Crisis Management

In a crisis, BLG helps you respond and prepare for what's next. As a national law firm with expertise in virtually every area of law, we have unsurpassed experience advising on and managing crises and investigations for our clients.

We have experience managing all nature of crises and investigations, including:

- labour & employment issues including labour disruptions, workplace investigations, sexual harassment charges
- public health crises, medical malpractice and health care incidents
- institutional sexual assault allegations and response
- product liability, safety recalls, tampering and class actions
- white collar criminal and regulatory investigations and prosecutions
- civil unrest and protest
- supply chain and logistics issues
- emergency plan preparedness
- cybersecurity and privacy breaches
- climate change issues and natural disasters
- oil & gas and hazardous material spills
- injunctions

BLG lawyers are prepared to respond immediately, providing strategic support to the organization through internal and external investigative processes, media and public relations, and police, coroners, governmental or regulatory investigations.

Our multidisciplinary Disputes Group has the experience and strength to advocate for you in any subsequent legal proceedings – such as inquests, lawsuits, class proceedings or criminal proceedings – often under intense media scrutiny.

We also work closely with your communications advisors to mitigate reputational damage – helping to ensure your communication strategy is both legally sound and follows best practices in keeping the public informed.

Experience

- **Health Care**
    - Assisting health care clients in planning and responding to infectious diseases outbreaks or incidents.
    - Supporting health care clients in investigating and responding to critical incidents.

- Responding to acts of violence in or connected to the provision of health services.
- Responding to privacy and data breaches, cyber attacks and ransom events.
- Supporting health care clients in multi-patient events and lookback notifications, and any subsequent litigation.
- Representing health care clients in all labour relations matters arising out of a public health event, including Ontario Labour Relations Board hearings and arbitrations.

- **Institutional Sexual Assault and Harassment**
  - Supporting organizations upon receiving reports of sexual assault or allegations of harassment in crisis containment and media response.
  - Advice to leadership and Board members regarding investigation, mandatory reporting, and working with the police in the context of allegations of sexual assault or harassment.
  - Management of early resolutions of claims and/or subsequent litigation.
- **Environmental**
  - Assist clients in the design and implementation of proactive environmental emergency planning to meet applicable regulatory requirements and to fulfill due diligence.
  - Counsel to British Columbia railway companies on injunction-related matters arising from civil disobedience in connection with Coastal Gas Link pipeline in 2020.
  - Support clients with timely spill response, including assistance with reporting obligations and interactions, spill-clean-up cost-recovery orders, with regulatory authorities and third parties.
  - Strategic advice in relation to investigations, including when to cooperate, when and how to give interviews, and considerations for employees.
  - Counsel to an oil and gas companies in incidents including response to a facility fire, significant erosion event along a pipeline right of way, and the preparation and testing of incident response plans.
- **Transportation**
  - Lead the investigation and response to Transport Canada regarding a potential safety defect and recall issue for a major automotive company.
  - Advised in marine casualties, involving Transport Canada investigations (both administrative and penal), Environment Canada, police investigations and Transportation Safety Board investigations, including detentions of ships and requests for security.
  - Provided advice regarding railway blockades and associated injunction.
- **Cybersecurity, Data and Privacy**
  - Representing an international technology company as a defendant in a potential privacy class action (now at the pre-certification stage) on behalf of persons whose electronic data was allegedly transmitted over an unsecured wireless internet connection and whose personal information was allegedly intercepted.
  - Representing numerous hospitals and healthcare institutions facing potential or actual claims relating to unauthorized use or disclosure of healthcare information.
  - Obtaining civil search orders for U.S. and Canadian satellite television broadcasters whose copyrighted television signals were being pirated.
  - Defending one of the first class actions brought under the “intrusion upon seclusion” breach of privacy tort.
- **Investigations and White Collar Defence**
  - Represent corporations and their directors and officers in criminal and regulatory investigations and prosecutions, and in international corruption and sanctions investigations by Canadian and foreign governments.

- Conduct internal investigations in response to allegations of corporate or employee misfeasance.
- Advise corporations with respect to the execution of search warrants, subpoenas and production orders.
- Represent suppliers in debarment proceedings by federal and provincial agencies, as well as international institutions such as the World Bank.

- **Disputes**
  - BLG is currently defending more than 125 class actions across Canada. We lead the profession in developing the law through our involvement in some of the most important and high-profile proceedings in the country.
  - Representing banks and financial institutions in numerous class actions in Ontario and Québec alleging price fixing and market manipulation related to securities benchmarks.
  - Conducted an internal investigation for a multi-national construction service provider regarding allegations of employee fraud and kickbacks.
  - Regularly represent both plaintiffs and defendants in defamation claims, particularly complex commercial defamation cases.
  - Acted in a precedent-setting matter in supply chain liability in the defense of retailers against a proposed multi-billion dollar class action. The action was dismissed in its entirety in a rare pre-certification dismissal.

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 800 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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