



## Jacques S. Darche C.Arb

### Partner

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[Franchise Licensing & Distribution](#)  
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Jacques Darche focuses his practice on commercial litigation. He is regularly retained by various clients facing complex problems.

Jacques' areas of expertise include:

- international commercial arbitration
- real estate litigation and expropriation
- franchise law
- international fraud
- estate litigation
- shareholder disputes
- insolvency and financial restructuring

He is a multi-faceted litigator who strives for the best results for the parties he represents. He has extensive knowledge of and experience with the workings of Québec's civil courts, as well as the rules of various international commercial arbitral institutions.

## Experience

- Represented a confessional high school that successfully defended its freedom of religion in teaching the course of Ethics and Religious Culture before the Superior Court of Québec in 2010 (*Loyola High School v. Courchesne*, 2010 QCCS 2631) and was confirmed by the Supreme Court of Canada (*Loyola High School v. Quebec (Attorney General)*, 2015 SCC 12).

- Represented the trustee of a testamentary trust in a \$14.1-million damage action alleging poor management. The suit was disposed after a 16-day trial (*Bell v. Molson*, 2012 QCCS 5498) and debated before the Québec Court of Appeal (*Bell v. Molson*, 2015 QCCA 583).
- Represented a commercial lessor who was sued for more than \$4 million by its tenants following a fire in its building - Settled out of Court in 2014 before a 15-day trial.
- Represented a manufacturer seeking compensation from one of its suppliers as a result of defective parts that gave rise to a global epidemic problem (*Hewlett-Packard France v. Matrox Graphics Inc.*, 2020 QCCS 78)
- Represented an employer that sued a labour union for approximately \$40 million as a result of numerous acts of vandalism committed during a labour dispute; the case settled out-of-court in 2009 after a 45-day trial (*Vidéotron ltée v. Syndicat des employées et employés de Vidéotron ltée, section locale 2815 (SCFP)*, 2008 QCCS 2446).
- Represented the largest secured creditor in the plan of arrangement of Montreal, Maine & Atlantic Canada Co., pursuant to the *Companies' Creditors Arrangement Act* (CCAA).
- Represented the largest creditor in the plan of arrangement of Davie Yards Inc. pursuant to the CCAA.
- Represented an owner contesting a request to demolish his building (*Poitras v. D'Onofrio*, 2018 QCCA 1079).
- Acts as counsel to parties involved in both international and domestic commercial arbitrations governed either by the arbitration rules of institutions such as the International Chamber of Commerce or by *ad hoc* arbitration rules.
- Represents parties in the homologation, recognition and contestation of arbitral awards and serves as arbitrator and mediator in commercial disputes.
- Advises and represents commercial landlords and tenants, as well as real estate owners, in all the legal aspects of their activities.
- Serves as counsel for many parties involved in shareholder disputes.
- Represents businesses victimised by complex international commercial frauds.
- Represents franchisors in their relations with franchisees and suppliers.
- Represents estate liquidators (executors) and heirs in disputes over the liquidation of estates and acts as a liquidator.

## Beyond Our Walls

### Professional Involvement

- Honorary Consul of Finland for Montréal and the Greater Montreal Area
- Chartered Arbitrator and Fellow, Chartered Institute of Arbitrators (CIArb)
- Certified Arbitrator and Mediator, Institut de médiation et d'arbitrage du Québec (IMAQ)
- Certified Arbitrator and Mediator, Barreau du Québec
- Fellow, Asian Institute of Alternative Dispute Resolution (AIADR)
- Member, International Council for Commercial Arbitration (ICCA)
- Member, The London Court of International Arbitration (LCIA)
- Member, Arbitration Committee, Canadian Chamber of Commerce — Canadian National Committee of the ICC International Court of Arbitration
- Member, ICC Institute of World Business Law
- Member, INSOL International (International Federation of Insolvency Professionals)
- Member, International Association of Lawyers (UIA)
- Member, International Bar Association (IBA)
- Member, Canadian Bar Association (CBA)

- Chair, Montréal-Ottawa Chapter, Chartered Institute of Arbitrators

## Community Involvement

- Chair, Committee on Paralegals of the Québec Bar
- Vice-President, Newman Centre of McGill University
- Arbitrator, Willem C. Vis (East) International Arbitration Moot, in Hong Kong, 2010-2018

## Awards & Recognitions

- Recognized in the 2020 edition of *The Canadian Legal Lexpert® Directory* (Commercial Arbitration).
- Recognized in the 2020 edition of *Benchmark Litigation — The definitive guide to litigation firms and attorneys in Canada*.
- International Panel of Arbitrators – International Centre for Dispute Resolution (ICDR)
- Presidential Panel of Arbitrators – Chartered Institute of Arbitrators (CIArb)
- Panel of Certified International ADR Practitioners – Asian Institute of Alternative Dispute Resolution (AIADR)

## Bar Admission & Education

- Paris, 2020
- Québec, 1992
- Diploma in International Commercial Arbitration, Chartered Institute of Arbitrators (CIArb), 2010
- LLB, Université de Montréal, 1991
- BA, Political Science and Business Administration, Bishop's University, 1989

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