

# ***Bennett Jones Lawyers and Advisors Group: Robert W. Staley***



***Partner***

***Commercial Litigation Lawyer at Bennett Jones Toronto***

[Robert Staley](#)'s practice focuses on complex commercial and securities litigation and securities regulation. Rob has extensive experience in Canadian and cross-border securities regulatory and enforcement matters, class actions, takeover bid litigation, foreign corrupt practices, appraisal and share valuation remedies, derivative actions, arrangements and the oppression remedy. Rob regularly advises corporations, Boards of Directors, Audit Committees and Special Committees in connection with internal and regulatory investigations and in connection with transactions. Rob has a broad trial and appellate practice in the Ontario Superior Court of Justice, Ontario Court of Appeal, Federal Court of Canada, Federal Court of Appeal and Supreme Court of Canada. Rob has appeared before the Ontario, British Columbia and Alberta Securities Commissions. Rob also has a robust pro bono practice, including in significant constitutional cases. Rob has served as Chair of the firm's Securities Litigation Practice Group, as Co-Chair of the firm's Litigation Department and as a member of the firm's Partnership Board.

Rob is listed in Chambers Global as one of the world's leading lawyers for dispute resolution. In its 2014 directory, Rob was commended as "a brilliant lawyer – he's a real strategist, has the ability to see the big picture, and does a superb job... in court". In its 2012 directory, Chambers Global said Rob "earns praise for his skilled handling of complex cases", and that he "is absolutely first rate at examining and cross-examining witnesses". In 2011, Chambers Global commended Rob for his "excellent courtroom presence" and his ability to provide "practical and concise advice." In 2010, Chambers Global described Rob as "a masterful strategic thinker and a very proactive and determined advocate" and, in 2009, as "an extremely able, tactical lawyer who always knows cases inside-out." In both 2014 and 2015, Legal Media Group's Benchmark Canada, which has consistently recognized Rob in its rankings in securities litigation and class actions, conferred on Rob Benchmark's award as Canada's Securities Litigator of the Year. Rob is recognized by The Canadian Legal Expert Directory in the securities litigation, corporate and commercial litigation and directors' and officers'

liability litigation categories. He is repeatedly recognized in the Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada in the securities litigation and corporate commercial litigation categories. Rob has served as a member of the board of directors of The Advocates' Society.

**Significant mandates include:**

- Representation of the founder of Forbes & Manhattan in connection with the successful defence of a proxy contest for Aberdeen International Inc.
- Representation of Osisko Mining Corporation in the successful defence of a hostile takeover bid by Goldcorp Inc., and in the subsequent plan of arrangement involving Osisko, Yamana Gold Inc. and Agnico Eagle Mines Limited.
- Representation of Osisko Mining Corporation in the successful defence of an application seeking injunctive relief brought by Abitibi Royalties Inc. in the Quebec Superior Court.
- Representation of the Audit Committee of Penn West Petroleum Ltd. in connection with a management-initiated, voluntary review of certain accounting practices, and in connection with the restatement of the company's previously filed financial statements arising from the review.
- Representation of a group of interveners in the Supreme Court of Canada in *Carter v. Canada* (Attorney General), in which the Court considered the constitutionality of prohibitions against assisted suicide in the Criminal Code.
- Representation of Trinity Western University in connection with an application challenging the accreditation decision made by the Law Society of Upper Canada.
- Representation of Scorpio Mining Corporation in an application that successfully challenged the nomination by a shareholder of candidates for election at Scorpio's annual meeting.
- Representation of a third party lender in connection with the application by The Cash Store Financial Services Inc. under the Companies' Creditors Arrangement Act.
- Representation of a group of interveners in the Supreme Court of Canada in *Canada* (Attorney General) v. *Bedford*, in which the Court considered the constitutionality of anti-prostitution provisions in the Criminal Code.
- Representation of the Litigation Trustee of Sino-Forest Corporation in the prosecution of multiple litigation claims arising from the insolvency of Sino-Forest.
- Representation of Sino-Forest Corporation in its application under the Companies' Creditors Arrangement Act, in which a plan of arrangement was approved by creditors and by the court within nine months after filing.
- Representation of Sino-Forest Corporation in the Ontario and Quebec courts in defence of class actions, including claims asserted under Part XXIII.1 of the Ontario Securities Act, and in connection with investigations by securities regulatory authorities.
- Representation of the Special Committee of Research In Motion Limited in connection with the company's management initiated voluntary review of stock options granting practices and in connection with the company's settlements with the Ontario Securities Commission and the U.S. Securities and Exchange Commission.
- Representation of Research In Motion Limited and the Special Committee of Research In Motion Limited in the defence and resolution of shareholder claims arising from the company's management initiated voluntary review of stock options granting practices.
- Representation of members of the Asper family in connection with a successful effort to obtain recovery for shareholders from the estate of the insolvent Canwest Global Communications Corp., in circumstances where the creditors were not paid in full.
- Representation of the Special Committee of Coventree Inc. in connection with an investigation by the Ontario Securities Commission into the Canadian asset-backed commercial paper market.

- Representation of Coventree Inc. in a 50 day hearing before the Ontario Securities Commission in relation to the Canadian asset-backed commercial paper market.
- Representation of Bank of America Corporation in defence of class actions commenced in the Ontario and British Columbia courts claiming \$5 billion in damages in relation to interchange fees charged by the Visa and MasterCard credit card networks.
- Representation of the Special Committee of Hollinger International Inc. (now Sun-Times Media Group, Inc.) in connection with the Committee's investigation into the conduct of current and former directors and officers of Hollinger International. Representation of the members of the Special Committee in defence of defamation actions commenced by the former chairman and CEO of Hollinger International, including in an appeal in the Supreme Court of Canada.
- Representation of Hollinger International and the Special Committee of Hollinger International before the Ontario Securities Commission in its successful opposition to Ravelston's effort to privatize Hollinger Inc. Representation of Hollinger International in the ensuing insolvency proceedings of Ravelston and Hollinger Inc.
- Representation of Hollinger International in defence of class actions commenced in the Ontario, Saskatchewan and Quebec courts.