



Alan L. W. D'Silva

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Alan D'Silva is a senior partner in the Litigation and Dispute Resolution Group in the Toronto office and has a diverse commercial litigation practice. Alan is considered a leading litigation lawyer in Canada with expertise in a number of areas of law, including: defence of class actions, corporate/commercial disputes, securities litigation, shareholder/oppression cases, large insurance litigation, accountants' and auditors' negligence, professional negligence, sports law and directors' and officers' claims.

Alan has acted as counsel in more than 200 publicly reported cases and has extensive experience at all levels of court and before administrative tribunals, including more than 100 appeals in Canadian appellate courts and 13 cases in the Supreme Court of Canada.

Alan is a Fellow in the Trial Lawyer Honorary Society of the Litigation Counsel of America since 2018, a by invitation only membership. Alan is a recipient of the University of Ottawa Law School's 2015 Alumni Award and has been inducted to the Common Law Honour Society, which is described as the Law School's most prestigious alumni distinction. Alan has also achieved national recognition as one of the top 25 Most Influential Lawyers in Canada by *Canadian Lawyer* magazine. He was also a recipient of the 201 Lexpert Zenith Award for Practice and Excellence.

He has also acted as a mediator, arbitrator and an expert witness in Canadian courts and was also appointed as an Arbitrator for the International Court of Arbitration for Sport (CAS) in 2019, where he is one of only a small group of worldwide arbitrators to hear professional and amateur sports cases to the CAS. In 2022, Alan became a resident member of Arbitration Place as an arbitrator and mediator, providing dispute resolution services to domestic and international counsel and parties.

Most recently, Alan was honoured with the Hall of Fame award at the 2025 Benchmark Litigation Canada Awards, in recognition of his outstanding contributions to the legal profession.

Recognized Expertise and Accolades

Alan is listed and recognized for his expertise in many Canadian and international legal professional and peer review publications, including the following:

- *Chambers Canada 2025* as a leading lawyer in Dispute Resolution: Class Action (Defence) and Insurance: Dispute Resolution.
- *The Best Lawyers in Canada 2024* in Corporate and Commercial Litigation and Class Action Litigation.
- *Benchmark Canada: The Definitive Guide to Canada's Leading Litigation Firms and Attorneys 2023* as a Litigation Star in Class Action, Insurance Litigation and Securities Litigation, and recipient of an 'honourable mention' for Top Litigation Lawyer in Ontario in the 2015 edition.
- The Canadian Legal Lexpert Directory 2023 as a leading lawyer in Class Actions, Litigation: Corporate Commercial, Litigation: Directors' & Officers' Liability, Litigation: Securities, and Litigation: Commercial Insurance.
- *Lexpert Special Edition: Litigation 2023*, as a leading lawyer.
- Legal Media Group's 2021 *Expert Guides: Insurance & Reinsurance*.

- *The 2019 Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada* in Class Actions.
- *Lexpert 2019 Guide to the Leading US/Canada Cross-border Lawyers in Canada* in the area of Dispute Resolution.
- *Who's Who Legal: Canada 2022* in Sports & Entertainment and *2018* in Insurance & Reinsurance.
- *Chambers Global 2017* as a leading lawyer in Dispute Resolution: Class Action (Defence), with clients noting he is described as a "strong litigator and very well respected".
- Recognized as one of the "50 Best Lawyers in Canada" by *Corporate INTL* for his expertise in Commercial Litigation.
- Nominated and finalist for *Globe and Mail's* "Top 40 Under 40" (for charitable work).
- BV® Distinguished Peer Review Rated by Martindale Hubbell.

Awards

- *Benchmark Canada's* Insurance Litigator of the Year for Canada, 2019, 2016 and 2014; and Securities Litigator of the Year for Canada, 2013.
- Awarded *2014 Lexpert Zenith Award* for Practice Excellence in "Litigation – Directors' and Officers' Liability", for Canada.
- Recognized by *Canadian Lawyer* as one of the 25 Most Influential Lawyers in Canada, 2013.
- Benchmark Canada, Hall of Fame Award, 2025 for Career Achievements.

