



Christopher Yung

CHRISTOPHER YUNG

is a partner at Lenczner Slaght.

Chris' practice focuses on commercial litigation, arbitration, insolvency and restructuring, and securities litigation. He regularly acts for corporations (both public and closely held private companies), and their directors, officers, and shareholders.

Chris has extensive experience representing clients in contract disputes, corporate governance, oppression and shareholder litigation, securities law matters and proceedings under the *Companies' Creditors Arrangement Act* and the *Bankruptcy and Insolvency Act*. He has appeared as counsel before all levels of Court in Ontario, the Federal Court, the Federal Court of Appeal, as well as administrative tribunals and regulators, and in private and international arbitrations.

Prior to joining Lenczner Slaght, Chris practiced with a leading international Canadian firm as a corporate transactional lawyer in Toronto and London, UK, specializing in mergers and acquisitions, corporate finance, and general corporate commercial matters.

Chris graduated with honours from the University of Toronto, Faculty of Law, in 2011, receiving a course prize in Canadian income tax law, and studying a term abroad at the University of Hong Kong, Faculty of Law.

Prior to attending law school Chris completed a masters in international relations at the London School of Economics, worked at NATO headquarters in Brussels, and at the Department of Foreign Affairs and International Trade in Ottawa.

Education

University of Toronto (2011) JD (Honours)
 London School of Economics and Political Science (2006) MSc in International relations (Merit)
 University of British Columbia (2005) BA Political Science with International Relations (Honours)

Bar Admissions

Ontario (2012)

Practice Areas

Arbitration
 Commercial Litigation
 Insolvency and Restructuring
 Securities Litigation

Contact

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RECOGNITION

- Canadian Legal Lexpert® Directory (2023-2024)
Litigation - Corporate Commercial
- The Legal 500 Canada (2023)
Dispute Resolution (Recommended Lawyer), Insolvency & Restructuring (Recommended Lawyer)
- The Legal 500 Canada (2021-2022)
Dispute Resolution (Rising Star)
- Blake, Cassels & Graydon LLP Prize in Taxation (2009)

- **Philip C. Jessup International Law Moot Court Competition (2010)**
Third place oralist, Canadian rounds.

SELECT CASES

- **Confidential Matter** – Counsel to investor in arbitration regarding oppression and dissent claims.
- **Internal Investigation** – Internal investigation into allegations of harassment, discrimination, and self-dealing made by former general counsel of an organization against its senior leadership.
- **GCT Canada Limited Partnership v Vancouver Fraser Port Authority and Attorney General of Canada** – Counsel to Global Container Terminals in a judicial review of a decision of the Vancouver Fraser Port Authority refusing to consider Global Container Terminal's proposed port expansion project.
- **Galway Gold Inc v Republic of Colombia** – Counsel to Galway Gold Inc in an investor-state arbitration against the Republic of Columbia before the International Centre for the Settlement of Investment Disputes (ICSID).
- **Paul J. Murphy v Guyana Goldfields Inc** – Counsel to the former Chief Financial Officer of the corporate defendant in a case alleging the breach of an employment contract and seeking damages for libel.
- **Sears Canada Inc.** – Counsel to a household appliance manufacturer acquiring an asset under a right of first refusal in the context of Sears' CCAA proceeding.
- **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...
- **Distinct Infrastructure Group Inc** – Counsel to an independent director in defending allegations from a lender and corporate receiver.
- **Green Relief** – Counsel to the directors and officers of a licensed cannabis producer in a CCAA restructuring proceeding.
- **Amelin Resources Inc v Victory Energy Operations LLC** – Counsel to Victory Energy Operations, a U.S. manufacturer of industrial steam boilers, alleging breach of contract and conspiracy.

