

Karine H. Fahmy

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International Arbitration
Commercial Litigation
Contract Disputes
Investor - State Dispute Settlement
Defence & National Security
Aviation
Sports & Gaming Law
Corporate & Shareholder Disputes

Karine is a litigator recognized for her strategic judgment, rigorous analysis, and extensive experience in complex cross-border disputes. She represents a broad range of clients in high-stakes civil and commercial litigation and arbitration across multiple sectors, including aerospace and defense, infrastructure, pharmaceuticals, information technology, financial services, and entertainment. She advises and acts on contractual disputes, private international law issues, extraordinary remedies, shareholder disputes, unfair competition, and public law matters.

Karine has more than a decade of experience litigating contractual disputes in the aerospace sector. She regularly represents aircraft manufacturers, suppliers, and service providers in litigation and arbitration involving contracts for the design, production, and support of advanced avionics for major aircraft programs.

Karine also has in-depth experience in private international law, including jurisdictional challenges, conflict-of-laws issues, sovereign immunity, and multi-jurisdictional strategies to enforce foreign judgments and arbitral awards under the New York Convention against both private parties and foreign states. In 2025, her team received an Impact Case Award from Benchmark Litigation for their work representing investors of Devas Multimedia Private Ltd. in recognition and enforcement proceedings relating to a US$110 million arbitral award against the Republic of India (*Republic of India v. CCDM Holdings*, 2024 QCCA 1620).

Alongside her transnational practice, Karine has significant experience leading applications for extraordinary remedies, including Anton Piller orders (civil search orders), Mareva injunctions (freezing orders), Norwich orders (equitable discovery orders), and seizure before judgments (pre-judgment attachments).

From 2024 to 2026, Karine served as legal counsel to the former Chief Justice of the Ontario Court of Justice, Lise T. Maisonneuve, who was appointed to lead the *Future of Sport in Canada Commission* and make recommendations to the Government of Canada on improving safe sport and the broader sport system in Canada. Over the past several years, she has also handled numerous judicial review proceedings.

As litigation counsel, Karine regularly appears before the Superior Court of Québec, the Court of Appeal of Québec, the Federal Court, and the Supreme Court of Canada. As arbitration counsel, she advises and represents clients in ad hoc and institutional arbitrations, including proceedings under the ICC, LCIA and UNCITRAL Rules. She also acts as a Québec law expert in international arbitration.

Experience

- Represents shareholders of Devas Multimedia Private Limited in proceedings to recognize and enforce investment treaty awards of US$110 million against the Republic of India in Québec, Canada (*Republic of India v. CCDM Holdings, 2024 QCCA 1620*).
- Represents Sociedad Concesionaria Metropolitana de Salud S.A., a Chilean construction company, in recognition and enforcement proceedings of an arbitral award of over C$185 million against Webuild S.p.A., an Italian multinational construction company in Ontario and Québec, Canada.
- Represents Vantage Data Centers Canada in a judicial review application seeking a declaration that Hydro-Québec's electricity rates, as adopted by the Régie de l'énergie, are invalid.
- Advises a U.S. supplier of advanced aerospace technology in a US$215 million claim arising out of the termination, by a Canadian aircraft manufacturer, of a contract for an aircraft program.
- Advises a U.S. supplier of advanced aerospace technology in a 100 million contractual dispute against a European aircraft manufacturer arising from schedule delays in the delivery of a system for an aircraft program.
- Acts as Quebec law expert in a US$75 million LCIA arbitration pertaining to the interpretation of a contract between a Canadian aircraft manufacturer and a Chinese supplier.
- Advises a U.S. supplier of advanced aerospace technology in a US$ 10 million pricing dispute against a Canadian aircraft manufacturer.
- Advises a British manufacturer of advanced aerospace systems in a multi-million-dollar pricing dispute with a Canadian aircraft manufacturer.
- Advises a U.S. manufacturer of motion and control technologies in a contractual dispute with a Canadian aircraft manufacturer concerning non-performance of obligations and breach of the duty to inform.
- Acted as legal counsel to former Chief Justice of the Ontario Court of Justice, Lise T. Maisonneuve, who led the Future of Sport in Canada Commission from 2024 to 2026, culminating in the Commission's interim and final reports.
- Successfully represented UNHCR Canada before the Supreme Court of Canada in *Quebec (Attorney General) v. Kanyinda*, 2026 SCC 7, involving the constitutionality of Québec's Reduced Contribution Regulation, which restricted access to subsidized childcare for asylum seekers awaiting a refugee status determination.
- Successfully obtained the discharge of a pre-judgment attachment issued against Pratt and Whitney Canada Corp., as a third-party garnishee, in the context of judicial proceedings instituted by Willis Lease Finance Corporation against Afrijet Business Service.
- Successfully opposed an application for interim measures brought by Austrian jet operator GlobeAir AG against client Pratt & Whitney Canada Corp. and referred GlobeAir's C$30 million claim to arbitration

