, Saskatchewan and B.C. were discontinued.
- **Porsche and Fiat Chrysler Automobiles Canada (FCA Canada) in defending** high-stakes class actions in B.C. and Québec over alleged safety defects in ARC-manufactured airbag inflators. The litigation coincides with regulatory scrutiny by Transport Canada and the U.S. NHTSA, as well as related lawsuits in the U.S. Despite calls for a mass recall, recalls remain limited to specific lot numbers in vehicles of several auto manufacturers.
- **The Canadian branch of a worldwide religious institution in achieving a precedent-setting victory** by securing the dismissal of a sexual abuse class action on all certification criteria. This minimized media attention and established a critical precedent for handling institutional abuse claims.
- **City of Toronto and independently owned not-for-profit long-term care homes in defeating certification and limiting the scope of the proposed class** in several COVID-19 class actions. The decisions set important limits on future class actions in the sector by clarifying when and how plaintiffs can make class claims.
- **City of Saint John in successfully dismissing a proposed class action** from residents for property damage and economic loss from a change in water source supply. The decision by the Chief Justice of New Brunswick provides valuable guidance on when and how municipalities can be held liable in private law for decisions affecting residents.
- **Fiat Chrysler Automobiles Canada (FCA Canada) and FCA US LLC in successfully defeating certification** of a multi-jurisdictional class action concerning 24 recalls across 24 vehicle models and 900,000 vehicles from 1993 to 2015. An appeal before the Saskatchewan Court of Appeal was defeated and leave to appeal to the Supreme Court of Canada in the Saskatchewan action was dismissed with costs. Competing actions brought in other provinces have been discontinued.
- **Porsche on the successful resolution of numerous class action claims** filed in Ontario and Québec alleging that some vehicles distributed in Canada experienced non-compliant emissions and issues with other parts or systems.
- **Porsche on the successful negotiation of multiple class actions** concerning vehicle fuel economy reporting compliance.
- **Nissan Canada Inc. and Nissan North America in the favourable settlement** of two proposed class actions in Ontario arising from certain Nissan vehicle models equipped with a continuously variable transmission. Working with our experts, we challenged the plaintiff's attempt to use a novel method of asserting a claim for pure economic loss, allowing us to negotiate a more favourable resolution for our clients.
- **Toronto Police Services Board in the successful resolution of a decade-long class action** arising from claims connected to mass arrests during the G20 Summit.

- **Electrical Safety Authority in achieving the withdrawal of claims in a class action** related to a Toronto apartment fire, based on the strength of our client's investigation team and our expert evidence. Our reports demonstrated that key information in the Ontario Fire Marshal's report — and, by extension, the report by the plaintiff's expert — was incorrect.
- **Lloyds Underwriters in achieving the dismissal of potentially Canada's largest class action to date.** Two thousand-plus individual actions and 20 class actions were stayed or discontinued across the country pending the decision in this case, which sought to hold insurers across Canada (excluding Québec) liable for breach of contract related to business interruption losses attributed to the COVID-19 pandemic. The dismissal was upheld at the Ontario Court of Appeal, averting what would have been the largest insurance payout in Canadian history — in excess of \$1 billion. The plaintiffs did not pursue an appeal to the Supreme Court of Canada.
- **HDI Global Specialty SE and Grenville Mutual Insurance Company in a COVID-19 business interruption class action** that was discontinued when the Ontario Court of Appeal upheld a decision to dismiss an omnibus COVID-19 business interruption class action that BLG was also involved in.
- **Toyota Canada Inc. and its related companies in the favourable resolution of five class actions** related to claims of alleged defects in the electronic throttle control systems in its vehicles which could cause sudden unintended acceleration. The Canadian settlement followed parallel litigation in the United States and avoided potential claims for loss of economic value of the vehicles.
- **A U.S. genetic testing company in the favourable settlement of a product liability claim** alleging the company failed to adequately test and monitor the efficacy of its product and warn consumers of alleged unverified reliability of test results intended to determine fetal Downs Syndrome during pregnancy.
- **A surgical robotics company in the successful pre-trial settlement of a claim** at the intersection of AI, product liability and medical malpractice. We were able to avert any allegations against the company in both the trial decision against the physician and in the media reports thereafter.

## Insights & Events

## Beyond Our Walls

### Professional Involvement

- Member, Canadian Bar Association
- Member, Ontario Bar Association, class actions, insurance and civil litigation sections
- Member, Toronto Lawyers Association
- Member, The Advocates' Society
- Member, Canadian Defence Lawyers Association
- Member, International Association of Defense Counsel (IADC)
- Member, Defence Research Institute (DRI), (actively involved in the product liability, drug and medical device, commercial litigation and international committees)
- Fellow, Litigation Counsel of America

## Awards & Recognition

- Recognized in the 2025 edition (and since 2016) of *Chambers Canada — Canada's Leading Lawyers for Business* Dispute Resolution: Class Action (Defence) (Nationwide); Litigation: Product Liability (Nationwide)
- Recognized in the 2025 edition (and since 2004) of *The Canadian Legal Lexpert Directory* (Class Actions; Litigation: Product Liability)
- Selected by peers for inclusion in the 2025 (and since 2018) editions of *The Best Lawyers in Canada®* (Class Action Litigation; Product Liability Law)
- Ranked as a Global Elite Thought Leader in the 2025 (and since 2023) *Lexology Index* (formerly *Who's Who Legal*) reports for Product Liability Defence and Life Sciences – Product Liability
- Recognized in the 2024 edition (and since 2020) of *Lexpert Special Edition: Litigation*
- Recognized in the 2024, 2023, 2022 (and 2008-2019) editions of *The Lexpert®/American Lawyer Guide to the Leading 500 Lawyers in Canada* (Litigation - Product Liability)
- Recognized in the 2023 edition of *Lexpert Special Edition: Technology and Health Sciences*
- Recognized in the 2022 edition of *Benchmark Litigation — The definitive guide to litigation firms and attorneys in Canada*
- Recognized and Peer Rated in the 2021 edition of *Martindale-Hubbel* as "Preeminent" and "Distinguished"
- Recognized in the 2019 edition of the *Lexpert Guide to US/Canada Cross-border Lawyers in Canada*
- Recognized in the 2018 edition of *IFLR - The Best of the Best Global Guide* as one of the top 30 product liability practitioners worldwide
- Chambers Canada: "Glenn Zakaib is a prominent Toronto litigator who is widely recognised as one of the market's top product liability and class action lawyers. He garners recognition for his work concerning medical devices."
- Chambers Canada: "A first-class lawyer...he doesn't take unreasonable stances or approaches."
- Chambers Canada: "Glenn Zakaib is a pragmatic thinker."
- Chambers Canada: "His advice is practical, balanced and strategic."
- Chambers Canada: "Glenn is a highly skilled and diligent lawyer — his expertise and experience is valued."
- Lexology Index: "A fantastic lawyer" who is "very experienced" and possesses "great insight on product liability matters."
- Lexology Index: "Glenn is an excellent product liability lawyer."

## Bar Admission & Education

- Ontario, 1983
- LLB, McGill University, 1981
- BA, York University, 1978



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## **BLG | Canada's Law Firm**

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.

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