



## Robert S. Russell

Senior Counsel

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[Competition & Foreign Investment Review](#)  
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[Class Actions](#)  
[Commercial Litigation](#)  
[Mergers & Acquisitions](#)

With more than 30 years' experience in competition law, Rob acts on both criminal and civil matters under the Canadian Competition Act.

He leads the most active criminal cartel practice in Canada, investigating and leading more than 30 cases in the last decade with the help of his team of forensic investigators. Rob advises and represents clients with respect to criminal matters such as conspiracy, bid-rigging, misleading advertising and price maintenance.

Where civil matters are concerned, he has been involved in a number of complex and contested merger reviews and abuse of dominance matters. He also advises clients with respect to advertising, packaging and labelling, tariffs and trademarks.

In 2001, Rob was retained by the Commissioner of Competition to provide a report and legislative framework for amending the cartel provisions of the Competition Act, which ultimately were reflected in the amendments to the Act in 2009.

He has testified before Parliamentary and Senate Committees on issues of competition law and policy and appeared before the Canadian Competition Tribunal.

## Experience

- Acted in a competition matter for Loblaw Companies (six significant mergers or acquisitions including leading the \$12B acquisition of Shoppers Drug Mart in 2014).

- Acted in a competition matter for George Weston (five significant mergers or divestitures).
- Acted in a competition matter for Hewlett Packard (a number of acquisitions and mergers including the \$25B acquisition of Compaq).
- Acted for Loblaw Companies in class proceedings by minority Class A shareholders claiming oppression, conspiracy and breach of fiduciary duty for damages exceeding \$72 million, 2003.
- Acted for Hewlett-Packard in class proceedings regarding alleged defective printers for damages exceeding \$110 million, 2004.
- Acted for a major technology services provider in alleged negligence and breach of contract relating to a major SAP implementation for damages exceeding \$20 million, 2004.
- Acted for Weston Limited in a commercial dispute regarding the divestiture of E.B. Eddy for damages exceeding \$42 million, 2005.
- Acted for Future Shop in a class action proceeding relating to allegedly defective disk drives, 2001.
- Acted for various private-sector clients in many significant mergers in Canada, including: the \$4-billion acquisition of Dome Petroleum by Amoco to form Canada's largest oil producer; the \$2.2-billion acquisition of Provigo by Loblaws to create Canada's largest supermarket chain; and the \$40-billion acquisition of Compaq by Hewlett-Packard.
- Acted as Agent of the Attorney-General of Canada and counsel to the Competition Commissioner in a number of matters including CP Containers/Cast North America, Abitibi-Consolidated/Donohue Inc. and Forzani.
- Appeared before the Competition Commission in the U.K. in the merger of Air Canada and Canadian Airlines.
- Acted in major technology-law transactions for clients including Hewlett-Packard, NEC, Amoco Canada, Loblaw Companies, Westons, Placer Dome, Barclays Bank, Marsh McLellan, B.C.E., Ryder, Holt Renfrew, Gainers, Bramalea Limited, Institut Mérieux, Bliss & Laughlin Industries, Carecor Health Services, Liberty Mutual Insurance, Simcoe & Erie Insurance, Gerber Foods, Amdahl Canada, Atochem North America, Scepter Manufacturing and Telecom - Telesat.
- Advises clients with respect to advertising, packaging and labelling, tariffs and trademarks, as well as representing clients with Consumer and Corporate Affairs, Health Protection Branch and the Liquor Licence Board.

## Insights & Events

- Author, "Canadian competition tribunal refuses to apply U.S. horizontal merger guidelines", BLG Article, November 2022
- Author, "Competition Bureau addresses COVID-19 competitor collaborations", BLG Article, April 2020
- Author, "The Antitrust Review of the Americas 2018 Canada: Private Antitrust Litigation", BLG Article, January 2018
- Author, "Avoiding Nightmares: Moving from Competition Compliance Training to Compliance Management", BLG Article, July 2017
- Contributing editor, Corporate Litigation

## Beyond Our Walls

### Professional Involvement

- Treasurer, North American Forum, International Bar Association
- Member, Canadian Bar Association

- Member, American Bar Association
- Member, International Bar Association
- Member, commercial list users committee of the Ontario Superior Court of Justice
- Former member, integrated justice steering committee of the Ontario Superior Court of Justice

## Awards & Recognitions

- Recognized in the 2024 edition (and since 2019) of *Chambers Canada - Canada's Leading Lawyers for Business* (Competition/Antitrust: Litigators - Nationwide).
  - Recognized in the 2024 edition (and since 2019) of *Chambers Global - The World's Leading Lawyers for Business* (Competition/Antitrust: Litigators).
  - Recognized in the 2022 edition (and since 2020) of *The Best Lawyers in Canada* (Competition/Antitrust Law).
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