

James R.G. Cook

Partner

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Executive summary

James is a partner at Gardiner Roberts and a member of the firm's Litigation and Dispute Resolution Group. He has been with the firm since articling in 2002 and brings more than two decades of litigation experience across a broad range of commercial, real estate, and professional liability matters.

James has extensive experience defending and advancing professional liability claims involving lawyers, financial institutions and advisors, accountants, mortgage brokers, and real estate professionals. His practice also includes complex real estate litigation, such as closing disputes, title defects, mortgage and easement issues, adverse possession claims, title insurance matters, cottage disputes, condominium litigation, and proceedings under the Land Titles Act.

In the commercial context, James regularly acts on contract and business asset disputes, financial institution claims, oppression remedies, director and officer liability matters, and shareholder and partnership disputes. He is frequently engaged in urgent and high-stakes proceedings, including civil fraud, Norwich Order tracing claims, and Mareva injunctions, Anton Piller orders, employment and non-competition injunctions, receivership-related matters, and privacy-related disputes. His experience also includes defamation claims, including internet-based liability.

James has represented clients successfully at both the trial and appellate levels, including in complex matters. His experience includes cases involving serious reputational risk, contractual interpretation, and litigation arising from improper conduct, where early and decisive court intervention was required.

James believes that experience matters and is known for his strategic judgment, tenacity, and ability to guide clients through complex and demanding litigation with confidence.

Outside of the office James enjoys spending time with his wife and children, mangling his way through carpentry and other DIY projects, and skjoring on frozen lakes with his German Shepherd.

EDUCATION

Osgoode Hall Law School, LLB, 2002

Simon Fraser University, MA, 1997

University of Manitoba, BA (Hons), 1995

BAR ADMISSION

Ontario, 2003

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Expertise

Litigation & Dispute Resolution

Representative work

Lawyer's Professional Liability / Ineffective Assistance of Counsel

- *Indigoblue Mortgage Investment Corporation v. Ahmad*, 2025 ONSC 4161 (CanLII)
- *Swan v. Duggan*, 2025 ONCA 302, affirming 2025 ONCA 302
- *Greenspan v. Goldman*, 2022 ONSC 5578
- *Locke v. Sultana et al*, 2022 ONSC 4347 (CanLII)
- *Braysan Properties Inc. "In Trust" v. Muchos et. al*, 2022 ONSC 3703
- *2658396 Ontario Inc. v. Sanayeri*, 2022 ONSC 3189
- *Vinczer v. 7084421 Canada Ltd.*, 2022 ONCA 400 (CanLII)
- *Bors v. Bors*, 2021 ONCA 513
- *9383859 Canada Ltd. v. Navaratnam*, 2021 ONCA 210
- *9383859 Canada Ltd. v. Saeed*, 2020 ONSC 4883
- *Glegg v. Glass*, 2020 ONCA 833 (CanLII)
- *Bielanski v. Mundenchira*, 2020 ONCA 811, affirming 2019 ONSC 1162 (CanLII)
- *Peel Children's Aid Society v. M.H.*, 2018 ONCA 619 (CanLII)
- *Garrett v. Oldfield et al*, 2014 ONSC 508 (CanLII) • *Richmond v. James*, 2008 CanLII 73705 (ON SC), 69 B.L.R. (4th) 79, 79 R.P.R. (4th) 267 - discussed in "Case must be strong if you decide to sue lawyer" The Toronto Star (June 13, 2009)
- *Chuang v. Manning*, 2008 CanLII 14175; 2010 ONSC 6296
- *Diamond Contracting Ltd. v. MacDearmid*, 2006 CanLII 24444 (ON C.A.)

Real Estate Litigation / Title Insurance

- *Columnist*, REM
- *Medeiros v. Baldassarra et al*, 2019 CarswellOnt 19345, 2019 ONSC 2682
- *Sannuto v. Sannuto*, 2012 ONSC 3903 (CanLII)
- *Charlebois v. Stewart Title Guaranty*, 2011 ONSC 6824 (CanLII)
- *Nakhuda v. Stewart Title Guaranty Co.*, 2010 CarswellOnt 11201, 2010 ONSC 4926, [2010] O.J. No. 6170
- *Freedman v. Toronto (City)*, 2009 CanLII 82620 (ON SC)
- *Stewart Title Guarantee Company v. Zeppieri*, 2009 CanLII 2329 (ON SC), 94 O.R. (3d) 196 - discussed in "Defending Under Title Insurance" The Lawyers Weekly (June 12, 2009)
- *Dagarsho Holdings Ltd. v. Bluestone*, 2005 CanLII 39321 (ON CA)
- *T.D. Waterhouse Investor Services (Canada) Inc. v. Srivastava*, 2005 CanLII 35791 (ON SC), 2005 CarswellOnt 4876, 143 A.C.W.S. (3d) 81

Commercial Litigation, Lease Disputes, Director/Officer Liability, Corporate Opportunity & Non-Solicitation Claims / Injunctions

- *BMO v. 2761387 Ontario Inc.*, 2024 ONSC 6281 (CanLII)
- *Braysan Properties Inc. v. Muchos*, 2022 ONSC 940 (CanLII)
- *2184472 Ontario Inc. v. 1637601 Ontario Ltd.*, 2016 ONSC 7256 (CanLII)
- *H&R Block Canada, Inc. v. Inisoft Corporation (Ontario)*, 2009 CanLII 37911 (ON SC)
- *Autoworkers (Ajax) Credit Union Limited v. Cumis General Insurance Company*, 2012 ONSC 172 (CanLII)
- *Croatian (Toronto) Credit Union v. Vinski*, 2011 ONSC 7123 (CanLII)
- *Croatian (Toronto) Credit Union Limited v. Vinski*, 2010 ONSC 1197 (CanLII)

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- *bclMC Construction Fund Corporation v. Preston Spring Gardens Inc.*, 2008 CanLII 1414 (ON SC)
- *Challenge Gas Holding AB v. Echo Energy Canada Inc.*, 2008 CarswellOnt 8431; 2008 CanLII 19220 (ON SC); 2007 CarsellOnt 9714
- *Toronto Dominion Bank v. Preston Springs Gardens Inc.*, 2007 ONCA 145 (CanLII), 31 C.B.R. (5th) 167; affirming 19 C.B.R. (5th) 165, 2006 CanLII 15145 (ON S.C.) – discussed in “Defendants denied leave to sue receiver of an insolvent co-defendant” *The Lawyers Weekly* (May 26, 2006)
- *BMO Nesbitt Burns Inc. v. TD Waterhouse Investor Services*, 2006 CanLII 17338 (ON SC)
- *Cohen v. YMR Capital Management Corp.*, 2006 CanLII 37780 (ON CA)
- *Banyan Tree Foundation v. Singh*, 2005 CanLII 44178 (ON SC)
- *Researchco Ltd. Partnership v. Real Estate Search Corp.*, 2004 CanLII 35008 (ON SC)

Breach of Privacy / Unauthorized Intrusion/Hacking of Computer Data

- *Autosurvey Inc. v. Prevost*, 2005 CanLII 36255 (ON SC), 44 C.P.R. (4th) 274, discussed in “Lawsuit tossed out in ‘extraordinary remedy’” *The Globe and Mail* (November 30, 2005),

Defamation

- Author, *A Practical Guide to the Law of Defamation*, LexisNexis
- *Fuda v. Conn*, 2009 CanLII 1140 (ON SC)

