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One York Street Inc v 2360083 Ontario Limited

Counsel to Menkes Developments (One York Street) before the Ontario Court of Appeal in its first decision to substantively address how deemed waiver of solicitor-client privilege arises when a party places its state of mind at issue. The Ontario Court of Appeal allowed One York's appeal and required production of the respondents' solicitor's file on the basis of a deemed waiver of solicitor-client privilege.