under the ICC Rules (*Globeair Holding GmbH c. Pratt & Whitney Canada Corp.*, 2024 QCCS 2451 and *Globeair Holding GMBH c. Pratt & Whitney Canada Corp.*, 2024 QCCA 1329).

- Represented an international construction consortium against a Québec public enterprise in a C$100 million domestic arbitration relating to a major public sector infrastructure project in Québec.
- Represented a U.S. aerospace manufacturer in a US$10 million ICC arbitration against a Canadian aircraft manufacturer concerning the recovery of costs for out-of-scope work performed in the context of a program for the design, development, production and support of a flight control system.
- Represented an engine manufacturer in an ICC arbitration against a U.S. multinational conglomerate and its Italian subsidiary concerning the allocation of a US$400 million settlement payment made to a U.S. aircraft manufacturer.
- Represented a Construction Polaris in a C$65 million construction claim against Hydro-Québec related to construction works for the La Romaine hydroelectric complex, and successfully obtained the annulment of a C$10 million transaction executed between the parties (*Construction Polaris Inc. c. Hydro-Québec*, 2018 QCCS 1652 and *Hydro-Québec c. Construction Polaris Inc.*, 2019 QCCA 990).
- Successfully obtained a Norwich Order and an injunction against Groupe Sécurité Garda to end a surveillance operation targeting a prominent Quebec public figure and compel disclosure of the identity of the persons who had retained Garda to carry out the surveillance mandate (*Snyder c. Groupe sécurité Garda inc.*, 2016 QCCS 4316 and *Groupe de sécurité Garda inc. c. Snyder*, 2016 QCCA 1181)
- Represented Pratt & Whitney Canada Corp. in an intellectual property litigation against CAE Inc. for misappropriation of proprietary data in the development and manufacture of full flight simulators.
- Advised a Canadian engine manufacturer on various questions pertaining to the interpretation of Designated Overhaul Facilities (DOF) agreements with a British and U.S. Maintenance, Repair and Overhaul (MRO) providers in the context of their potential acquisition by a Canadian MRO provider.
- Advised a U.S. manufacturer of advanced avionics, communication and information systems on the interpretation of a commercial agreement with a U.S. business jet manufacturer regarding the sale of equipment for the upgrade of an integrated avionics suite across a family of business jets.
- Represented Rockwell Collins Inc. in a C$50 million litigation against Bombardier Inc. and Learjet Inc. following the cancellation, by Bombardier, of the Learjet 85 Aircraft program.
- Successfully brought multiple Applications for provisional injunctions and other extraordinary remedies (including Anton Piller, Mareva and Norwich Orders) for clients from various industries including designers and beauty companies (for trademark protection purposes), contractors (in the context of contract awarding process) and financial institutions (upon discovery of fraudulent transactions).