Investment Advisor / Brokerage Liability

- *Paciorka v. TD Waterhouse*, 2008 CanLII 6646 (ON SC), 2007 CanLII 28749 (ON SC)
- *Newman v. T.D. Securities Inc.*, 2007 CanLII 463 (ON SC); 2007 CanLII 10791
- *Gibbins v. TD Waterhouse Canada Inc.*, 2007 CanLII 10789 (ON SC)
- *Shoaga v. TD Waterhouse*, 2006 CanLII 2191 (ON SC), 2006 CarswellOnt 450

Insights

Publications

Defamation action for media article based on a court decision dismissed

13 December 2024

Force majeure rejected, buyer pays price for lack of financing

13 December 2024

B.C. appeal court upholds largest defamation award for a corporation

6 December 2024

Buyer on the hook for \$366k in damages after failing to close

22 November 2024

Norwich order used to disclose identity of confidential informant

7 October 2024

Misrepresentations made before signing of an agreement may allow for damages

23 September 2024

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Home collapses; over \$640,000 awarded due to water damage from neighbouring property

30 July 2024

Novel Family Violence Tort has no Place in Ontario Law, Court of Appeal Rules (Ahluwalia v. Ahluwalia)

20 October 2023

Ontario decision determines transfer by corporate property owner not a fraudulent instrument, Law360 Canada - 6 August 2026

Law firm not disqualified from acting against former executive of corporate client, Law360 Canada - 21 July 2026

Dispute between neighbours: Defamation and assault with a lawn mower, Law360 Canada - 12 June 2026

Inadvertently disclosed privileged documents: How to respond, Law360 Canada - 2 June 2026

Anti-SLAPP decision clarifies line between 'public' and 'private' expression, Law360 Canada - 5 May 2026

Court ruling clears path for power of sale despite title dispute, Real Estate Magazine - 21 April 2026

Property assignment dispute: Motion for certificate of pending litigation dismissed, Law360 Canada - 31 March 2026

Buyer on the hook for \$213K after court dismisses zoning misrepresentation claim, Real Estate Magazine - 9 March 2026

Failure of ongoing duties results in lawyer being removed, Law360 Canada - 4 March 2026

Continued misuse of generative AI in Canadian courts, Law360 Canada - 13 February 2026

Failed home purchase leads to \$1.8M judgment against buyer, Real Estate Magazine - 13 February 2026

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Court orders law firm to disclose client's banking information, Law360 Canada - 12 December 2025

Additional pre-construction costs depend on agreement of purchase and sale, Law360 Canada - 18 November 2025

Buyers win after developer tries to up the price by \$60,000 at closing, Real Estate Magazine - 3 November 2025

Defamation claim by Thunder Bay police officer against law student dismissed, Law360 Canada - 24 October 2025

Agent's work was sloppy – but not negligent, Ontario judge rules, Real Estate Magazine - 10 October 2025

Was father's money for children to buy house a gift or loan?, Law360 Canada - 26 August 2025

Ontario seller found liable for misleading buyers about competing offers, Real Estate Magazine - 7 August 2025

If neither party is ready to close, who's on the hook for the failed deal?, Real Estate Magazine - 28 July 2025

Acting for both buyer and seller: Court finds no conflict of interest by mortgage agent, Law360 Canada - 25 July 2025

What can happen when one party fails to pay costs during litigation, Law360 Canada - 4 July 2025

B.C. buyer awarded \$300,000 deposit after seller's disclosure misstep, Real Estate Magazine - 20 June 2025

Confidential information: Departing employees ordered to return and destroy, Law360 Canada - 8 May 2025

Buyer's dispute with neighbour sinks \$950K waterfront deal, Real Estate Magazine - 2 May 2025

Dispute over exchange of keys leads to five years of litigation, Real Estate Magazine - 21 April 2025

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Buyer's corporation fails to close—but owner not personally liable, says court, Real Estate Magazine - 14 April 2025

Plaintiff's Defamation Claim Against Siblings Survives Anti-SLAPP Motion (The Estate Of Colombe Quesnel v. G. Quesnel), Mondaq - 8 April 2025

Ontario's top court overturns decision on requisition dispute, Real Estate Magazine - 8 April 2025

Court denies brokerage's bid to regain access to TRREB MLS data, Real Estate Magazine - 28 March 2025

Buyer loses deposit after failing to close on home destroyed by fire, Real Estate Magazine - 14 March 2025

Privilege not breached when lawyer disclosed confidential email, Law360 Canada - 14 March 2025

Buyer held liable for backing out of Burlington property sale, court rules, Real Estate Magazine - 7 March 2025

Factors in obtaining summary judgment, Real Estate Magazine - 7 March 2025

Doctrine of absolute privilege: Defamation claim survives dismissal, Law360 Canada - 21 February 2025

Can a Realtor be liable for a tenant's damages?, Real Estate Magazine - 7 February 2025

Seller entitled to \$230K in damages after failed home purchase, Real Estate Magazine - 19 December 2024

Failing to close the deal comes with costs, Construction Connect Canada - 19 December 2024

Ontario court says Schedule B addition sinks seller's \$50K claim, Real Estate Magazine - 3 December 2024

Value of property a key to proving breach of contract, Law360 Canada - 9 August 2024

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Home collapses; over \$640,000 awarded due to water damage from neighbouring property, Real Estate Magazine - 30 July 2024

Years-long dispute over 22-centimetre strip of land ends in court ruling, Real Estate Magazine - 25 June 2024

Settler's remorse: Professional negligence claim against litigation lawyer dismissed, Law360 Canada - 24 June 2024

Owner allowed to maintain property's use as three dwelling units despite zoning bylaw changes, Real Estate Magazine - 31 May 2024

How a defamation claim survived an anti-SLAPP motion, Law360 Canada - 30 May 2024

Lawsuits. Thousands in damages. How a real estate transaction went wrong and how to avoid common pitfalls, The Star - 22 April 2024

Mortgage broker's fee: Borrower's lawyer not liable, Law360 Canada - 11 April 2024

Equitable mortgage principles affirmed after defaults of loans secured by property, Real Estate Magazine - 3 April 2024

Defamation: Employment letter not subject to six-week notice deadline, Law360 Canada - 19 March 2024

Land boundaries battle resolves after two decades as court determines liability for property encroachment, Real Estate Magazine - 26 January 2024

Ex-sister-in-law bare trustee denied order to sell jointly-owned property, Real Estate Magazine - 12 December 2023

Rare ruling: Ex tenant-in-common denied right to sell home 18 years later, Real Estate Magazine - 24 October 2023

Novel Family Violence Tort has no Place in Ontario Law, Court of Appeal Rules (Ahluwalia v. Ahluwalia), Canadian Family Law Matters - 20 October 2023

Legal dispute: Co-owner's son buys second mortgage in attempt to force property sale, Real Estate Magazine - 13 October 2023

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Kobayashi Maru: Navigating impossible scenarios in real estate, Real Estate Magazine - 3 October 2023

Sellers awarded \$210,000 after buyers fail to close due to “unforeseen circumstances” , Real Estate Magazine - 29 September 2023

No damages caused by listing agent’s failure to recommend legal advice, Real Estate Magazine - 13 September 2023

Court refuses to impose 5 p.m. deadline for delivery of real estate closing proceeds , Real Estate Magazine - 6 September 2023

Lawyers obtain interlocutory injunction to stop defamatory social media posts, Law360 Canada - 1 September 2023