Professional Activities

Throughout his legal career, Alan has been invited to teach a range of legal courses at some of Ontario's top academic institutions, including:

- Appeals and Judicial Reviews as an Adjunct Professor at University of Toronto Faculty of Law
- Class actions as an Adjunct Professor at the University of Western Ontario Law School
- Class actions as a Visiting Professor at the University of Ottawa Law School
- Constitutional law as a Guest Lecturer at the University of Windsor Law School
- He is a former instructor at Osgoode Hall Law School's Intensive Trial Advocacy Course
- Taught civil litigation and legal writing for the Law Society's Bar Admission Course

Alan has held leadership positions in various professional organizations, including:

- Chair of the Northwind Class Actions Invitational Forum at Langdon Hall, Cambridge (2007-2020)
- Member of the Board of Directors for The Advocates' Society (2006)
- TAS Chair of the Standing Committee and TAS Task Force on the Report on Retention of Women in the Profession
- Executive Committee OBA Insurance Sections
- Former Counsel of Ontario Human Rights Commission (1990-1992)
- Member of the Equity Advisory Group for the Law Society of Upper Canada for a number of years

Community Involvement

- Board member, Innocence Canada Foundation
- Former and current board member or committee member of several charitable or non-profit organizations, universities, and hospitals
- Past president of a large Ratepayers' Association
- Recognized member of the University of Ottawa's Tabaret Society and the R. Fraser Elliott Society (for charitable contributions)

Representative Publicly Reported Cases as Counsel (not exhaustive)

- *Loblaw Companies Limited v. Royal & Sun Alliance Insurance Company of Canada*, 2024 ONCA 145
- *Nordik Windows Inc. v. Aviva Insurance Company of Canada*, 2023 ONSC 6460
- *Nordik Windows Inc. v. Aviva Insurance Company of Canada*, 2023 ONCA 571
- *Nordik Windows Inc. v. Aviva Insurance Company of Canada*, 2022 ONSC 1217
- *Workman Optometry Professional Corporation v. Certas Home and Auto Insurance Company*, 2022 ONSC 597
- *Workman Optometry v. Aviva Insurance*, 2021 ONCS 142
- *Demetriou v. AIG Insurance Co. of Canada*, 2019 ONSC 627
- *Johnson v. North American Palladium Ltd.*, 2018 ONSC 4496
- *Abbot and Haliburton Co. Ltd. v. White Burgess Langille Inman*, 2018 NSSC 47
- *Trinity Western University v. Law Society of Upper Canada*, 2018 SCC 33
- *Harrison v. Afexa Life Sciences Inc.*, 2018 BCCA 165
- *Trade Finance Solutions v. Equinox Global Limited*, 2018 ONCA 12
- *Schwartz Levitsky Feldman LLP v. Excalibur Special Opportunities LP*, [2017] S.C.C.A No. 54 (Filed on Feb. 6, 2017)
- *Saadati v. Moorhead*, 2017 SCC 28
- *Abbott and Haliburton v. WBLI*, 2016 NSSC 335
- *Harrison v. Afexa Life Sciences Inc.*, 2016 BCSC 2123
- *Vaeth v. North American Palladium Ltd.*, 2016 ONSC 6032
- *Rooney v. ArcelorMittal S.A.*, 2016 ONCA 630, 2015 ONSC 3457
- *Vaeth v. North American Palladium Ltd.*, 2016 ONSC 5015
- *Pennyfeather v. Timminco Limited*, 2016 ONSC 4706
- *Pennyfeather v. Timminco Limited*, 2016 ONSC 3124
- *Bradley v. Eastern Platinum Ltd.*, 2016 ONSC 1903
- *Canadian Imperial Bank of Commerce v. Green*, 2015 SCC 60
- *Wilson v. British Columbia (Superintendent of Motor Vehicles)*, 2015 SCC 47
- *Goodwin v. British Columbia (Superintendent of Motor Vehicles)*, 2015 SCC 46
- *Rooney v. ArcelorMittal S.A.*, 2015 ONSC 3457
- *Zurich Life Insurance Co. v. Branco*, 2015 SKCA 71
- *Bienstock v. Adenyo Inc.*, 2015 ONCA 310, 578

