

Harper Grey LLP

Litigation and Dispute Resolution

Harper Grey LLP is the largest and oldest litigation and dispute resolution focused firm in Western Canada. We have over 50 lawyers serving clients with professional, business, regulatory and personal disputes.

Our major practice areas include corporate and commercial litigation, professional negligence defence of physicians, lawyers, accountants and engineers, administrative law, environmental law, creditor/debtor disputes and insurance defense work including construction and real estate related disputes.

We have served clients involved in some of the most groundbreaking and influential cases in Canada. Our intense in-house training program ensures that junior lawyers are well-trained in both litigation skills and client service by some of the top-ranked lawyers in the field.

The corporate and commercial litigation group at Harper Grey LLP is chaired by Richard P. Attisha. Richard was instrumental in promoting our membership in TAGLaw and now serves on the TAGLaw Advisory Board.

Harper Grey LLP's lawyers care passionately about their clients. We work hard to deliver superior results in the most cost-effective and timely manner.

When possible, we undertake mediation and arbitration to negotiate a settlement. When it is not possible, we forcefully advocate the position of our respective clients at trial. Our firm has one of the busiest trial and appeal practices in Western Canada.

Detailed descriptions of our litigation capabilities follow on the next page.



Vancouver, British Columbia.
Host city 2010 Winter Olympic and Paralympic Games
February 2010



Vancouver will also host the International Bar Association
annual conference in October 2010

Harper Grey LLP

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Recent Litigation Experience

Obtaining an Anton Pillar order (civil search warrant) and world-wide Mareva injunction in a highly contentious matrimonial dispute involving numerous foreign judgments and assets located in multiple jurisdictions.

Acting on behalf of pre-sale contract holders for yet-to-be-built or completed condominium developments. Successful in proving developers did not comply with real estate marketing rules and in securing return of deposit to our client. Litigation stemmed from global economic downturn. We serve clients in numerous countries who wanted to invest in the Vancouver real estate market.

Teaming with McLeod & Company, our Calgary TAGLaw member to act on behalf of creditors and stakeholders in *Companies Creditors Arrangement Act* proceedings in Alberta and British Columbia.

Drafting one of the first carbon offset agreements in British Columbia under the *BC Provincial Greenhouse Gas Reduction Targets Act*.

Litigation counsel to one of Canada's largest publicly traded gaming companies in a variety of major contractual disputes.

Defending a Vice President of a prestigious national securities brokerage against accusations of stealing documents and committing fraud against the British Columbia Supreme Court by lying under oath. We successfully proved that she was being framed and that fraudulently produced documents had been submitted by the opposing party in the previous trial. The client obtained special costs awarded against both the opposing party and the plaintiff. The client kept her lucrative practice and preserved her professional reputation as one of the Province's premier business women.

Acting for a business client in six years of corporate litigation brought on by a minority shareholder. This litigation created numerous leading precedents relating to the prosecution of derivative and oppression actions.



Harper Grey LLP Litigation Services

- Aviation law, including regulatory and accident issues
- Bankruptcy, insolvency, foreclosure and creditor/debtor matters
- Business litigation including oppression and derivative actions, breach of fiduciary duty and shareholder disputes
- Construction law including builders liens and contractual disputes
- Condominium disputes, including pre-sale contracts and other real estate related matters
- Employment law, including wrongful dismissal actions (acting for employers or employees), non-solicitation, non-competition and restrictive covenant disputes and other contractual matters
- Environmental law including contaminated site litigation and defence of owners/operators charged with environmental offences
- Intellectual property disputes, including breach of patent, misrepresentation of IP, copyright passing off and infringement
- Medical malpractice defence and professional liability
- Professional regulation and discipline
- Securities litigation and regulation
- Estate litigation, including proceedings under the British Columbia *Wills Variation Act*, the *Wills, Estates and Succession Act* and *Estate Administration Act*