



# Brianne Westland

## BRIANNE WESTLAND

is an associate at Lenczner Slaght.

Brianne maintains a diverse litigation practice. Her civil litigation practice includes complex commercial disputes, professional negligence, and civil fraud. Brianne has particular experience with construction and infrastructure disputes, having represented owners, general contractors, and subtrades working on construction projects of all sizes in a wide range of matters. In the administrative law context, Brianne has significant experience with professional regulation and has handled various professional discipline matters at all stages both as a prosecutor and as defence counsel.

Brianne is a graduate of Osgoode Hall Law School. While at Osgoode, she participated extensively in the school's clinic programs, representing low-income individuals on a range of issues related to immigration and to provincial offences.

Brianne also competed as part of Osgoode's Jessup International Law Moot team.

Prior to law school, Brianne obtained her Bachelor of Social Sciences from the University of Ottawa in Political Science and History. While completing her undergraduate degree, she worked in various public policy and advisory positions across different departments with the federal government.

### Education

Osgoode Hall Law School (2019) JD  
University of Ottawa (2015) B.Soc.Sc  
(Political Science and History)

### Bar Admissions

Ontario (2020)

### Practice Areas

Appeals  
Arbitration  
Class Actions  
Commercial Litigation  
Construction and Infrastructure  
Professional Liability and Regulation

### Contact

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## SELECT CASES

- **Confidential Arbitration** – Counsel to a general contractor in an arbitration relating to a major Ontario transit project.
- **Crosslinx Transit Solutions Constructors v Form & Build Supply (Toronto) Inc** – Counsel to Crosslinx Transit Solutions Constructors in a successful motion to declare a lien from a sub-subcontractor expired. The decision was the first to consider and apply the transition provisions in the *Construction Act*, R.S.O. 1990, c. C.30 to the time limit to register a lien.
- **College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario v Xu** – Counsel to the College of Traditional Chinese Medicine Practitioners in a complex prosecution of a member found guilty of issuing false diplomas to numerous applicants to the College. The matter raised issues of fundamental importance to the College including the integrity of its registration system.
- **GC v Jugenburg** – Counsel to a plastic surgeon in a proposed class action relating to alleged privacy breaches.
- **Confidential Arbitration** – Counsel to the successful respondent in an arbitration about the contractual right to recover interest and other

expenses from condominium corporations in relation to the construction of a community center in a private residential community.

### SELECT PUBLICATIONS AND PRESENTATIONS

- **Why the Construction Act's transition provisions are still important 3 years later** – Aaron I. Grossman and Brianne Westland authored the article *Why the Construction Act's transition provisions are still important 3 years later*, which was published by On-Site Magazine.

### BLOG POSTS

- **Intrusion Upon Seclusion Without Being the Intruder? The Ontario Court of Appeal Limits Claims Against Database Holders** – Last Friday, the Ontario Court of Appeal released decisions in *Owsianik v Equifax Canada Co*, *Obodo v Trans Union of Canada, Inc*, and *Winder v Marriott International, Inc*—a trilogy of decisions clarifying whether the tort of intrusion upon seclusion applies to the owners of databases when there are data breaches caused by third party hackers. Thankfully for database owners, the Court of Appeal concluded that intrusion upon seclusion cannot apply in those circumstances.

### SELECT NEWS ARTICLES

- **Lenczner Slaght Welcomes Five New Associates** – Canada's leading litigation firm continues to add to its collective experience and knowledge with the addition of five exceptional associates.

### PROFESSIONAL ACTIVITIES

- Canadian Bar Association
- Ontario Bar Association
- The Advocates' Society