Insights & Events

- Keynote Speaker, “Community Sport Dialogue: From Recommendations to Action”, Ottawa Sport Council & University of Ottawa, November 2026
- Author, "The new front line: Why defence sector disputes are changing", BLG Article, October 2026
- Speaker, “Strengthening Transatlantic Defence Cooperation,” Canada’s defence future: Building a stronger industrial base, Borden Ladner Gervais LLP, September 2026
- Co-Author, “Recent Decision Regarding the Enforcement of Foreign Arbitral Awrads Against Foreign States in Canada”, ADR Perspectives, ADR Institute of Canada, March 2026
- Co-Author, "The Guide to Challenging and Enforcing Arbitration Awards - Fourth Edition," Global Arbitration Review, June 2025
- Author, "Court of Appeal declares that India is not immune from the Devas investors’ enforcement efforts and reinstates IATA seizure", BLG Article, December 2024
- Co-Author, “What Is the Test for Interim Measures Pending Commencement of an International Commercial Arbitration?”, ADR Perspectives, ADR Institute of Canada, December 2024

- Author, "SCC revisits principles applicable to bank guarantees and confirms pro-arbitration stance by upholding an ICC tribunal's order", BLG Article, April 2024
- Speaker, "Top Cases in Commercial Litigation", The Advocates' Society, February 2024
- Co-author, "The Guide to Challenging and Enforcing Arbitration Awards - Third Edition Canada," Global Arbitration Review, May 2023
- Moderator, "Top Commercial Cases 2022 – What You Should Know & Why they Matter", Borden Ladner Gervais LLP, February 2023
- Author, "Foreign states are not immune from the jurisdiction of Canadian courts in proceedings for enforcement of an arbitral award", BLG Article, January 2023
- Speaker, "Chat with the Honourable Louise Arbour: Top AI Challenges in the Legal Practice", Annual Commercial Litigation Symposium, Borden Ladner Gervais LLP, March 2019
- Speaker, "Legal Aspects of Internal Fraud", Quebec CPA Order, November 2018
- Speaker, "Study Day on Construction Delays", Barreau du Québec and Ordre des Ingénieurs du Québec, October 2018

Beyond Our Walls

Professional Involvement

- Member, inaugural Council of the International Bar Association's North American Regional Forum (NARF)
- Member, Québec Committee, The Advocates' Society
- Member, Barreau du Québec
- Member, Canadian Bar Association
- Member, Young Canadian Arbitration Practitioners
- Member, Vis Moot Alumni Association
- Member, International Bar Association (IBA)
- Member, ICC Canada Arbitration Committee
- Member, Young ITA
- Member, Chambre de Commerce et d'Industrie Française au Canada

Awards & Recognition

- Recognized in the 2027 edition (and since 2025) of *The Best Lawyers in Canada* (Corporate and Commercial Litigation)
- Recognized in the 2027 edition of *Chambers Canada* (Litigation: General Commercial (Québec) and Dispute Resolution: Arbitration (Nationwide - Canada))
- Recognized in the 2026 edition (and since 2025) of *Benchmark Litigation*'s "40 & Under List - Canada".
- 2026 Excellence Awardee, "Commercial Litigation Team of the Year" for *Republic of India v. CCDM Holdings*, 2024 QCCA 1620, 2026 Canadian Law Awards
- Recognized in the 2026 edition of *Benchmark Litigation* as a Litigation Star
- Impact Case Award winner for *Republic of India v. CCDM Holdings*, 2024 QCCA 1620, 2025 Benchmark Litigation Awards
- Lexpert's top 10 business decisions, *Republic of India v. CCDM Holdings*, 2024 QCCA 1620, 2024-2025
- Recognized in the 2025 edition of *Benchmark Litigation* as a Future Star

- Impact Case Award winner for *Snyder c. Groupe sécurité Garda inc.* (2016 QCCS 4316 and 2016 QCCA 1181), 2018 Benchmark Litigation Awards

Bar Admission & Education

- Québec, 2014
- LLB, Université Laval, 2012

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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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