Buyer’s failure to obtain severance amounted to anticipatory breach of contract, Real Estate Magazine - 29 August 2023

Mortgage provided by corporate borrower with apparent authority is not a “fraudulent instrument”, Real Estate Magazine - 18 August 2023

Sellers who terminated real estate deal can’t rely on ‘time is of the essence’ clause: court, Law Times - 17 August 2023

Realtor's lawsuit fails: Court upholds news reporter's actions, Real Estate Magazine - 28 June 2023

Realtor sued after client alleges negligence in land valuation, Real Estate Magazine - 14 June 2023

Status certificate shock: Inaccurate information leads to \$34,000 bill, Real Estate Magazine - 12 June 2023

Legal battle over \$400k repair costs highlights need for thorough home inspections, Real Estate Magazine – 15 May 2023

Title Insurance Dispute Over Appraisal of “Actual Loss” for Defects Relating to Municipal Work Order, Canadian Journal of Insurance Law – May 2023

Doctrine of champerty prohibits ‘trafficking in litigation’, Law360 Canada – 18 April 2023

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Ontario court ruling highlights deposit risks for new home buyers, Real Estate Magazine - 21 March 2023

Realtor sued for misrepresenting identity of buyer, Real Estate Magazine - 6 March 2023

Court upholds solicitor-client privilege in \$16.5M real estate deal, Real Estate Magazine - 23 February 2023

Seller ordered to obtain severance of residential properties to complete transaction, Real Estate Magazine - 14 February 2023

Title fraud is on the rise - here are four ways to stop criminals from selling your house out from under you, The Star - 30 January 2023

Shared driveway dispute between neighbours goes to court, Real Estate Magazine - 25 January 2023

Foreign buyer ban: Realtors urged to review due diligence, Real Estate Magazine - 18 January 2023

Homeowners return from business trip to find their house sold without their knowledge, Real Estate Magazine - 16 January 2023

Borrower's fraudulent actions result in legal victory for tenants, Real Estate Magazine - 23 December 2022

Fraudulent misappropriation: Anti-SLAPP motions fails to stop action, The Lawyer's Daily - 16 December 2022

Agent sues for commission on unaccepted offer, Real Estate Magazine - 10 November 2022

Seller beware: Even if the deal dies, the agent may still want their commission, Globe and Mail - 28 September 2022

A cautionary tale of siblings who owned an investment property - 6 September 2022

When real estate deals die, deposits are often held hostage, The Globe and Mail - 31 August 2022

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The Power of Sale Restored by Court Appeal under "Safe Harbour Protections",
Institute of Municipal Assessors - 1 July 2022

Family Members Liable for Knowing Receipt of Trust Funds, Money & Family Law
- 1 June 2022

Tort of "Family Violence" Provides New Way to Seek Damages for Domestic Abuse
, Canadian Family Law Guide - 15 June 2022

Court Refuses to Impose 5 pm Deadline for Delivery of Real Estate Closing
Proceeds, Ontario Real Estate Law Developments - 1 May 2022

Defamation claims in social media boxing ring, The Lawyer's Daily – 29 March
2022

Ontario man 'jumped into the turbulent river of Twitter' and 'got wet in the
process': judge, The Lawyer's Daily – 21 March 2022

No duty of care owed by seller to confirm buyers had financing, Real Estate
Magazine – 14 March 2022

BC court awards damages arising from Realtor's liability for foreign buyers' tax,
The Real Estate Magazine - 22 February 2022

Early disposition of a defamation action – The Lawyer's Daily, 3 February 2022

Government liability for policy decisions following Nelson (City) v. Marchi –
Toronto Law Journal, January 2022

Sellers can't rely on "escape clause" to accept a better offer, Real Estate
Magazine - 17 January 2022

Unfulfilled promise to transfer family property upheld by appeal court, Real
Estate Magazine - 20 December 2021

Personal injury firm granted injunction against ex-associate following long-
weekend takeover, The Lawyer's Daily - 15 December 2021

Buyers bound to agreement negotiated by family friend, Real Estate Magazine -
16 November 2021

Dispute over fence location results in liability for trespass, Real Estate Magazine
– 26 October 2021

Estate's Claim to Recover \$700,000 Gift From Elderly Man to Fianceé Dismissed,
Money & Family Law - 24 October 2021

Mortgage prepayment charge improperly imposed by lender, The Lawyer's Daily -
19 October 2021

The perils of not having a written contract for a home construction project, Real
Estate Magazine - 12 October 2021

Condominium owner liable for costs due to tenant's misconduct, Real Estate
Magazine - 27 September 2021

Oral agreement results in years of litigation between father and daughter, Real
Estate Magazine - 7 September 2021

Discharge Statement Rights, The Canadian Mortgage Broker Magazine – Summer
2021

Buyers lose right to recover deposit after seller breaches agreement, Real Estate
Magazine - 16 August 2021

Commission owed to real estate agent despite lack of written agreement, Real
Estate Magazine - 26 July 2021

Business common sense' determines winner of commission dispute, Real Estate
Magazine - 5 July 2021

Fees, Costs and Penalties: Court denies mortgagee's claim for unproven fees and
charges related to overdue mortgage; Canadian Mortgage Broker Magazine –
Spring 2021

Buyer's failure to waive conditions nullifies Agreement of Purchase and Sale, Real
Estate Magazine - 21 June 2021

Pizza delivery bars claim for indemnity under insurance policy, The Lawyer's Daily
- 1 June 2021

Buyer loses \$100,000 deposit after refusing to purchase condo, Real Estate Magazine - 1 June 2021

Building Code Liability: Municipality Liable For Failure To Inspect, Municipal Liability and Risk Management, Volume 22, Number 4 - 12 May 2021

Ontario Court of Appeal upholds Law Society Tribunal decision involving Toronto lawyer, The Lawyer's Daily - 12 May 2021

Commission claim dismissed - buyer representation agreement ruled unenforceable, Real Estate Magazine - 11 May 2021

Claim For Adverse Possession of Land Against an Unknown Owner, Ontario Real Estate Guide, LexisNexis Canada - 15 April 2021

Abandoned Use of Easement Leads to Loss of Backyard Parking Pad, IMA Insta-News (Insitutue of Municipal Assessors) – Spring 2021

Legal Non-Conforming use Prevents Municipality From Enforcing Zoning By-Law, IMA Insta- News (Insitutue of Municipal Assessors) – Spring 2021

Parent's Claim to Recover Home Transferred to Daughter Dismissed, Money & Family Law Magazine – April 2021

When are buyers entitled to rescind a purchase agreement? Real Estate Magazine – 20 April 2021

Airbnb cottage renters allowed to access lake via right-of-way, Real Estate Magazine - 31 March 2021

Viewing the Supreme Court of Canada's Decision in Callow Through a Compliance Lens, Municipal Liability Risk Management, Lexis Nexis - 15 March 2021

Township liable for failing to inspect construction, Real Estate Magazine - February 24, 2021, Real Estate Magazine - 24 February 2021

Freelance Consultants Not Bound by Non-Competition Agreement, CIPS Connections – January 28,2021

Homeowners ordered to remove pool built over municipal easement, Real Estate Magazine – 27 January 2021

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Seller ruled not responsible for property zoning or future use limitations, Real Estate Magazine – 11 January 2021

Misrepresentation in square footage leads to rescission of Agreement of Purchase and Sale, Real Estate Magazine – 14 December 2020

Injunction granted against municipality in fire-pit dispute on disputed lands, The Lawyer's Daily - 26 November 2020