- *White Burgess Langille Inman v. Abbot and Haliburton Co.*, 2015 SCC 23
- *Harris v. Leikin Group Inc.*, 2014 ONCA 479
- *Green v. Canadian Imperial Bank of Commerce*, 2014 ONCA 344
- *Green v. Canadian Imperial Bank of Commerce*, 2014 ONCA 90
- *Branco v. American Home Assurance Co.*, 2013 SKQB 442
- *Abbott and Haliburton Co. v. White Burgess Langille Inman*, 2013 SCC 35492
- *Nortel Networks Corp., Re*, 2013 ONCA 518
- *Harris v. Leikin Group Inc.*, 2013 ONSC 3300
- *Abbott and Haliburton Co. v. White Burgess Langille Inman*, 2013 NSCA 66
- *Onex Corp. v. American Home Assurance Co.*, 2013 ONCA 284
- *Harris v. Leikin Group Inc.*, 2013 ONSC 1525
- *Onex Corp. v. American Home Assurance Co.*, 2013 ONCA 117
- *Moore v. Bertuzzi*, 2012 ONSC 5008
- *Moore v. Bertuzzi*, 2012 ONSC 4964
- *Moore v. Bertuzzi*, 2012 ONSC 4259
- *Moore v. Bertuzzi*, 2012 ONSC 3497
- *Moore v. Bertuzzi*, 2012 ONSC 3248
- *Abbott and Haliburton Co. v. White Burgess Langille Inman*, 2012 NSSC 210
- *Rooney v. Arcelormittal S.A.*, 2012 ONSC 2927
- *Sharma v. Timminco Ltd.*, 2012 ONCA 322
- *Sharma v. Timminco Ltd.*, [2012] S.C.C.A. 157, leave to appeal dismissed
- *Moore v. Bertuzzi*, 2012 ONSC 1350
- *Sharma v. Timminco Ltd.*, 2012 ONCA 107
- *Moore v. Bertuzzi*, 2012 ONSC 597
- *Onex Corp. v. American Home Assurance Co.*, 2012 ONSC 259
- *Kusnierz v. Economical Mutual Insurance Co.*, 2011 ONCA 823
- *Harris v. Leikin Group Inc.*, 2011 ONSC 5474
- *Allen-Vanguard Corp., Re*, 2011 ONSC 5017
- *U.A. Local 787 v. Johnson Controls L.P.*, [2011] 108 C.L.A.S. 100 (Ont. L.R.B.)
- *Harris v. Leikin Group Inc.*, 2011 ONSC 8029
- *Harris v. Leikin Group Inc.*, 2011 ONSC 8062
- *Pennyfeather v. Timminco Ltd*, 2011 ONSC 4257
- *Onex Corp. v. American Home Assurance Co.*, 2011 ONSC 1142
- *Harris v. Leikin Group Inc.*, 2011 ONSC 3556
- *Sharma v. Timminco Ltd.*, 2011 ONSC 8024
- *Allen-Vanguard Corp., Re*, 2011 ONSC 733
- *Dunn v. Chubb Insurance Co. of Canada*, 2011 ONCA 36
- *Henault v. Bear Lake Gold Ltd.*, 2010 ONSC 447
- *Bellefontaine v. Purdue Frederick Inc.*, 2010 NSCA 58