SELECT PUBLICATIONS AND PRESENTATIONS

- **Securities Litigation from A to Z** – Christopher Yung was invited to present at The Advocates' Society's program, *Securities Litigation from A to Z*. Christopher will share his knowledge and expertise on conducting securities issue-spotting exercises. Attendees will gain insight into identifying and effectively addressing various securities law issues that may surface within their cases.
- **Paycheck to Paycheck: Employees in an Employer's Insolvency** – Published by Lexpert, Christopher Yung authored an article on issues related to employees when a company begins bankruptcy or insolvency proceedings under the *Companies' Creditors Arrangement Act*.
- **12th Annual Securities Symposium** – Christopher Yung was Program Chair of The Advocates' Society's 12th Annual Securities Symposium. The program included discussion on Ontario's securities law modernization efforts, key decisions impacting securities litigation, high profile enforcement proceedings and much more.
- **Techs and Balances: The Future of Online Shareholder Meetings in the Post-Pandemic Corporate World** –

Christopher Yung authored the Lexpert article "Techs and Balances: The Future of Online Shareholder Meetings in the Post-Pandemic Corporate World". In this article, Chris analyzes the impact and future of online annual general meetings in corporate Canada.

- **Shutting Off the Tap: When Can (and Should) Suppliers Seek to Cut Off Post-Filing Supply?** – Brian Kolenda and Christopher Yung co-authored the article "*Shutting Off the Tap: When Can (and Should) Suppliers Seek to Cut Off Post-Filing Supply?*", published in the 19th Annual Review of Insolvency Law.
- **Tenth Annual Securities Symposium** – Christopher Yung shared his expertise at The Advocates' Society's *Tenth Annual Securities Symposium*. Christopher spoke on the panel "Hot Topics in Securities Litigation".

BLOG POSTS

- **The Designated Projects Scheme, Not A Designated Survivor: The Supreme Court Weighs in on the Federal Environmental Assessment Regime** – The complexity of regulating environmental impacts in Canada has proven to be a thorny issue on both constitutional and practical fronts. On the heels of 2021's carbon pricing decision, the Supreme Court of Canada has again weighed in on how the division of powers can impact environmental regulation. This time, the Court considered the federal environmental assessment regime, ultimately finding that the federal legislation waded too far into provincial waters.
- **Tips from Toronto's Business Court – Takeaways from CLUC Education Day 2023** – The Commercial List Users' Committee (CLUC) held its annual Education Day on June 7. The annual event offers an opportunity for members of the bar to gather with the Judges of the Commercial List to discuss current issues and best practices.
- **Challenges in Spotting Material Changes** – The philosopher Heraclitus observed that "the only constant in life is change", a maxim as true for the business world as the natural world. Publicly traded companies operate in a dynamic environment, where commodity prices swing, new laws are passed, and scientific breakthroughs are made. So long as those companies wish to maintain their access to public markets, they must carefully consider how day-to-day happenings (and their own reactions to those events) affect their continuous disclosure obligations. These disclosure judgements are fact-specific and often fast-paced, yet they carry potentially significant consequences.
- **Annual Review of Insolvency Law Virtual Conference: 2022** – On February 4, 2022, CAIRP held its 19th Annual Review of Insolvency Law. The conference brought together insolvency law practitioners from across Canada for a showcase of papers authored for the latest edition of the *Annual Review of Insolvency Law* publication. The journal itself is now available in full on CanLII. Each panel was anchored by an ARIL paper whose author(s) led spirited discussions on contested topics important to the future of the insolvency practice.
- **There's No Business Like Show Business: Cineplex Awarded \$1.24 Billion in Busted Deal Lawsuit** – At the outbreak of the COVID-19 pandemic, a buyer of any business, particularly a theater operation heavily affected by public health restrictions, might understandably ask themselves; "Can I walk away from the deal?"
- **Creditor Democracy - The Supreme Court's Reasons in Callidus** – In *Back to Methuselah*, George Bernard Shaw famously wrote that an election was "as bad as a battle except for the blood". That is perhaps dramatic in the context of the *Companies' Creditors Arrangement Act* ("CCAA")

”), but certainly a creditor vote can be a tense and contested affair. Such was the case when Callidus Capital Corp (“**Callidus**”), an asset-based or “distressed lender” and secured creditor, made a “second kick at the can” to approve a plan of arrangement already rejected by unsecured creditors, and found itself barred from voting on the plan for having acted for an “improper purpose”.

