

Madison Robins

MADISON ROBINS
is a partner at Lenczner Slaght.

"Madison Robins is conscientious and a strong advocate." — *Chambers Canada*

Madison has a broad commercial and civil litigation practice, with particular focus on shareholder disputes and oppression claims, contract issues, securities matters, insolvency, and professional liability. Madison's clients include public and private corporations, executives, founders, and professionals.

Madison regularly appears before all levels of court in Ontario, as well as administrative and arbitral tribunals. Madison has particular expertise in arbitration and alternative dispute resolution, having successfully completed the Toronto Commercial Arbitration Society's Gold Standard Course.

Madison received her JD from Osgoode Hall where she graduated with course prizes in contracts, administrative law, and private international law.

Prior to attending law school, Madison studied ancient religions at McGill University and the University of Toronto.

Education
Osgoode Hall Law School (2015) JD
McGill University (2010) MA (Religious Studies)
McGill University (2008) BA (Religious Studies)

Bar Admissions
Ontario (2016)

Practice Areas
Appeals
Arbitration
Class Actions
Commercial Litigation
Defamation and Media
Injunctions
Insolvency and Restructuring
Professional Liability and Regulation
Public Law
Securities Litigation

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RECOGNITION

- Best Lawyers in Canada (2024)
  Ones to Watch – Corporate & Commercial Litigation

SELECT CASES

- **Dramel Limited v Multani –** Counsel to the successful mortgage lender in a motion to lift an interim stay of enforcement obtained by the borrowers. As well, in a series of court decisions confirming the validity of the mortgage agreements and the enforceability of a significant commercial mortgage subject to a forbearance agreement.
- **Re Carillion Canada Inc. –** Counsel to Carillion Canada Inc. in a motion against its former bank seeking the return of funds debited from the company bank account as set-off during the CCAA stay period. The bank was found to have knowingly breached the stay order, resulting in a significant costs award.
- **Re Solar Income Fund Inc. –** Counsel to a former director and officer in an Ontario Securities Commission enforcement proceeding.

- **Baines v Abounaja –** Counsel to the defendant emergency physician in an action relating to the transfer of the plaintiff from a community hospital to a tertiary centre.
- **Thompson v Azad –** Counsel to the successful Defendant Physician in a trial for alleged negligence relating to follow-up treatment after surgery.
- **Confidential Matter –** Counsel to landlord in arbitration regarding option to purchase commercial property.
- **Confidential Arbitration –** Counsel to the successful claimant in an arbitration arising out of a shareholder dispute.
- **Li et al v Barber et al –** Agent for class counsel in a class proceeding by residents, employees, and businesses in Ottawa against the Freedom Convoy organizers. Successfully obtained an *ex parte Mareva* order freezing donations made to Freedom Convoy organizers and preserving the funds for the benefit of Ottawa residents, employees, and businesses.
- **Manulife Financial Corp v Portland Holdings Inc –** Counsel to the plaintiff in a dispute arising from a share purchase agreement.
- **Zap Holdings Ltd v Roman Cheese Products Ltd –** Counsel to the defendants in an oppression claim arising from historic share issuances. Successfully resisted as injunction seeking various mandatory orders.
- **1085372 Ontario Limited v Kulawick –** Counsel to the plaintiff in the trial of an action arising from the bankruptcy of a debtor, seeking to unwind the conveyance of shares as a transfer at undervalue.
- **Brahma Finance (BVI) Limited et al v Datawind Inc. –** Counsel to the successful respondents in resisting an appeal from a decision to register a foreign costs award in Ontario.
- **Re 144 Park Ltd –** Counsel to a purchaser in a successful proceeding to oppose a *Construction Lien Act* Trustee's attempt to disclaim several agreements of purchase and sale.
- **Google Inc v Equustek Solutions Inc –** Counsel to Google in an appeal to the Supreme Court of Canada from decisions of the Supreme Court of British Columbia and British Columbia Court of Appeal...
- **DBDC Spadina Ltd v Walton –** Counsel to a series of companies in proceedings involving a receivership over commercial real estate developments and efforts to recover $110 million in...
- **Summersgill v O'Mahony –** Counsel to the defendant physician in an action for damages arising from the plaintiff's perforated ulcer.
- **Williams v Schuringa –** Counsel to the defendant physician in a jury trial following the death of a patient from a sudden pulmonary embolism.
- **Terracap v Credit Andorra –** Counsel to the plaintiff in action to recover escrow funds from aborted real estate transaction. Successfully opposed a motion to stay the action on the...
- **R v Thompson –** Counsel to an accused facing charges of assault of a police officer and possession of a controlled substance. Evidence excluded and an acquittal on all...