- *Onex Corp. v. American Home Assurance Co.*, 2010 ONSC 2361
- *Sharma v. Timminco Ltd.*, 2010 ONSC 2395
- *Hurley Corp. and SEIU, Local 2 BGPWU, Re.*, [2010] O.L.A.A. No. 14
- *Sharma v. Timminco Ltd.*, 2010 ONSC 790
- *Onex Corp. v. American Home Assurance Co.*, [2009] 100 O.R. (3d) 313 (Sup. Ct.)
- *Onex Corp. v. American Home Assurance Co.*, 2009 CarswellOnt 9401 (Sup. Ct.)
- *Morrow v. Zhang*, [2009] S.C.C.A. No. 341, leave to appeal dismissed
- *McNaughton Automotive Ltd. v. Co-operators General Insurance Co. et al.*, 2009 ONCA 598
- *Morrow v. Zhang*, 2009 ABCA 215
- *Onex Corp. v. American Home Assurance Co.*, 2009 CarswellOnt 2864 (Sup. Ct.)
- *Ainslie v. CV Technologies Inc.*, 2009 CarswellOnt 934 (Sup. Ct.)
- *Ainslie v. CV Technologies Inc.*, 2008 CarswellOnt 7735 (Sup. Ct.)
- *Ainslie v. CV Technologies Inc.* (2008), 93 O.R. (3d) 200 (Sup. Ct.)
- *McNaughton Automotive Ltd. v. Co-operators General Insurance Co. et al.*, 2008 ONCA 703
- *McNaughton Automotive Ltd. v. Co-operators General Insurance Co. et al.*, 2008 ONCA 597
- *Morrow v. Insurance Bureau of Canada Morrow and Pedersen v. Insurance Bureau of Canada and Alberta; Morrow and Pedersen v. Zhang, Wei, Insurance Bureau of Canada, and Alberta*, 2008 ABCA 248
- *C.U.P.E., Local 831 v. Brampton (City)*, [2008] O.L.A.A. No. 359
- *Lincoln General Insurance Co. v. Insurance Corp. of British Columbia*, 2008 ONCA 470
- *Morrow v. Zhang*, 2008 ABCA 192
- *Moore v. Bertuzzi*, 2008 CarswellOnt 2590 (Sup. Ct.)
- *80 Aberdeen Street Ltd. v. Surgeon Carson Associates Inc.*, 2008 CarswellOnt 1813 (Sup. Ct.)
- *Moore v. Bertuzzi*, 2008 CarswellOnt 422 (Sup. Ct.)
- *Morrow v. Zhang*, 2008 ABQB 125
- *Morrow v. Zhang*, 2008 ABQB 98
- *80 Aberdeen Street Ltd. v. Surgeon Carson Associates Inc.*, 2008 CarswellOnt 330 (Sup. Ct.)
- *SVB Underwriting Ltd. v. Fairfax Financial Holdings Ltd.*, 2008 ONCA 7
- *Hagos v. ING Insurance Co. of Canada*, 2007 CarswellOnt 9895 (Sup. Ct.)
- *Lumbermens Mutual Casualty Co. v. Herbison*, 2007 SCC 47
- *Citadel General Assurance Co. v. Vylingam*, 2007 SCC 46
- *Dynacare Co. v. St. Paul Fire & Marine Insurance Co.*, 2007 CarswellOnt 4766 (Sup. Ct.)
- *Hurst v. Armstrong & Quaille Associates Inc.*, (2007) 39 B.L.R. (4th) 254 (Sup. Ct.)
- *Hurst v. Armstrong & Quaille Associates Inc.*, (2007) 39 B.L.R. (4th) 230 (Sup. Ct.)
- *Lincoln General Insurance Co. v. Insurance Corp. of British Columbia*, [2007] I.L.R. I-4589 (Sup. Ct.)
- *SVB Underwriting Ltd. v. Fairfax Financial Holdings Ltd.*, 2007 CarswellOnt 749 (Sup. Ct.)
- *ATI Technologies Inc. v. William E. Robb Enterprises Inc.*, [2006] O.J. No. 3780 (Sup. Ct.)
- *Motion Picture Distribution Inc. v. Loewy*, [2006] O.J. No. 3476 (Sup. Ct.)
- *Jiwani v. Devgan*, 2006 CarswellOnt 2844 (Sup. Ct.) [Commercial List]
- *Childs v. Desormeaux*, 2006 SCC 18