Water damage insufficient to terminate transaction - 25 November 2020

Buyer's Claim For Lost Value Damages Of A Residential Subdivision Home, Ontario Real Estate Law Developments; LexisNexis – October 2020

Real estate agent's defamation claim survives anti-SLAPP motion, Real Estate Magazine – 15 October 2020

Partial shutdown of business does not preclude business interruption claim, The Lawyer's Daily – 2 October 2020

Zombie Deed Sparks Reoccurring Legal Debate – 11 March 2020

Dispute Over Outhouse Clogs Up The Courts: Armstrong v. Moore – 29 January 2020

Dismissal of abusive proceeding upheld; Home buyer who got more land than he bargained for not entitled to damages for lost secondary transactions - 2 April 2019

In the Cold Light of an Unfavourable Result, Blaming Your Lawyer Will Not Brighten Your Prospects - 29 March 2018

Advertisers Beware – 5 December 2017

Cottage Country Access Lessons – 22 August 2017

Mortgage Fraud: Who Has Priority In A Dispute? – 29 March 2017

Social Media Issues for In-House Counsel: An Update – November 2016

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Blogs

Injunction restrains former employee's campaign of online harassment (SGS Canada Inc v. Carrier)

25 September 2026

Lawyer obtains injunction to stop defamatory online harassment (Miller v. Ahn)

28 August 2026

Recent decisions illustrate the consequences of deficient or absent motion materials

28 August 2026

40-year-old NOSI does not go to root of title (2225064 Ontario Ltd. v. 55 Bradwick Limited)

27 August 2026

Family Expectations, Unjust Enrichment, and Beneficial Ownership: Lessons from the Family Farm

24 August 2026

Counsel's threat of civil proceedings results in mistrial of criminal conviction against Frank Stronach (R. v. Stronach No.5)

20 August 2026

Behemoth B.C. Case Delivers a Blizzard of Professional Negligence Findings

17 August 2026

Buyer's alleged "Family and Friends Deal" with builder ordered for new trial (Curridor v. Millstone Homes Inc.)

12 August 2026

Transfer by corporate property owner not a fraudulent instrument (2628793 Ontario Corporation v. Stolp)

22 July 2026

Law firm not disqualified from acting against former executive of corporate client (Piikani Nation v McMullen)

26 June 2026

Lawn mower incident leads to civil assault damages against neighbour (Frederick v. Spence)

5 June 2026

Lawyer not removed from record despite failure to promptly disclose receipt of privileged settlement information (Candido v Bramview Holdings Inc.)

8 May 2026

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**Caught in the Middle – Court of Appeal affirms low threshold to interplead funds
(Tacora Resources Inc. v 1128349 B.C. Ltd.)**

1 May 2026

**Complaint about Orthodox Priest meets public interest threshold for anti-SLAPP
motion (Rajic v. MacDonald)**

24 April 2026

**Mortgagee can discharge certificate of pending litigation to enable power of sale
(MCAN Home Mortgage Corporation v. Broad)**

30 March 2026

Seller misrepresented right to assign agreement of purchase and sale (Qu v. Wang)

27 March 2026

No oral contract between brothers over cottage ownership (Poole v. Poole)

20 March 2026

**Motion for certificate of pending litigation dismissed in assignment dispute
(Roopchan v. Abeywardena)**

17 March 2026

No reliance on zoning misrepresentation in MLS listing (Mino et al. v. Foster)

6 March 2026

**Court removes lawyer from record due to delays and failure to abide by court orders
(Al-Hasnawi v. Hamilton (City))**

20 February 2026

**Defendant ordered to produce documents encompassed by “circle of privilege” (Will
Murray & Associates v. Nader Fakh)**

6 February 2026

**Lawyer ordered to pay personal costs for using fake AI-generated case law (Reddy v
Saroya)**

23 January 2026

**Realtor cannot serve as expert damages witness for own client (Ambria
(Bloomington) Limited v. Esmaeili)**

5 December 2025

**Civil claims struck due to privacy breach from unauthorized access to text messages
(McCarrell v. McCarrell)**

1 December 2025

**Law Firm Ordered to Disclose Client's Banking Information (Stajic v. Wayland Group
and Ward)**

28 November 2025

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Court grants full indemnity costs following dismissal of frivolous and fabricated claim (Kovacevic v. Bank of Montreal)

26 November 2025

Lawyer removed as counsel of record for non-profit corporation (Fodjo v. NufiCanada)

21 November 2025

Court addresses “tort of ejectment” while granting injunction in property dispute (Saad Keval v. Hiep Nguyen)

10 November 2025

Developer breached Agreement of Purchase and Sale by demanding additional charges at time of closing (Taheripouresfahani v. Dormer Bond Inc.)

17 October 2025

Thunder Bay Police Officer’s Defamation Claim against Law Student Dismissed (Gibson v. Cunningham)

29 September 2025

Real estate agent’s “imperfect” conduct was not negligent (Duad Inc. v. Shi)

26 September 2025

Disbarred lawyer’s claim against bank dismissed (Murray v. The Toronto-Dominion Bank)

8 September 2025

Father’s contribution towards purchase of property was a gift not a loan (Klemensiewicz v. Klemens)

22 August 2025

Seller liable for misrepresentations about competing offers (Tran v. Brickman)

31 July 2025

Buyer entitled to recover deposit where neither side was ready to complete transaction (Nieuwenhuis v. FRP Inc.)

23 July 2025

No misrepresentation or conflict of interest by mortgage agent (Dhanoa v Ramnarine)

14 July 2025

No reasons required for using lawyer review clause to terminate transaction (Yui v. Yan)

4 July 2025

Claims struck for litigants’ failure to pay costs (Dunning v. Colliers Macaulay Nicolls; Condoman Developments v. Cannect International Mortgage)

27 June 2025

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Lawyer did not breach standard of care by following instructions of client's agent (Shortreed Joint Venture Ltd. v Guvi)

23 June 2025

Neighbours in right-of-way dispute are authors of their own misfortune (Bennett v. Chadwick)

20 June 2025

Director personally liable for corporation's operating line but not Visa account (RBC v. 1108135 Ontario Inc.)

13 June 2025

Defendants liable for costs of \$579,000 in \$58,000 claim (Gesualdi v. Conti)

30 May 2025

Buyer entitled to recover deposit after seller misrepresented legality of addition (Sewell v. Abadian)

29 May 2025

Lawyer escapes contempt consequences after using AI-generated case law (Ko v. Li)

23 May 2025

Developer can't charge buyer for adjustments not included in Agreement of Purchase and Sale (Bellisario v. 2200 Bromsgrove Development Inc.)

15 May 2025

Factum containing fake case law likely generated by AI submitted in Ontario litigation (Ko v. Li)

8 May 2025

Developer restrained from interfering with use of right-of-way during condominium construction (Figaro Dominion v. The Incumbent)

2 May 2025

Buyer cannot force seller to remove notice registered on title by third party (Brighton Breeze Ltd. v. Noel Property Management Ltd.)

25 April 2025

Departing employees ordered to return and destroy confidential information (Mondee, Inc. v. Voyzant Inc.)

21 April 2025

No basis to pierce corporate veil in aborted real estate transaction (Dawood v. Popes Property Holdings Inc.)