SELECT PUBLICATIONS AND PRESENTATIONS

- **Controlling Adverse and Hostile Witnesses –** In this edition of The Advocates'? Journal, Madison Robins shared her expert strategies for handling an adverse, inconsistent, conveniently forgetful, or downright hostile witness.

- **Accessory Liability in Canadian Law –** Madison Robins authored the article *Accessory Liability in Canadian Law*, which was published in the Annual Review of Civil Litigation 2020.

BLOG POSTS

- **No Jordan Rules for Administrative Tribunals –** The Supreme Court of Canada's decision today in *Law Society of Saskatchewan v Abrametz* is a significant one for all lawyers practicing before administrative tribunals. In brief, the decision confirms that the three-part *Blencoe* test for delay and abuse of process in administrative proceedings continues in force. To establish that a delay rises to the level of abuse of process, a party must establish...
- **The SCC Leave Project: Predictions for June 10, 2021 –** Here's a look at the leave application decisions that the Supreme Court of Canada will be releasing on June 10, 2021.
- **Issue-Driven Legal Writing: Not Just for Judges –** Electronic filing, remote discoveries and examinations, and video-conference hearings are some of the ways litigation has adapted to the current COVID-19 emergency. No doubt, some of these new developments will remain once the crisis is over. What is sure to persist, however, is the renewed focus on an old technology: the written word. How can judges and advocates adapt to a system where oral advocacy may no longer be the default mode?
- **Remote Hearings – Some Practical Considerations –** In recent weeks, the Ontario Superior Court has begun scheduling certain civil hearings to proceed remotely. The Notice to the Profession released on April 2, 2020 and Regional Practice Directions specifically identify pre-trial conferences as being capable of being heard remotely, particularly when settlement is a real possibility. Divisional Court hearings, case conferences and even some contested motions for class actions and matters on the Commercial List and Estates List may also be held.
- **Shell Game Liability: Recovering Damages in Complex Fraud Cases –** How can an innocent victim recover their losses when a fraudster uses multiple corporations as part of a complex "shell game" to hide and co-mingle misappropriated funds? In *DBDC Spadina v Walton*, the Ontario Court of Appeal considered a complex multi-real estate transaction investment fraud, perpetrated over an extended period of time with the involvement of numerous corporate actors – all under the control of the fraudster.
- **Copy and Paste: Avoiding Duplicative Procedures in National Class Actions –** The proliferation of parallel class proceedings in multiple Canadian provinces often defeats the very purpose of class proceedings: the avoidance of a multiplicity of actions. In order to streamline procedures, ensure consistent results, and encourage judicial economy, judges in several provinces have started demanding greater co-ordination among both class counsel and the courts. In *McKay v Air Canada*, Chief Justice Hinkson took this trend even farther in approving a settlement distribution plan by simply reproducing the reasons of the Ontario Court in *Airia Brands v Air Canada*.

SELECT NEWS ARTICLES

- **Introducing Our New Partners –** Canada's leading litigation firm is proud to announce the promotion of Meghan Bridges, Madison Robins, and Jonathan McDaniel to its partnership.
- **Friends Who Argue: Crypto Assets - Dealing With Emerging Currencies in the Litigation Context –** Madison Robins is featured on an episode of Friends Who Argue, a podcast for the litigation bar brought to you by The Advocates' Society and hosted by its Mid-Career Advocates' Standing Committee. Madison shares her experiences and insights into the what, when and how of dealing with crypto assets in litigation.
- **Lenczner Slaght Litigators Recognized as Best Lawyers in Canada –** In the latest edition of *Best Lawyers in Canada*, 41 of our expert litigators are recognized for their expertise across 24 practice areas. The following lawyers have also been recognized as "Lawyer of the Year" for receiving the highest overall peer-feedback in their practice areas in Toronto.
- **Lexpert's Top 10 Business Decisions of 2021/2022 –** In Lexpert's Top 10 Business Decisions of 2021/2022, Lenczner Slaght is featured for its involvement in *Li v Barber* and *Society of Composers, Authors and Music Publishers of Canada v Entertainment Software Association*. Monique Jilesen was further interviewed on our involvement in *Li v Barber,* where our team successfully obtained a precedent-setting Mareva order.
- **Citizens group wins court-ordered freeze of convoy protest accounts, cryptocurrency –** In the Toronto Star, Lenczner Slaght lawyers, Monique Jilesen, Madison Robins, and Sarah Bittman are mentioned for their role in acting for Champ Law in a precedent-setting Mareva injunction that froze the bitcoin and cryptocurrency assets of the Freedom Convoy leaders.

PROFESSIONAL ACTIVITIES

- Canadian Bar Association
- Ontario Bar Association
  Member-at-Large of the Alternative Dispute Resolution Executive
- The Advocates' Society
- Young Commercial Arbitration Practitioners