

Peter Wardle

Partner

PROFESSIONAL BACKGROUND

Peter Wardle is a Partner with the Commercial and Business Litigation and Professional Liability Practice Groups at Singleton Urquhart Reynolds Vogel LLP. Peter has built his reputation as an industry recognized and trusted advocate over the course of many trials, applications and appeals involving issues related to shareholder and partnership disputes, arbitrations, securities, directors' and officers' liability, professional negligence, construction, engineering, employment, estates, environmental law and real estate development, as well as a wide variety of contractual disputes.

Peter is frequently consulted by board members and shareholders in regard to both public and private company disputes. He also regularly represents some of Canada's largest law firms. He has acted as counsel and arbitrator in a number of arbitrations involving commercial issues.

In addition, Peter has appeared before a wide variety of regulatory tribunals, including the Ontario and Nova Scotia Securities Commissions. He regularly appears as a prosecutor before the College of Physicians and Surgeons of Ontario.

Between 2012 and 2014, Peter represented the Chief Financial Officer of Sino-Forest Corporation in a class action and securities regulatory proceedings, which were the subject of cross-border court-approved settlements in July, 2014.

In 2017 Peter acted for the engineer responsible for supervision of the light rail vehicle construction contract which was the subject of injunction proceedings between Bombardier Transportation Canada and Metrolinx in the Ontario Superior Court.

In 2018 Peter acted for Albert Schultz, the artistic director of Soulpepper Theatre, in high-profile litigation involving alleged sexual abuse in the theatre industry.

Peter has also represented Ontario's Special Investigations Unit in proceedings challenging its jurisdiction. He acted as Lead Counsel for a group of affected families before the Inquiry Into Pediatric Forensic Pathology in Ontario (2006-7) and for a citizens group in the Cornwall Public Inquiry (2003-2007). He was Associate Counsel for an affected party at the Royal Commission into Allegations Involving Sinclair Stevens, M.P.

RANKINGS + RECOGNITION

- Ranked in the areas of Alternative Dispute Resolution, Director and Officer Liability Practice, Professional Malpractice Law and Securities Law by *Best Lawyers Canada*®.
- Recognized in *Benchmark Canada* — The Definitive Guide to Canada's Leading Litigation Firms & Attorneys as a "Litigation Star".
- Recognized as a Leading Practitioner in the 2020 Canadian Legal Lexpert® Directory.
- Recognized as a Leading Lawyer in the areas of Corporate Commercial Litigation, Directors' & Officers' Liability, Securities and Professional Liability in the 2019 Canadian Legal Lexpert® Directory.
- Peter is described by *Chambers Global* as an "excellent, skilled advocate with solid judgment".
- Ranked in the area of Director and Officer Liability Practice and Securities Law by *Best Lawyers*® in Canada from 2006 – 2019.
- Recognized by *LEXPERT* for in the areas of corporate commercial litigation, professional liability, directors' and officers' liability, and securities litigation.
- Recognized in the Lexpert® American Lawyer Guide as one of the leading 500 lawyers in Canada



Commercial and Business Litigation
Professional Liability
Alternative Dispute Resolution
Civil Appeals
Securities Regulatory Litigation

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EDUCATION

- Called to Ontario Bar, 1986
- LL.B., Queen's University, 1984
- B.A. (Honours), Wilfrid Laurier University, 1979

(Commercial Litigation).

– Designated by [Martindale-Hubbell](#) as "AV® Preeminent™" – its highest peer review rating.

MEMBERSHIPS

From 2011 to 2019, Peter was a bencher of the Law Society of Ontario. From 2016 to 2019, he chaired the Professional Development and Competence Committee, and sat on the Litigation, Tribunal and Compensation Committees. He continues to be a member of the Law Society Tribunal's Appeal Panel and has written a large number of discipline decisions. He is also a Fellow of the International Academy of Trial Lawyers.

