

# David Madsen K.C., FClarb

## Senior Counsel

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Disputes
Intellectual Property Litigation
Banking Litigation
Commercial Arbitration
Fraud
International Arbitration
Securities Disputes
Energy - Oil & Gas
Class Action Defence

David practices in all areas of **commercial litigation** , in particular representing Canadian and international clients in litigation and **alternative dispute resolution** .

His practice focuses on:

- all sectors of the oil and gas industry
- electricity generation
- cybersecurity
- intellectual property including patent, trademark, copyright, software piracy, and the misappropriation of confidential information and technology
- class actions defense
- shareholders' rights
- mergers and acquisitions, including hostile take-over bids, Plans of Arrangement, and dissent valuation proceedings
- insolvency and banking litigation
- fraud and fidelity-related actions
- Anton Piller Orders and Mareva Injunctions
- land-related claims

David has dealt with matters in all courts in Alberta, including the Alberta Court of Appeal; courts in British Columbia, Saskatchewan, Ontario and Newfoundland; the Supreme Court of Canada; and the Federal Court of Canada.

He has also dealt with matters in the Alberta Securities Commission, and Canadian and international arbitrations.

David is a member of BLG's Partnership Board, our firm's governing body.

## Experience

- Representing Weatherford International, an international oilfield services company, in the largest and most complex intellectual property (non-pharma) litigation in Canada recent years.
- Representing Precision Drilling Corp., an international oilfield services company, in intellectual property claims including a claim for $500 million with concurrent proceedings in Canada, the U.S. and Europe.
- Representing international oilfield services companies in relation to fraud in Canada, the U.S., India and Southeast Asia.
- Representing the Bank of Nova Scotia, a Canadian chartered bank, in several class actions.
- Representing DirecTV and Dish Network, international satellite television service providers, in combating theft of services and hacking by organized crime syndicates, including the execution of numerous Anton Piller Orders and Mareva Injunctions.
- Representing numerous public companies in hostile take-over bid litigation including poison pills and dissent valuation proceedings.
- Representing numerous Canadian chartered banks, national and international corporations, and other lending institutions in security enforcement proceedings, including CCAA, receivership and bankruptcy matters, large-scale agricultural-related work-outs and foreclosure litigation.
- Representing electrical power generating companies in arbitration proceedings concerning their Power Purchase Arrangements.

## Insights & Events

- Author, "Court clarifies the duty to disclose records and the documents in possession doctrine", BLG Article, April 2022
- Author, "Alberta Court of Queen’s Bench clarifies rules for amending undertaking responses", BLG Article, April 2022
- Author, "COVID-19: Shareholder and corporate disputes", BLG Article, April 2020
- Author, "Significant Federal Court Decision Finds Fracking-Related Patent to be Invalid", BLG Article, February 2018

## Beyond Our Walls

### Professional Involvement

- Member, Institute for Transnational Arbitration (ITA)
- Member, Chartered Institute of Arbitrators
- Former Member, Canadian Bar Association (CBA) - Intellectual Property Section, Civil Litigation Section, Insolvency Subsection
- Former Member, Alberta Mortgage Loans Association

- Former Member, International Anti-Counterfeiting Coalition
- Former Lecturer, Continuing Legal Education Society of Alberta

### Community Involvement

- Extensive involvement with Calgary Minor Basketball and Calgary Minor Soccer
- Volunteer with Canadian Cancer Society, Heart & Stroke Fund, Nothing But Nets, BLG Reads to Kids Program, Pro Bono Law
- (Past) President, Lindsay Park Sports Society Board of Directors, Talisman Centre

## Awards & Recognition

- Recognized in the 2027 edition (and since 2015) of *The Best Lawyers Canada* (Class Action Litigation and Corporate and Commercial Litigation).
- Recognized in the 2027 edition (and since 2020) of *Chambers Canada* (Litigation: General Commercial (Alberta)).
- Recognized in the 2026, 2025 and 2022 editions of *The Canadian Legal Lexpert Directory* (Litigation - Corporate Commercial)
- Recognized in the 2026 edition (and since 2015) of *Benchmark Canada – The Definitive Guide to Canada's Leading Litigation Firms and Attorneys* as a "Litigation Star: Arbitration, Class Actions, Commercial, Intellectual Property, Securities."
- Recognized in the 2026 edition of *Lexpert Special Edition: Litigation*
- Recognized in the 2022 edition of *Lexpert Special Edition: Energy*
- Recognized as the Intellectual Property Litigator of the Year by the 2018 Benchmark Canada Awards.
- Recognized in the 2015 edition of *Benchmark Canada – The Definitive Guide to Canada's Leading Litigation Firms and Attorneys* as a "Local Litigation Star: Alberta" and "Litigation Star: General Commercial and Aboriginal."
- Martindale-Hubbell BV Distinguished™ 4.4 out of 5 Peer Review Rated.

## Bar Admission & Education

- Alberta, 1988

- LLB (with Distinction), University of Saskatchewan, 1987
- BA (with Distinction), University of Saskatchewan, 1985

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### 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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