

Jake Cabott

Partner

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Commercial Litigation
Class Action Defence
Commercial Arbitration
Appellate Advocacy
Contract Disputes
Defamation & Media Law
Securities Disputes
Corporate & Shareholder Disputes
Sports & Gaming Law

Jake is a commercial litigator who acts in complex business disputes before courts and arbitral tribunals.

He represents companies, shareholders, directors and senior executives in high-stakes disputes involving corporate control and governance, contractual rights and major business transactions.

Jake's practice includes corporate and shareholder disputes, director and officer liability matters, partnership disputes, class action defence, defamation, product liability, intellectual property matters and property-related claims. He has particular experience in urgent injunction proceedings.

He obtains and resists orders to preserve assets, protect confidential information and business relationships, maintain ongoing operations and address other time-sensitive commercial risks. Jake has appeared as counsel at all levels of court in British Columbia and in other Canadian jurisdictions. He also regularly acts in commercial arbitrations.

Jake develops litigation strategy around each client’s commercial objectives. His work frequently involves disputes with significant financial, operational, and reputational consequences.

His clients operate in natural resources, energy, construction and infrastructure, transportation, shipping, technology and telecommunications, financial services and cryptocurrency, life sciences, real estate, retail,

education, and sport. Jake writes and presents on injunctions, contractual liability, advocacy, sport law, and developments in class proceedings.

Before practicing law, Jake played volleyball for five seasons with the UBC Thunderbirds and four seasons professionally in Europe and Southeast Asia. He remains active in the sport community, representing athletes and associations in sport arbitrations, advising sport organizations on governance, serving on boards and coaching.

Jake grew up in Whitehorse and is licensed to practice law in British Columbia and the Yukon.

Experience

- Successfully acted for a marine terminal operator in defeating an attempted immediate termination of a long-term terminal services agreement, obtaining a declaration that the termination was invalid: *AGT Food and Ingredients Inc. v. Fibreco Export Inc.*, 2025 BCSC 2203.
- Successfully acted for a youth soccer club in an application before the court for an order reinstating its membership in its governing district: Fusion Football Club Soccer Association v Richmond Soccer Association, 2025 BCSC 1176.
- Counsel for Vincent Yen in a major shareholder dispute between the two major shareholders of airG, a mobile software company founded in 2000.
- Counsel for Tangerine Bank in a a long-running dispute involving an individual. The individual commenced many duplicative actions against Tangerine and its CEO, in multiple court registries, all of which were successfully dismissed. Successfully obtained an order striking the notice of civil claim pursuant to Rule 9-5 of the *Supreme Court Civil Rules*; an order declaring that the individual is a vexatious litigant; an order that Ms. Martin be prohibited from initiating a legal proceeding in any court and filing materials in an existing legal proceeding without leave of the court; and special costs: Martin v. Riley, 2024 BCCA 194.
- Successfully opposed application to stay oppression proceeding: *Leifso v BevCanna Enterprises Inc.*, 2023 BCSC 579
- Lead counsel for BC Hydro's wholly owned testing and research laboratory, Powertech Labs, in successfully opposing an application for a sweeping gag order enjoining Powertech and its CEO from discussing facts giving rise to certain litigation.
- Successful on appeal of an application to dismiss an action pursuant the *Protection of Public Participation Act*: *Christman v. Lee-Sheriff*, 2023 BCCA 363
- Successful on appeal of an application to amend pleadings by adding claims that a company 'taking sides' in a true shareholders dispute was oppressive.
- Acting for a mining company and an executive in a defamation action against the Government of Yukon and its Chief Mine Engineer. The plaintiffs allege they were publicly slandered during an industry conference. Successfully opposed an application to dismiss the action pursuant the *Protection of Public Participation Act*:*Lee-Sheriff v Christman*, 2022 BCSC 1914
- Successfully acted for a client in obtaining an arbitration award in a contract dispute. Commercial Arbitration, August 2022.
- Successfully acted for Shoppers Drug Mart Inc. in an action to recover amounts owed by a former Associate in connection with the termination of a franchise agreement:*Shoppers Drug Mart Inc. v Mang*, 2022 BCSC 199
- Defended Tangerine Bank in a defamation action. Successfully brought an application to dismiss the action:*Martin v Tangerine Bank*, 2021 BCSC 2545
- Successfully opposed an injunction application on behalf of a liquor agent in an agency dispute:*Brown-Forman Corporation v Charton-Hobbs Inc.*, 2021 BCSC 2610