- *Med-Emerg Inc. v. Public Works and Government Services Canada*, 2006 FCA 147
- *Orchestral Corp v. IVP Technology Corp.*, 2006 CarswellOnt 748 (C.A.)
- *Sauer v. Canada (Attorney General)*, [2006] 79 O.R. (3d) 19 (Sup. Ct.)
- *Orchestral Corp v. IVP Technology Corp.*, 2005 CarswellOnt 2890 (Sup. Ct.)
- *McNaughton Automotive Ltd. v. Co-operators General Insurance Co. et al.*, [2005] 76 O.R. (3d) 161 (C.A.)
- *Orchestral Corp v. IVP Technology Corp.*, 2005 CarswellOnt 1453 (Sup. Ct.)
- *Hague v. Liberty Mutual Insurance Co.*, 2005 CarswellOnt 1830 (Div. Ct.)
- *David Polowin Real Estate Ltd. v. Dominion of Canada General Insurance Co.*, [2005] S.C.C.A. No. 390, leave to appeal dismissed
- *Med-Emerg International Inc. (Re)*, [2005] C.I.T.T. No. 47
- *Med-Emerg International Inc. (Re)*, [2005] C.I.T.T. No. 46
- *Orchestral Corp v. IVP Technology Corp.*, 2005 CarswellOnt 583 (Sup. Ct.)
- *Hague v. Liberty Mutual Insurance Co.*, 2005 CarswellOnt 1361 (Sup. Ct.)
- *McNaughton Automotive Ltd. v. Co-operators General Insurance Co. et al.*, [2005] 74 O.R. (3d) 216 (Sup. Ct.)
- *Cavell Insurance Co., Re*, [2004] O.J. No. 5166 (Sup. Ct.)
- *Hague v. Liberty Mutual Insurance Co.*, 2004 CarswellOnt 6142 (Sup. Ct.)
- *Pauli v. Ace Ina Insurance Co.*, 2004 ABCA 253
- *Hague v. Liberty Mutual Insurance Co.*, 2004 CarswellOnt 6141 (Sup. Ct.)
- *Pauli v. Ace Ina Insurance Co.*, 2004 ABCA 84
- *Farquhar et al v. Liberty Mutual Insurance Company*, 2004 CarswellOnt 166 (Sup. Ct.)
- *Hague v. Liberty Mutual Insurance Co.*, [2004] O.J. No. 2051 (Sup. Ct.)
- *David Polowin Real Estate Ltd. v. Dominion of Canada General Insurance Co.*, 2004 CarswellOnt 301 (C.A.)
- *McNaughton Automotive Ltd. v. Co-operators General Insurance Co. et al.*, [2003] 10 C.C.L.I. (4th) 273 (Sup. Ct.)
- *Segnitz v. Royal & SunAlliance Insurance Co. of Canada*, [2003] 5 C.C.L.I. (4th) 144 (Sup. Ct.)
- *Empke v. Security National Insurance Company*, [2003] 5 C.C.L.I. (4th) 71 (Sup. Ct.)
- *Giuliano v. Allstate Insurance Co.*, (2003), 66 O.R. (3d) 238 (Sup. Ct.)
- *McNaughton Automotive Ltd. v. Co-operators General Insurance Co. et al.*, [2003] 66 O.R. (3d) 466 (Sup. Ct.)
- *Unifund Assurance Company v. Insurance Corporation of British Columbia*, 2003 SCC 40
- *McNaughton Automotive Ltd. v. Co-operators General Insurance Co. et al.*, [2003] 66 O.R. (3d) 112 (Sup. Ct.)
- *Pauli v Ace Ina Insurance*, 2003 ABQB 354
- *David Polowin Real Estate Ltd. v. Dominion of Canada General Insurance Co.*, [2003] O.J. No. 1620 (Sup. Ct.)
- *Segnitz v. Royal & SunAlliance Insurance Co. of Canada*, [2003] O.J. No. 1485 (Sup. Ct.)
- *Segnitz v. Royal & SunAlliance Insurance Co. of Canada*, [2003] O.J. No. 102 (Sup Ct)
- *David Polowin Real Estate Ltd. v. Dominion of Canada General Insurance Co.*, [2003] O.J. No. 80 (Sup. Ct.)

