



Derek Hooper

DEREK HOOPER

is an associate at Lenczner Slaght.

Derek summered and articulated at Lenczner Slaght, where he gained experience in several practice areas, including employment, intellectual property, professional liability, and commercial matters.

Derek completed his JD at Queen's University, Faculty of Law. While in law school, Derek worked as a Student Caseworker at the Queen's Prison Law Clinic, as Vice President of Finance of the Queen's Law Students' Society, and as an Associate Editor of the Queen's Law Journal. He was also a finalist in the Queen's Law Litigation Society Moot. Recognized for his academic achievements in law school, Derek made the Dean's Honour List in all three years for finishing in the top 10% of his class, and was awarded Course Prizes in both Employment Law and Legal Skills.

Prior to law school, Derek gained years of experience in the banking and securities industries. He successfully completed his Canadian Securities Course and was licensed with both MFDA and IIROC respectively. He worked as a Financial Advisor at a leading Canadian banking institution where he managed a book of high-net-worth clients. He advised on all aspects of their financial portfolios, including business banking, credit borrowing, and investment planning.

Derek previously graduated from Western University, where he studied Political Science with a minor in Transitional Justice and Post-Conflict Reconstruction. He subsequently completed his Master's in Political Studies at Queen's University, where his research project studied the impact of the South African Truth and Reconciliation Commission on future truth-telling projects.

Education

Queen's University (2023) JD
Queen's University (2017) MA
(Political Studies)
Western University (2016) BA
(Political Science)

Bar Admissions

Ontario (2024)

Practice Areas

Commercial Litigation
Employment
Intellectual Property
Professional Liability and Regulation

Contact

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SELECT CASES

- **Castillo v Xela Enterprises Ltd** – Counsel to the court-appointed receiver in contempt proceedings on the Commercial List. Successfully obtained a finding of civil contempt and a full indemnity costs award – both of which were upheld on appeal.

- **Masters Insurance Limited v Ciccolini and Platform Insurance Management** – Counsel to the new employer in a case alleging breaches of non-competition and non-solicitation covenants in an employment agreement with the plaintiff employer.
- **The Estate of Vivian Maier v Stephen M. Bulger** – Counsel to the Stephen Bulger Gallery in an action for copyright infringement in fine art photographs taken by the posthumously-discovered photographer Vivian Maier.
- **Barbiero v Pollack** – Counsel to a physician in a class action relating to the use of an injectable treatment.

SELECT PUBLICATIONS AND PRESENTATIONS

- **QLMS Inaugural Moot** – Mahgol Taghivand, Derek Hooper, and Madison MacKinnon served as judges at the Queen's Law Moot Society's Inaugural Moot.
- **2024 Snapshot: Through the Lens of Lenczner Slaght** – Lenczner Slaght launches our *2024 Snapshot*, which highlights the most significant developments, decisions, and trends in litigation from the past year across 20 areas of expertise. Reflect on 2024 and look ahead to 2025 through the lens of our expert litigators.

BLOG POSTS

- **Court of Appeal Ruling Advances Funding for Gender Affirming Care** – The Court of Appeal recently issued a significant decision, *Ontario (Health Insurance Plan) v KS*, on funding for gender affirming care. The ruling provides clarity on access to insured gender affirming procedures while leaving some questions unresolved for future consideration.
- **Languishing in Langenecker? Court of Appeal Says “No More”** – In *Barbiero v Pollack*, the Ontario Court of Appeal has departed from *Langenecker v Sauve* and changed the law of dismissal for delay under Rule 24.01. Where a delay is found to be both inordinate and inexcusable, that alone is sufficient to dismiss the action. Plaintiffs can no longer allow an action to languish for years and then rebut the presumption of prejudice to keep it alive.
- **Contempt on the Commercial List** – Court orders must be obeyed. If they are not, the consequences can be severe.

SELECT NEWS ARTICLES

- **Lenczner Slaght Welcomes 10 New Associates** – Canada's leading litigation firm continues to strengthen its talent pool with the addition of 10 exceptional associates.
- **Lenczner Slaght Welcomes Summer Student Class of 2022** – Canada's leading litigation firm continues to attract top talent with the addition of 12 exceptional students.