- Acting for Loblaw Companies Limited (and related corporate entities) in proposed class actions involving price-fixing allegations in respect of wholesale and retail sales of fresh commercial bread.
- Acting for defendants in proposed class actions involving price-fixing allegations in respect of sales of auto parts.
- Acting for a leading pharma manufacturer in a proposed class action brought by the government of British Columbia against manufacturers, distributors and retailers of opioid pain medications.
- Successfully acted for BLG's client, PCL Construction Management Inc., on an application for partial summary judgment. *Pavement Scientific International Inc. v Saskatoon (City), 2019 SKQB 254.*
- Successfully acted for a client in obtaining an arbitration award in a contract dispute. Commercial Arbitration, August 2019.
- Successfully acted for BLG's client, Kumon Canada Inc., in obtaining a dismissal of an action launched by a former franchisee at summary trial.
- Successfully obtained an injunction for a preservation order over disputed partnership funds. *Neural Capital GP, LLC v 1156062 BC Ltd., 2019 BCSC 478,* leave to appeal refused 2019 BCCA 258.
- Successfully obtained an order on a summary judgment application permitting BLG's client, Copytrack Pte Ltd., to trace and recover cryptocurrency it mistakenly transferred to an individual in British Columbia. *Copytrack Pte Ltd. v Wall, 2018 BCSC 1709.*
- Successfully acted for a commercial helicopter operator in an injunction application involving a dispute over rights to certain facilities at the Whistler Municipal Heliport. *Spearhead Aviation Ltd. v Whistler Heliport Society, 2018 BCSC 1762.*
- Successfully obtained an injunction to evict a tenant from a commercial strata unit.
- Successfully represented defendant in obtaining dismissal of an action involving a dispute over a failed real estate transaction involving 1,350 acres of recreational development property. *Canadian Star Development Corp. v 0712276 B.C. Ltd., 2018 BCSC 871.*
- Successfully represented defendants in an appeal involving allegations of reviewable transactions under s. 100 of the *Bankruptcy and Insolvency Act* (now repealed). *Randen v. HPCB-Online Ltd., 2018 BCCA 123.*
- Successfully represented defendant in obtaining dismissal of an action involving a financing dispute. *Kovacevic Consult Inc. v. Coastal Contacts Inc., 2017 BCSC 321.*
- Counsel to a defendant in contesting certification of a class action brought on behalf of temporary foreign workers.
- Counsel to a defendant in contesting certification of a product liability class action involving allegations related to the manufacturing and marketing of gas fireplaces.
- Successfully resisted pre-certification document production. *Cantlie v. Canadian Heating Products Inc.,* 2014 BCSC 228.
- Successfully represented client in obtaining an arbitration award in a $16 million contract dispute. Domestic Commercial Arbitration, December 2015.
- Successfully defended client against claims of breach of privacy, negligence, and breach of contract. *Albayate v. Bank of Montreal,* 2015 BCSC 695.
- Counsel to a defendant in successfully defeating a consumer class action against Canada's largest cellular telephone companies. *Ileman v. TELUS Communications Inc. and others,* 2014 BCSC 1002, affirmed 2015 BCCA 260.
- Counsel on successful application for consolidation of nine defamation actions. *Funk v. Harder*, 2015 BCSC 2152.
- Successful defence of a commercial strata petition proceeding. *Legend Holding Group Ltd. v. Chen*, 2014 BCSC 1064.
- Counsel to the plaintiff in successfully dismissing a jurisdictional application for an order staying the proceeding pursuant to the doctrine of forum non conveniens. *Wang v. Sun,* 2014 BCSC 87.