10 April 2025

Dispute over exchange of keys leads to five years of litigation over sale of church property (Gyimah v. The Roman Catholic Episcopal Corporation of The Diocese of Hearst in Ontario)

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8 April 2025

Cottage islanders' association denied proprietary estoppel claim for control over municipal docks (Grape Island Property Owners Association Inc. v. Corporation of the City of Orillia)

4 April 2025

Plaintiff's defamation claim against siblings survives Anti-SLAPP motion (The Estate of Colombe Quesnel v. G. Quesnel)

3 April 2025

Do requisitions concerning gas leases go to root of title? (Van Hove v. Dryuff)

1 April 2025

Claim for ineffective assistance of counsel dismissed as a collateral attack (Mann v. Royle)

28 March 2025

TRREB defeats plaintiff's motion to restore MLS access (Ojohome Canada Ltd. v. The Canadian Real Estate Association)

24 March 2025

Claim struck against individual employee of corporate defendant (Soneri Invest v. Shell Canada)

14 March 2025

Sellers repudiated agreement of purchase and sale by failing to address outstanding work orders (Reel em Inn and Resort v. RNR Doemel Enterprises)

11 March 2025

Buyer breached agreement to purchase home that was destroyed by fire (McDonald v. Lowrie)

6 March 2025

Claim against Township for failing to monitor building permit dismissed under ultimate limitation period (Huether v. Sharpe)

4 March 2025

Lawyer did not breach privilege by disclosing confidential email to former clients' trustee in bankruptcy (Milot Law v. Sittler)

3 March 2025

Plaintiff obtains summary judgment against former lawyers (Longarini v. Llyod)

21 February 2025

Demand for payment undermines defendant's position that defamation action involved a matter of public interest (Diverse Transportation v. Chen)

20 February 2025

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Pleadings struck in \$100 million claim due to party's repeated failure to produce relevant documents (Way v. Schembri)

19 February 2025

Defamation claim survives dismissal under doctrine of absolute privilege (Drabinsky v. Kepinski)

4 February 2025

Can a real estate agent be liable for a tenant's damages? (Carola v. VIP Reality Inc.)

3 February 2025

Execution before judgment rejected in claim arising from aborted transaction (Leanne Homes Limited v. Singh)

16 December 2024

Specific performance ordered in dispute between father and son over family home (Gill v. Gill)

6 December 2024

Court rejects force majeure and frustration defences following aborted transaction (Liddell v. Mousavi)

26 November 2024

Defendant business competitors liable for defamation campaign based on common design (Valley Traffic Systems Inc. v. Malak)

25 November 2024

Damages awarded for slander of title and failure to complete transaction (McKenzie v. Fabco Holdings Inc.)

21 November 2024

Homeowner staves off enforcement of judgment against co-owner's registered interest (Brunton v. Lanzarotta)

14 November 2024

Lawyer's letter protected from defamation claim by absolute privilege (Neve v. Adams)

11 November 2024

Buyer fails to tender by withholding full purchase price (1785192 Ontario Inc. v. Ontario H Limited Partnership)

7 November 2024

No failure to mitigate by sellers in failed real estate transaction (Singh and Kaur v. Feneich)

1 November 2024

Buyer failed to complete real estate transaction as required by time is of the essence clause (Correa v. Valstar Homes)

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27 September 2024

**Plaintiffs obtain Norwich order for disclosure of name of confidential informant
(Taylor v. Metrolinx)**

19 September 2024

**Realtor liable for failing to confirm location of new build property (Zhang v. Primont
Homes (Caledon) Inc.)**

23 August 2024

**President of not-for-profit corporation reinstated following oppression application
(Carr v. O'Reilly)**

22 August 2024

**Claim for misrepresentation of property tax amount in real estate listing defeated by
entire agreement clause (Langen v. Sharma)**

7 August 2024

**Claim against lawyer dismissed following borrower's default in asset sale (899755
Alberta Ltd v Herter)**

6 August 2024

**Injunction denied in dispute between competing health clinics (Strength-N-U Inc. v.
Silva)**

2 August 2024

A Practical Guide to the Law of Defamation

30 July 2024

**Buyer fails to prove damages resulting from sellers' breach of agreement to sell gas
station (2511899 Ontario Inc v. 2221465 Ontario)**

29 July 2024

**Lender's failure to provide mortgage discharge results in damages for borrower's
inability to complete secondary transaction (De Rita v. 1266078 Ontario Inc.)**

15 July 2024

**Claim against jointly-retained real estate lawyer dismissed after party's repudiation
of transaction (Precision Forest Industries Ltd v Cox)**

12 July 2024

**Defamation claim against Global News by former Liberal MP survives Anti-SLAPP
motion (Dong v. Global News)**

24 June 2024

**Agreement of Purchase and Sale not binding due to addition of unsigned Schedule
(Ali v. Patel)**

20 June 2024

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Former law firm associate's claim struck against individual firm lawyers (Brown v. WeirFoulds LLP)

19 June 2024

Mortgage enforcement claim dismissed as statute-barred (Albrecht v. 1300880 Ontario Inc.)

13 June 2024

Professional negligence claim against litigation lawyer dismissed in a case of "settler's remorse" (Kiselbach v. DeFilippi)

10 June 2024

Seller did not repudiate agreement of purchase and sale notwithstanding missed deadline (Vandermolen Homes Inc. v. Mani)

27 May 2024

Kielburger defamation claim against Canadaland survives anti-SLAPP motion (Kielburger v. Canadaland Inc.)

17 May 2024

Breach of privacy and unauthorized access to electronic information in spousal dispute (Chen v. Huang)

19 April 2024

Injunction against CBC denied in contractor's defamation claim (Evangelisti v. Canadian Broadcasting Corporation)

11 April 2024

Borrower's lawyer not liable for payment of mortgage broker's fee (First Canadian Mortgage Corporation v. Djukic)

15 March 2024

Court orders defendant to pay costs of \$300,000 for refusing to settle claim (Barry v Anantharajah)

6 March 2024

Allegedly defamatory Tweets about medical doctor dismissed as "fair comment" under Anti-SLAPP legislation (Gill v. Maciver)

1 March 2024

Court critical of mortgage lender and Director of Titles for failing to consent to removal of fraudulent mortgage instrument from title (Sun v. Ryan Mortgage Income Fund Inc.)

29 February 2024

No breach of confidence for director to disclose corporation's confidential information to personal lawyer (Anderson v. Strathcona (Regional District))

8 February 2024

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**Employment letter not subject to six-week notice deadline for defamation actions
(Wurdell v. Paramount Safety Consulting Inc.)**

5 February 2024

Specific performance ordered in cottage purchase dispute (Coffey v. High)

29 January 2024

**Sellers liable for deficiencies due to rectification of Agreement of Purchase and Sale
(Melo v. Hiebert)**

26 January 2024

Instagram social media influencer liable for defamation (Achor v. Ihekwe)

19 January 2024

**Court denies injunctive relief in overstated business dispute (Home Coffee Solutions
Ltd. v. Amarshi)**

15 January 2024

**Condominium owner ordered to reconvey title to former brother-in-law (Burbidge v.
Casullo)**

28 December 2023

**Defamation claim by long-term care home dismissed due to lack of evidence of harm
(Universalcare Canada Inc. v. Gusciglio)**

14 December 2023

**Lost profits of \$11 million not the appropriate measure of damages for aborted sale
to developer (The Rosseau Group Inc. v. 2528061 Ontario Inc.)**

12 December 2023

**Neighbours liable for defamation, malicious prosecution and intentional infliction of
mental distress (Khan v. Bujold)**