EXPERIENCE

Selected Cases

- *Best v. Canada (Attorney General)*, 2017 FC 1145
- *Bombardier Transportation Canada Inc. v. Metrolinx*, 2017 ONSC 2372
- *Crombie Property Holdings Limited v. McColl-Frontenac Inc.*, 406 DLR (4th) 252 (OCA)
- *Amato v. Welsh*, 2016 ONSC 1575
- *Prince v. ACE Aviation Holdings (2014)*, 120 O.R. (3d) 140 (OCA)
- *Amato v. Welsh (2013)*, 362 DLR (4th) 38 (OCA)
- *Peel (Police) v. Ontario (Special Investigations Unit) (2012)*, 110 O.R. (3d) 536 (OCA)
- *Berry v. Ontario (Securities Commission), (2010) ONSC 3012 (Div. Ct.)*
- *Episcopal Corporation of the Diocese of Alexandria-Cornwall v. Cornwall Public Inquiry (2007)*, 278 D.L.R. (4th) 550 (OCA)
- *Reynolds v. Kingston (Police Services Board) (2007)*, 84 O.R.(3d) 738 and 86 O.R. (3d) 43 (OCA)
- *Ellins et al. v. Coventree Inc. et al. (2007)*, 28 B.L.R. (4th) 292 (Sup. Ct. Jus.)
- *Windsor (City) v. MFP Financial Services Ltd. (2004)*, 74 O.R. (3d) 58 (OCA)
- *Reach M.D. Inc. v. Pharmaceutical Manufacturers Assn. Of Canada (2003)*, 65 O.R. (3d) 30 (OCA)
- *Law of Upper Canada v. Canada (Attorney General)*, 1996 CanLII 7981 (Ont. S.C.)
- *Prete v. Ontario (Attorney-General) (1993)*, 16 O.R. (3d) 161 (OCA)
- *Gemini Group Automated Distribution Systems Inc. v. PWA Corp.*, 1993 CanLII 314 (OCA)
- *Chalmers v. Toronto Stock Exchange (1989)*, 70 O.R. (2d) 532 (C.A.) leave to appeal refused (1990), 37 O.A.C. 399

Selected List of Directors' and Officers' Liability Decisions

- *Ellins v. Coventree*, 28 B.L.R. (4th) 292

Peter acted for certain of the directors and shareholders of Coventree's subsidiary, Nereus, in a dispute over control of the Nereus board of directors.

- *Royal Bank of Canada, et al. v. Melnuk, et al.*

Peter acted for the CEO of Brackwell Corporation in an action commenced by a lending consortium alleging that the directors and officers had breached their respective duties to the lenders while Brackwell Corporation was in the zone of insolvency.

- *David Horsley and Sino-Forest Corporation*

Peter acted for the Chief Financial Officer of Sino-Forest Corporation, in an Ontario Securities Commission proceeding and in a class action. In July, 2014, Peter negotiated a settlement of both proceedings under which the client agreed to a permanent D&O ban and agreed to make a payment of \$5.6 million to the class action Plaintiffs. The settlement was approved in concurrent Ontario Securities Commission and contemporaneous

court proceedings in Canada and in the United States.

– *Renegade Capital v. Dominion Citrus Limited*, ONSC 1590 (Ont S.C.)

Peter acted for the trustees of an income trust in litigation over control of the board of directors of Dominion Citrus

– *Continental Currency Exchange Corp. v. Continental Bank of Canada, et al.*

Peter acted for the directors of Continental Bank of Canada and was successful in getting them removed from oppression proceedings at an early stage.

PUBLICATIONS

Peter's articles have been cited by the Supreme Court of Canada, the Ontario, British Columbia and New Brunswick Courts of Appeal, the Alberta, Manitoba and Saskatchewan Courts of Queen's Bench, the Supreme Court of Nova Scotia and the Superior Court of Quebec. Some representative articles include:

- Playing the Market: Stockbrokers' Liability for Clients' Losses, 27 Can. Bus. LJ. 232
- Post-employment Competition Canaero Revisited, C.B.R. 233
- Disciplinary Powers of Domestic Tribunals, 6 Admin. LJ. 10
- Abby and Psychiatric Opinion Evidence, 17 Ott. L. Rev., 116 (cited by Justice Sopinka in *R. v. Lavelle*, 1 SCR 852)

PRESENTATIONS

Peter routinely acts as speaker or instructor on advocacy topics at conferences organized by The Advocates' Society and the Law Society of Ontario. From 2003 to 2015, he co-chaired a biennial Law Society program on Directors' and Officers' Liability.

NEWS + INSIGHTS

- [Ontario's "Carbon Tax" Stickers are Unconstitutional – The Life and Death of the Federal Carbon Tax Transparency Act, 2019](#) - Sep 15, 2020 • Co-authored
- [Law Society Committee Chair Peter Wardle Comments On Ontario Licensing Changes](#) - Dec 13, 2018
- [Peter Wardle summits Mount Kilimanjaro as part of the 2018 Climb for CODE](#) - Jul 17, 2018
- [Singleton Reynolds Lawyer to Climb Kilimanjaro for Children's Literacy](#) - Jun 26, 2018