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Ruling offers guidance on oppression versus derivative actions

Monique Jilesen was quoted in Law Times on August 17, 2015 on the Court of Appeal decision in *Rea v. Wildeboer* involving a public company where the specific allegations, essentially of insider trading or self-dealing, solely involved harm to the corporation as opposed to harming the specific interests of a shareholder.

The Ontario Court of Appeal's decision in *Rea v. Wildeboer* earlier this year suggests that counsel should think carefully about the nature of the claims they advance in corporate stakeholder litigation.

What this case tells us is that it's hard to do a wrong to a shareholder as shareholder," says Monique Jilesen of Lenczner Slaght Royce Smith Griffin LLP in Toronto. "So unless complainants have been mistreated in a personal way in a way that impacts them differently from other shareholders, they should proceed by way of derivative action and not by way of an oppression remedy."...

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<http://www.lawtimesnews.com/201508174871/focus-on/focus-ruling-offers-guidance-on-oppression-versus-derivative-actionsblog>