11 December 2023

**Shared laneway overburdened by change of use from summer camp to trailer park
(Kranenburg v. Grice)**

1 December 2023

**Law firm successfully sues former client for defamatory online review (D'Alessio v.
Chowdhury)**

30 November 2023

**Court blasts school board chairman for undemocratic attempt to curtail freedom of
expression (Burjoski v. Waterloo Region District School Board)**

29 November 2023

Court overturns election of Church's board of directors (Metmeke v. Yigzaw)

23 November 2023

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Relisting of property before closing date did not amount to a repudiation of agreement of purchase and sale (Zoleta v. Singh and RE/MAX Twin City Realty)

20 November 2023

Neighbour liable for over \$505,000 in damages caused by water nuisance (Warren v. Gluppe)

16 November 2023

Neighbour entitled to retain land upon which lasting improvements were made (Margaritis v. Milne)

30 October 2023

Property owner allowed to maintain property's use as three dwelling units (Vitale v. Toronto (City of))

27 October 2023

Equitable mortgage principles affirmed by Ontario Court of Appeal (Greenspan v. Van Clieaf)

24 October 2023

Builder, surveyor, and municipality liable for encroachment of dwelling built on neighbour's land (Armstrong v. Penny)

20 October 2023

Bare trustee denied order for sale of property under Partition Act (Weise v. Weise)

16 October 2023

Lawyer not accountable for client's tax liability on employment debt forgiveness (Waters v. Furlong)

12 October 2023

No collusion or bad faith by private mortgagee and co-owner (1000249084 Ontario Inc. v. Andazesgishahr)

10 October 2023

Buyer fails to prove property re-sold for improvident price following aborted transaction (Switzer v. Petrie)

19 September 2023

Partition Act application denied due to oppression (Stothers v. Kazeks)

14 September 2023

No damages caused by listing agent's failure to recommend legal advice (Stanley v. Grech)

8 September 2023

Buyer's failure to obtain severance amounted to anticipatory breach of contract (Stayside Corporation v. Cyndric Group)

25 August 2023

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Lawyers obtain interlocutory injunction to stop defamatory social media posts (Leeb v. Kenny)

18 August 2023

The perils of using joint tenancy for estate planning (Jackson v. Rosenberg)

9 August 2023

Court refuses to impose 5 pm deadline for delivery of real estate closing proceeds (More v. 1362279 Ontario Ltd. (Seiko Homes))

8 August 2023

Mortgage provided by corporate borrower with apparent authority is not a “fraudulent instrument” (Froom v. LaFontaine)

3 August 2023

Defamatory Facebook Posts Prove Costly – Part 2 (Robinson v. Niganobe)

2 August 2023

Letters Rogatory application against Ontario lawyer dismissed (Hospira Healthcare v. Rotsztain)

1 August 2023

Novel family violence tort has no place in Ontario law, Court of Appeal rules (Ahluwalia v. Ahluwalia)

28 July 2023

Real estate agent not liable for taking instructions from buyer's spouse

14 July 2023

Neighbour dispute over driveway and location of well ends up in court (Bender v. Dulovic)

13 July 2023

Realtor's action for invasion of privacy and conspiracy dismissed under Anti-SLAPP law (Riopelle v. Riopelle)

12 June 2023

Real estate agent not liable for opinion of value

9 June 2023

Negligence claim statute-barred by ultimate 15-year limitation period

26 May 2023

Claim for riparian rights to access Lake Erie dismissed

25 May 2023

Prescriptive hydro road easement affirmed by Court of Appeal

25 May 2023

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Condominium breached duty to disclose imminent special assessment in status certificate

24 May 2023

Torts of knowing assistance and knowing receipt addressed by Ontario Court of Appeal

5 May 2023

Seller not liable for water damage or foundation issues discovered after closing

2 May 2023

Defamatory Facebook posts can be costly

1 May 2023

Counterclaim for breach of fiduciary duty in wrongful dismissal action dismissed under anti-SLAPP legislation

10 April 2023

Professional negligence claim dismissed against lawyer who acted on sale of insurance brokerage business, April 5, 2023

5 April 2023

Claim Commenced By Special Purpose Vehicle Dismissed As Champertous

31 March 2023

Designated beneficiaries of registered accounts must be expressly revoked

30 March 2023

Allegations of ineffective assistance of counsel against Law Society duty counsel dismissed

27 March 2023

Developer required to answer discovery questions about misleading other buyers

23 March 2023

Real estate agent sued for misrepresenting identity of buyer

27 February 2023

Plaintiff fails to prove notary public's error was the cause of losses from real estate transaction

17 February 2023

Buyer not to entitled purchaser's lien to recover deposit following builder's default

14 February 2023

Defence of qualified privilege available to Township for posting letters from public

13 February 2023

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Owner of corporation faces personal liability for stripping assets following lease default

10 February 2023

Seller ordered to obtain severance of residential properties to complete transaction

3 February 2023

Does a bank have a duty to warn a customer before carrying out a suspicious transaction?

31 January 2023

Seller allowed to re-schedule Tarion closing date following

27 January 2023

Claim against Google for hosting defamatory reviews allowed to proceed

6 January 2023

Lender can't evict bona fide tenants from property notwithstanding mortgagor's fraud

19 December 2022

Letters Rogatory for disclosure in California divorce proceeding enforced in Ontario

9 December 2022

Anti-SLAPP motion fails to stop Canadian Tire's claim against alleged perpetrators of fraudulent after-sales service program

2 December 2022

Neighbour ordered to remove obstructions on mutual driveway

1 December 2022

Court declines to intervene in dispute over governance of not-for-profit clubs

25 November 2022

Amendments to professional negligence claim denied following tardy expert report

21 November 2022

Home owner obtains certificate of pending litigation to stop power of sale

18 November 2022

In-house lawyer breached fiduciary obligations by negotiating self-interested agreements

15 November 2022

Therapists not personally liable for debts of bankrupt sports medicine clinic

10 November 2022

Limitation Period bars claim for breach of Assignment of Agreement of Purchase and Sale

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9 November 2022

Nephew not entitled to verbal life interest in aunt's property

4 November 2022

Anonymization and sealing requests in Ontario civil proceedings

1 November 2022

Commission not owing to agent under conditional agreement of purchase and sale

31 October 2022

Defamation claim defeated as the statements were substantially true

26 October 2022

Business founder required to disgorge profits from competing powder-coating business

24 October 2022

Broad discovery and social media disclosure affirmed in Muzzo ats Neville-Lake

21 October 2022

Lessons in a professional liability claim

11 October 2022

Lawyer's defamation action allowed to proceed in Small Claims Court

29 August 2022

Doctrine of buyer beware bars claim for foundation issues raised by home inspection

19 August 2022

Inadvertent disclosure and improper use of privileged communications

4 August 2022

Conspiracy claim against lawyers dismissed

3 August 2022

Lawyer not liable for client's payment of foreign buyer's tax on North Vancouver property

2 August 2022

Witnesses intimidated and conspiracy alleged while trying to conceal marriage

25 July 2022

Power of sale restored by Court of Appeal under "safe harbour protections"

20 July 2022

Gift or loan? Father failed to ensure his intentions were made known

19 July 2022

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Leave required to sue representative of trustee in bankruptcy

18 July 2022

Ponzi scheme participants ordered to return payments that were “too good to be true”

11 July 2022

Civil contempt finding against litigant for breaching receivership order

8 July 2022

Sale of partnership property allowed despite lack of authorization and disclosure