- **Think before you tweet: Social Media and Securities Law –**
In September 2018, the U.S. Securities and Exchange Commission (“SEC”) charged Elon Musk, the former Chairman of Tesla, Inc., with securities fraud. A series of Tweets on Musk’s personal page, the first of which read: “Am considering taking Tesla private at \$420. Funding secured”, caused share prices to instantly soar. In reality, the potential transaction was uncertain and subject to a number of contingencies. Market confusion and disruption ensued.
- **Legal Challenges Brewing: Fallout From the Striking Down of Alberta’s Craft Beer Policies –** Tariffs and protectionism have been hot topics in the law in 2018. While NAFTA negotiations and a growing US-Chinese Trade War dominate the headlines, the issue has also spread into domestic Canadian politics this year.

SELECT NEWS ARTICLES

- **The 2024 Lexpert Directory Recognizes Lenczner Slaght’s Litigation Excellence –** Lenczner Slaght’s litigators continue to be recognized by their peers as the foremost practitioners in their fields.
- **Lenczner Slaght Litigators to Serve on The Advocates’ Society’s Leadership –** We are pleased to announce that Christopher Yung, Paul-Erik Veel, Andrew Parley, Anne Posno, Lidiya Yermakova, and Brendan Morrison will be serving prominent executive and committee positions at The Advocates’ Society, a preeminent organization dedicated to promoting effective advocacy and access to justice.
- **Lenczner Slaght’s Litigation Excellence Recognized in 2023 Lexpert Directory –** Following comprehensive peer review surveys and interviews with senior members in the legal profession, the *2023 Canadian Legal Lexpert Directory* has recognized 31 of the firm’s expert litigators for their experience, knowledge, and precision, with 108 rankings spanning 17 practice areas.
- **Lenczner Slaght Stands Out as a “Litigation Powerhouse” in Legal 500 Canada –** Canada’s leading litigation firm is once again ranked in Tier 1 for Dispute Resolution by *Legal 500 Canada*.
- **Lenczner Slaght Litigators Elected to The Advocates’ Society’s Leadership –** We are pleased to announce that Brendan Morrison, Christopher Yung, Paul-Erik Veel, Andrew Parley, Nina Bombier, and Anne Posno will be serving prominent executive positions at The Advocates’ Society, a preeminent organization dedicated to promoting effective advocacy and access to justice.
- **Lenczner Slaght Welcomes Two New Partners –** Canada’s leading litigation firm is proud to announce that two of our exceptionally strong advocates have been promoted to our partnership. Congratulations, Christopher Yung and Delna Contractor!
- **Legal 500 Highlights Lenczner Slaght’s Litigation Dominance –** Legal 500 recognizes Canada’s leading litigation firm as “a regular fixture in the country’s ground-breaking contentious cases”.
- **Federal Judge Hears Arguments in Roberts Bank Battle –** Business in Vancouver provides coverage of Peter Griffin, Matthew B. Lerner, and Chris Yung on their recent appearance before the Federal Court

regarding Vancouver Fraser Port Authority and GCT Global Container Terminals Canada Ltd.

- **Legal 500 Recognizes Lenczner Slaght's Top-Tier Litigation Expertise** – Canada's leading litigation firm is "recognized across the country as a force in complex disputes" according to Legal 500.
- **Christopher Yung Joins Lenczner Slaght** – Talented lawyers continue to choose Canada's leading litigation firm.

PROFESSIONAL ACTIVITIES

- The Advocates' Society
Member-At-Large of the Securities Litigation Practice Group
- Canadian Bar Association
- Ontario Bar Association
- Federation of Asian Canadian Lawyers
- University of Toronto Faculty of Law
Alumni Mentorship Program