



Education

Osgoode Hall Law School (2017) JD
University of St. Michael's College,
Toronto (2014) PhD
Lee University, Tennessee (2002) BA

Bar Admissions

Ontario (2018)

Practice Areas

Appeals
Class Actions
Commercial Litigation
Defamation and Media
Insolvency and Restructuring
Public Law
Securities Litigation
Trusts and Estates Litigation

Contact

T 416-865-3018
dknoke@litigate.com

Derek Knoke

DEREK KNOKE

is a lawyer at Lenczner Slaght.

Derek has a broad civil litigation practice, with a particular focus on appeals, class actions, commercial litigation, defamation, securities litigation, and trusts and estates.

He also regularly defends physicians in medical malpractice and professional liability matters.

Derek is a graduate of Osgoode Hall Law School, where he won several course prizes. Prior to joining Lenczner Slaght, Derek served as a judicial law clerk for judges of the Court of Appeal for Ontario.

SELECT CASES

- **12178711 Canada Inc v Wilks Brothers, LLC** – Counsel to G2S2 Capital Inc., a significant creditor, in connection with a contested *CBCA* restructuring of Calfrac Well Services Ltd.
- **In the Matter of the Receivership of Xela Enterprises Ltd** – Counsel to the court-appointed receiver in an application to recover a judgment debt from Xela Enterprises Ltd., the parent company to several subsidiaries located primarily in Central America and the Caribbean.
- **Orefinders Resources Inc. v Mistango River Resources Inc.** – Counsel to the successful minority dissident corporate shareholder in various court applications involving a contested proxy battle.
- **Reddy v 1945086 Ontario Inc** – Counsel to the Vendors of a multi-tower condominium project in a claim alleging breach of contract.
- **CTT Pharmaceutical Holdings, Inc v Rapid Dose Therapeutics Inc** – Counsel to the successful defendant on an appeal from a motion for summary judgment, dismissing a claim of breach of confidential information. The appeal...
- **Ravago Americas LLC v Vinmar International Ltd** – Counsel to the defendant employer in an action and injunction concerning allegations of the misuse of confidential information by a former employee.

BLOG POSTS

- **When Must an Anti-SLAPP Motion Be Heard?** – Ontario's Anti-SLAPP legislation (ss 137.1 to 137.5 of the *Courts of Justice Act*) provides a judicial screening device. It is designed to swiftly eliminate claims that unduly limit freedom of expression on matters of public interest. Since coming into force, courts have considered, at length, the substantive issues. To date, little guidance has been provided on the procedural issues.
- **LCO recommendations point to meaningful change in class actions** – The July 17, 2019 final report of the Law Commission of Ontario into class actions

has the potential to impact significantly on the prosecution and defence of class actions in Ontario.

- **Ontario Court of Appeal holds that federal legislation imposing minimum standards to reduce carbon emissions is constitutional** – In 2018, Parliament passed the *Greenhouse Gas Pollution Pricing Act* (the “**Act**”). The Act applies in provinces and territories that have not implemented sufficiently stringent carbon pricing mechanisms regarding greenhouse gas (“**GHG**”). Part 1 of the Act imposes a regulatory charge on carbon-based fuels; it applies, subject to several rules and exceptions, to fuels produced, delivered, used, distributed, or imported (“**Fuel Charge**”). Part 2 of the Act establishes a regulatory trading system applicable to large industrial GHG emitters. A credit is given to those who operate within their emissions’ limit. A charge is imposed on those who exceed it (“**Excess Emissions Charge**”).

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 talented associates.

Lenczner Slaght is delighted to welcome Derek Knoke, Graham Henry, Jonathan D. Langley, Sean Lewis, and Zachary Rosen to the firm as our new associates.

PROFESSIONAL ACTIVITIES

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