7 July 2022

Defendant liable for defamatory tweets about university instructor

30 June 2022

Title insurance dispute over appraisal of “actual loss” for defects relating to municipal work order

28 June 2022

Interim injunction ordered to prevent neighbour from blocking private access road

27 June 2022

Relief from forfeiture not granted where buyer claimed lack of capacity to enter into real estate purchase agreement

24 June 2022

Lawyer not vicariously liable to opposite party in failed real estate transaction

23 June 2022

Sale of commercial units by nearly-insolvent debtor not a fraudulent conveyance

22 June 2022

Buyer breached duty of good faith in failing to complete assignment agreement

21 June 2022

Mortgage provided by corporate borrower not a “fraudulent instrument”

20 June 2022

Pharmacy manager not bound by non-competition agreement

16 June 2022

Neighbour’s management plan did not improperly divert equity from plaintiff property

15 June 2022

Environmental assessment firm not liable to buyer who did not commission their report

14 June 2022

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Dispute over purchase of Canadian Art results in unjust enrichment claim

13 June 2022

No misrepresentations made by seller in asset purchase transaction

7 June 2022

No “waiver by conduct” of financing condition in agreement of purchase and sale

6 June 2022

Lawyer who was consulted by another lawyer disqualified from acting against other lawyer

1 June 2022

Business partner liable for breach of fiduciary duty and civil fraud

29 April 2022

Spouse liable under guarantee as accommodation surety despite lack of ILA

12 April 2022

Decision Regret is not a cause of action for disgruntled start-up investors

8 April 2022

Hydro One loses prescriptive easement claim over private access road

5 April 2022

Vesting order granted for retroactive joint tenancy after death of spouse

4 April 2022

Date of breach of contract affirmed for assessment of buyer's damages

31 March 2022

Breach of privacy claim dismissed where unauthorized access was fleeting and incidental

30 March 2022

Oppression remedy denied to non-shareholder of corporation

29 March 2022

Tort of “family violence” provides new way to seek damages for domestic abuse

28 March 2022

Property developer awarded \$11 million in lost profits against seller who refused to complete transaction

17 March 2022

Shakespeare portrait leads to dispute over estate trustee

11 March 2022

Real estate co-ownership dispute leads to sale under Partition Act

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9 March 2022

Court refuses to impose 5 pm deadline for delivery of real estate closing proceeds

8 March 2022

Requisition deadline for present legal use of property clarified by Court of Appeal

7 March 2022

Claim for defamatory tweets dismissed

3 March 2022

No duty of care owed by seller to confirm buyers had financing in place

28 February 2022

Family members liable for knowing receipt of trust funds

28 February 2022

B.C. Court awards damages arising from liability for foreign buyers' tax

17 February 2022

Courts rejects corporation's motion to be represented by a consultant

7 February 2022

Action stayed as a result of plaintiff's failure to disclose settlement

28 January 2022

CBC liable for defaming investment advisor

4 January 2022

Prophylactic disgorgement order in case of corporate malfeasance imposed by Ontario Court of Appeal

23 December 2021

Cineplex awarded \$1.2 billion following failed pandemic courtship

20 December 2021

Law firm obtains injunction against former associate after Thanksgiving weekend coup

2 December 2021

Investor required to return funds received for limited partnership units based on calculation mistake

29 November 2021

Sellers not allowed to rely on "escape clause" to accept a better offer

29 November 2021

Porch bandits – adverse possession remains alive and well in Toronto

26 November 2021

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Unfulfilled Promise to Transfer Family Property Upheld by Court of Appeal for Ontario

22 November 2021

Lawyer who was not provided the opportunity to be heard about breach of duty to the court was denied procedural fairness

5 November 2021

Realtor's full and final release extended to cover brokerage

3 November 2021

Lawyer not added as a defendant to counterclaim in real estate dispute

2 November 2021

Stepfather's mortgage to stepdaughter determined to be a gift rather than a loan

1 November 2021

Buyers bound to agreement of purchase and sale negotiated by family friend

26 October 2021

Mortgage lender did not breach duty of honest contractual performance

25 October 2021

Ontario's "appropriate means" test for limitation periods after Grant Thornton v. New Brunswick

19 October 2021

Snapchat post results in liability for defamation

18 October 2021

Lawyer who lied about personal background and shared client information did not breach duty of loyalty

12 October 2021

Mortgage granted by defendant facing trial judgment set aside as a fraudulent conveyance

7 October 2021

Plaintiffs ordered to pay costs of \$164,186 after trying to bully defendants into removing negative online reviews

7 October 2021

Supreme Court of Canada upholds reduction in size of Toronto's City Council

4 October 2021

Dispute between neighbours over fence location results liability for trespass

4 October 2021

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Lack of written contract for home construction project results in dispute with contractor

27 September 2021

Court refuses to enforce mortgage prepayment penalty

24 September 2021

Employer obtains punitive damages and constructive trust over employee's property as a result of kickback scheme

23 September 2021

Blogger liable to plastic surgeon for defamatory posts about botched breast augmentation

22 September 2021

Condominium owner liable for costs due to tenant's misconduct

10 September 2021

Mortgage syndicate required to repay funds to investor due to breach of subscription agreement

3 September 2021

Defendant required to repay \$96,000 received from married boyfriend

27 August 2021

Buyer's failure to conduct due diligence defeats claim for misrepresentation against seller of laundry business

20 August 2021

Buyer entitled to repudiate agreement after discovering water damage

11 August 2021

Business owner avoids liability under personal guarantee

6 August 2021

Buyers lose right to recover deposit after seller breaches agreement

3 August 2021

"Plausible inference" test affirms that plaintiffs must exercise reasonable diligence to discover claims

30 July 2021

Court dismisses non-competition injunction against brothers who sold auto parts business

27 July 2021

Lawyer liable for defaming daughter of former client

26 July 2021

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Plaintiff Suffers Blow: Punch to Face in Amateur Ice Hockey Game Found to be Not Reasonably Foreseeable

22 July 2021

Commission owed to real estate agent despite lack of written agreement

9 July 2021

Court issues injunction to stop online harassment and intimidation pending trial

8 July 2021

Oral agreement to transfer family home results in years of litigation between father and daughter

5 July 2021

Seller entitled to repossess townhouse after buyer fails to complete purchase

2 July 2021

Environmental injunctions need not pass the flagrant breach threshold

28 June 2021

Court refuses to hear dispute over requisitions due to self-induced urgency

25 June 2021

Zak Sabbath's defamation claim allowed to continue against Mandy Morbid

18 June 2021

"Business common sense" determines winner of commission dispute

16 June 2021

Late document disclosure may cause trial delays, adjournments, and dismissals

15 June 2021

Fitness franchise fails to obtain injunction to stop rebranding of fitness studio during the pandemic

14 June 2021

Claim for Road Access Act and prescriptive easement to landlocked property dismissed

11 June 2021

Court reaches opposite conclusion on whether constructive dismissal claims are barred by Ontario COVID-19 Regulations

10 June 2021

Conviction set aside due to ineffective assistance of trial counsel

7 June 2021

Buyer's failure to waive conditions nullifies agreement of purchase and sale

4 June 2021

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Court of Appeal affirms judicial notice of anti-black racism in granting relief from forfeiture

3 June 2021

Who gets the dog? Court endorses broader ownership considerations for pets

2 June 2021

Letters of Request enforced in connection with U.S commercial litigation

28 May 2021

92-year old minority shareholder obtains oppression remedy

27 May 2021

Duty of professionals to respond promptly and cooperatively with regulators

26 May 2021

Buyer loses \$100,000 deposit after refusing to purchase condominium

25 May 2021

Fitness studio denied injunction to reopen during pandemic

21 May 2021

Professional negligence claim dismissed against lawyer despite conflict of interest and breach of the standard of care

20 May 2021

Compliance Order obtained against condominium owners for unruly behaviour and refusal to wear masks

14 May 2021

Living in a condominium requires a balancing of interests between the residents and compliance with the rules and by-laws that govern the community. No owner can be permitted run amok or...

