



#### 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

#### Contact

T 416-865-3736  
 mrobins@litigate.com

# Madison Robins

**MADISON ROBINS** is a lawyer at Lenczner Slaght.

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

Madison's litigation practice includes a wide range of commercial disputes and insolvency matters, as well as criminal, securities and professional liability defense. Madison has appeared before all levels of court in Ontario, various administrative and arbitral tribunals, and the Supreme Court of Canada.

Madison received her JD from Osgoode Hall. While at law school, she spent time on her feet as a participant in the Warren Winkler Class Actions Moot, a finalist in the Lenczner Slaght/CBA Gale Cup, and before the Ontario Court of Justice on a constitutional matter. Madison 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. She is proficient in ancient Greek.

## SELECT CASES

- **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.
- **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 the latest edition of *The Advocates' Journal*, Madison Robins shares 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

- **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