Insights & Events

- Author, "Just and equitable liquidation and dissolution: a remedy for shareholder disputes", BLG Article, October 2026
- Author, "ONCA weakens entire agreement clauses in contract interpretation", BLG Article, April 2026
- Author, "Novel privacy claims and the limits of class action certification: RateMDs Inc. v. Bleuler, 2025 BCCA 329", BLG Article, October 2025
- Author, "Real estate purchaser protections upheld: B.C. Court of Appeal confirms that a purchaser's lien survives despite an alternative claim for rescission", BLG Article, July 2025
- Author, "Business Defamation Law", CLEBC, July 2025
- Author, "No signature, no sale: The emoji that couldn't seal the deal", BLG Article, May 2025
- Author, "British Columbia class actions 2024 year in review", BLG Article, February 2025
- Author, "Diving deeper into the PPPA: Reynolds v Deep Water Recovery Ltd.", BLG Article, February 2025
- Author, "A primer on the oppression remedy", BLG Article, December 2024
- Top 10 commercial decisions of 2023: What Canadian businesses need to know, BLG Video, April 2024
- Author, "Examining the rules of the game by jurisdiction: Slide tackle injury decision upheld in B.C. Court of Appeal", BLG Article, February 2024
- Quoted, "Appellant who denies making slanderous statement has anti-SLAPP case dismissed by BCCA," Canadian Lawyer Magazine, October 2023
- Author, "Hansman v. Neufeld – SCC decision confirms that certain "counter-speech" is deserving of protection", BLG Article, May 2023
- Author, "SLAPP-back: Full indemnity costs awarded under B.C.'s anti-SLAPP legislation", BLG Article, April 2023
- Author, "Unsportsmanlike conduct: The different standards of care between athletes in Canada", BLG Article, March 2023
- Presenter, "Chambers Advocacy," The Advocates' Society, January 2023
- Author, "The legal treatment of cryptocurrency in Canada: recent developments", BLG Article, November 2022
- Author, "Ownership of athlete biometric data in Canadian sports", BLG Article, September 2022
- Author, "The Rule of 40: What elected officials in Alberta need to know about the Recall Act", BLG Article, February 2022
- Author, "BC Court of Appeal: Certification applications need not come first in class proceedings", BLG Article, August 2021
- Author, "A question for another day: Wastech, Vavilov, and arbitration awards", BLG Article, February 2021
- Author, "Ontario and BC Courts confirm class counsel owe "certain duties" to proposed class members", BLG Article, October 2020
- Author, "Game On: Reopening sports and recreation during COVID-19", BLG Article, June 2020
- Author, "COVID-19, sports and waivers: How to limit the risk of legal liability in the "new normal"", BLG Article, May 2020
- Contributor, Injunctions - British Columbia Law and Practice

Beyond Our Walls

Professional Involvement

- Member, Law Society of British Columbia
- Member, Law Society of Yukon

- Member, Canadian Bar Association
- Member, The Advocates' Society
- Member, Vancouver Bar Association

Community Involvement

- Volunteer, Access Pro Bono Court of Appeal Program
- Volunteer, Pro Bono representation of athletes involved in sport arbitration
- Board Member, Volleyball BC
- Ad hoc instructor, Law Society of British Columbia's Professional Legal Training Course (PLTC)

Awards & Recognitions

- Recognized in the 2027 edition (and since 2025) of *The Best Lawyers in Canada*™ (Corporate and Commercial Litigation)
- Recognized in the 2026 edition of *Benchmark Litigation* as a Future Star
- Recognized in the 2024 edition of *The Canadian Legal Lexpert Directory* (Litigation - Corporate Commercial)

Bar Admission & Education

- Yukon Territory, 2019
- British Columbia, 2013

- JD, University of British Columbia, 2012
- BA (Philosophy), University of British Columbia, 2005

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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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