4 May 2021

Buyers' liability to sellers in aborted real estate transactions – Part 2

3 May 2021

Constructive dismissal claim resulting from temporary layoff not barred by Ontario COVID-19 Regulation

29 April 2021

Agent's claim to commission owing under BRA dismissed due to non est factum

27 April 2021

Failure to disclose material facts to insurer voids coverage for delivering pizza

26 April 2021

Potentially fake app messages result in appeal from firebombing conviction

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22 April 2021

Family Cottage Squabbles: Court orders family members to stop interfering with each other's enjoyment of cottage property

13 April 2021

County Festival Feud: Plaintiff fails to prove verbal agreement or bad faith against festival organizers and municipality

9 April 2021

Business founder obtains oppression remedy against investors

8 April 2021

Owner of corporation personally liable for litigation misfeasance

7 April 2021

Recent treatment of the duty to defend in Ontario courts

6 April 2021

Buyers not allowed to terminate purchase due to size misdescription or building

5 April 2021

A short walk to the beach – What is reasonably necessary for a prescriptive easement?

1 April 2021

Court dismisses non-competition injunction against former key employee

28 March 2021

Buyers' liability to sellers in aborted real estate closings – Part 1

26 March 2021

Municipality improperly abandoned ratepayers by failing to oppose application for legal non-conforming use of lakeside land

22 March 2021

Estate's claim to recover \$700,000 gift from elderly man to fiancée dismissed

15 March 2021

Legal non-conforming use prevents municipality from enforcing zoning by-law

12 March 2021

Online e-commerce platform not required to provide services to retailer of products promoting hate or violence

11 March 2021

Hockey tournament dispute leads to shareholder oppression remedy

10 March 2021

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Court grapples with fake electronic evidence and Zoom imposter witness

9 March 2021

Claim for adverse possession of land against an unknown owner

8 March 2021

Enough is Enough – frustration expressed by Ontario Courts over litigation misconduct during the pandemic

23 February 2021

Letters of Request denied for access to confidential business information

22 February 2021

Airbnb renters of landlocked cottage allowed to access lake via right-of-way

22 February 2021

Breach of privacy class action against Facebook relating to Cambridge Analytica dismissed

17 February 2021

Proposed Danforth Shooting class action against Smith & Wesson relating to authorized user technology allowed to proceed

16 February 2021

Defamation Judgment Upheld Against Pseudonymous Online Poster

10 February 2021

Internet Harassment Tort Recognized by Ontario Superior Court of Justice

1 February 2021

Township Liable to Muskoka Cottage Owners for Failing to Inspect Building Permit

27 January 2021

Defamation claim against Twitter allowed to proceed in British Columbia

26 January 2021

Subway's \$210 million chicken content defamation claim against the CBC restored by Court of Appeal

25 January 2021

Notoriously Bad Movie leads to Unprecedented Order for Security for Costs of Trial Judgment

18 January 2021

Home Owners Ordered to Remove Pool built over Municipal Easement

15 January 2021

Employer Breached Employee's Right to Privacy by Reviewing Private Messages sent from Work Laptop

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14 January 2021

Freelance Consultants Not Bound by Non-Competition Agreement

8 January 2021

Recent Treatment of Letters of Request from U.S. Courts by the Ontario Court of Appeal

4 January 2021

Court Prohibits Competing Restaurant Business from Opening

30 December 2020

Court Denies Mortgagee's Claim for Unproven Fees and Charges under Overdue Mortgage

24 December 2020

Viewing the Supreme Court of Canada's decision in Callow through a compliance lens

23 December 2020

Seller Not Responsible for Zoning or Future Use Limitations of a Property

22 December 2020

Civil Conspiracy Established against Directors of Shell Company for Loss of Investment

14 December 2020

Parent's Claim to Recover Home Transferred to Daughter Dismissed

11 December 2020

HBC's Efforts to Withhold Rent Due to Landlords' Failure to Maintain "First Class" Shopping Centres

8 December 2020

Ontario Court of Appeal Upholds Doctor's Damages for Defamatory Postings on RateMDs.com

7 December 2020

Misrepresentation in Square Footage leads to Rescission of Agreement of Purchase and Sale

2 December 2020

Abandoned Use of Easement Leads to Loss of Backyard Parking Pad

30 November 2020

Injunction to Remove Allegedly Defamatory Social Media Posts Dismissed

27 November 2020

Dock Dispute leads to Nuisance Claim and \$598,000 Costs Award

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9 November 2020

Municipality Restrained from Interfering with Cottage Owners' use of Fire-Pit Lands

6 November 2020

Injunction to Stop Neighbour's House Construction near Escarpment Dismissed

5 November 2020

Volunteer Coaches' Defamation Claim Dismissed as Contrary to Public Interest

2 November 2020

Injunction Granted to Hotel to Enforce Noise By-Law

28 October 2020

Discovery of Water Damage Insufficient to Terminate Real Estate Purchase Transaction

23 October 2020

Real Estate Investor's Claim for Lost Opportunity Damages Rejected

20 October 2020

Caveat Emptor Applied to Alleged Basement Flooding Damage

14 October 2020

Township's Prescriptive Easement Upheld by Court of Appeal

9 October 2020

Partial shutdown of business does not preclude business interruption claim

7 October 2020

Ontario Court of Appeal Declines to Enforce "Building Scheme" Restrictions

5 October 2020

Real Estate Agent's Defamation Claim Survives Anti-SLAPP Motion

24 September 2020

Business Interruption Insurance in the Time of COVID-19: Some Recent Judicial Consideration

21 September 2020

Fence Dispute Leads to \$70,000 Defamation Judgment

14 September 2020

Lake access easements should be carefully scrutinized prior to purchase

4 September 2020

Buyer's Claim for Lost Value Damages of a Residential Subdivision Home

2 September 2020

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Unconscionability in Real Estate Transactions Post-Uber

31 August 2020

Online Reviews, Freedom of Expression and Anti-SLAPP Legislation: 910938 Ontario Inc v Moore

17 August 2020

Property Disputes during a Pandemic

27 April 2020

Zombie Deed Sparks Reoccurring Legal Debate

11 March 2020

Dispute Over Outhouse Clogs Up The Courts: Armstrong v. Moore

29 January 2020

Advertisers Beware

5 December 2017

Cottage Country Access Lessons

22 August 2017

Mortgage Fraud: Who Has Priority In A Dispute?

29 March 2017

News

James Cook authors article in the Spring 2021 issue of Canadian Mortgage Broker Magazine

30 June 2021

Viewing the Supreme Court of Canada's Decision in Callow Through a Compliance Lens

1 March 2021

Memberships and recognition

Professional memberships

- Law Society of Ontario
 - Ontario Bar Association (Civil Litigation)
 - The Advocates' Society
 - Toronto Lawyers Association
-

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