- *Segnitz v. Royal & SunAlliance Insurance Co. of Canada*, [2003] 44 C.C.L.I. (3d) 248 (Sup. Ct.)
- *Pauli v Ace Ina Insurance Co.*, 2003 ABQB 107
- *Canada Mortgage & Housing Corporation v. Iness*, [2002] 62 O.R. (3d) 255 (C.A.)
- *Canada Mortgage & Housing Corporation v. Iness*, [2002] 215 D.L.R. (4th) 705 (Div. Ct.)
- *McNaughton Automotive Ltd. v. Co-operators General Insurance Co. et al.*, (2002), 32 C.P.C. (5th) 294 (Sup. Ct.)
- *Lincoln General Insurance Co. v. Insurance Corp. of British Columbia*, [2002] 163 O.A.C. 188
- *Unifund Assurance Company v. Insurance Corporation of British Columbia*, [2002] 57 O.R. (3d) 662 (Sup. Ct.)
- *Dunmore v. Ontario (Attorney General)*, 2001 SCC 94
- *Campbell Soup Company v. Ontario (Potato Board)*, 2001 CarswellOnt 3918 (Sup. Ct.)
- *Hague v. Liberty Mutual Insurance Co.*, 2001 CarswellOnt 4338 (Sup. Ct.)
- *Hague v. Liberty Mutual Insurance Co.*, [2001] O.J. No. 6070 (Sup. Ct.)
- *Callpro Canada Inc. v. Prima Telematique Inc.*, 2001 CarswellOnt 3446 (Sup. Ct.)
- *Franchi Estate v. Mississauga Hospital*, 2001 CarswellOnt 2801 (Sup. Ct.)
- *Iness v. Caroline Co-operative Housing Inc.*, [2001] 40 C.H.R.R. D/182 (Ont. Bd. Inq.)
- *Unifund Assurance Company v. Insurance Corporation of British Columbia*, [2001] 28 C.C.L.I. (3d) 38 (Ont. C.A.)
- *Lincoln General Insurance Co. v. Insurance Corp. of British Columbia*, 2001 CarswellOnt 1730 (Sup. Ct.)
- *Callpro Canada Inc. v. Prima Telematique Inc.*, [2001] 16 B.L.R. (3d) 202 (Ont. Sup. Ct.)
- *Canadian Premier Holdings Ltd. and Winterthur Canada Financial Corporation*, [2000] O.J. No. 3262 (C.A.)
- *Unifund Assurance Company v. Insurance Corporation of British Columbia*, 2001 CarswellOnt 290 (Sup. Ct.)
- *Toronto (City) Committee of Adjustment*, 2000 CarswellOnt 6919 (O.M.B.)
- *Unifund Assurance Comp. v. Insurance Corporation of British Columbia*, 2000 CarswellOnt 3006 (Sup. Ct.)
- *Canadian Premier Holdings Ltd. and Winterthur Canada Financial Corporation*, [2000] O.J. No. 3062 (C.A.)
- *Bhromsuwan v. Canada Life Assurance Company et al.*, 2000 CarswellOnt 2746 (Sup. Ct.)
- *Canadian Premier Holdings Ltd. and Winterthur Canada Financial Corporation*, [2000] O.A.C. 172
- *Dunmore v. Ontario (Attorney General)*, [1999] 182 D.L.R. (4th) 471 (Ont. C.A.)
- *Drummond v. Tempo Paint and Varnish Co.*, [1999] 33 C.H.R.R. D/184 (Ont. Bd. Inq.)
- *Torchia v. Royal Insurance Co. of Canada*, [1999] O.J. No. 5179 (Master)
- *Torchia v. Royal Insurance Co. of Canada*, [1999] O.J. No. 5178 (Master)
- *Thompson v. Collins*, 1998 CarswellOnt 3030 (C.A.)
- *Anselm v. Ontario (Human Rights Commission)*, [1998] 33 C.H.R.R.D/477 (Div. Ct.)
- *Drummond v. Tempo Paint and Varnish Co.*, [1998] 33 C.H.R.R.D/175 (Ont. Bd. Inq.)
- *Montgomery v. Balkissoon*, [1998] 38 O.R. (3d) 321 (C.A.)
- *Dunmore v. Ontario (Attorney General)*, [1997] 37 O.R. (3d) 287 (Gen. Div.)
- *Drummond v. Tempo Paint and Varnish Co.*, (1998), 32 C.H.R.R. (Ont. Bd. of Inq.);

- *Shaul v. Toronto-Dominion Bank*, [1997] O.J. No. 598 (Gen. Div.)
- *Bridson v. Marathon Public School*, [1997] O.H.R.B.I.D. No. 16 (Ont. Bd. Inq.)
- *McNaughton Automotive Ltd. v. Co-operators General Insurance Co. et al.*, [1997] 10 C.P.C. (4th) 362 (Ont. Gen. Div.)
- *Drummond v. Tempo Paint and Varnish Co.*, [1997] 29 C.H.R.R.D/257 (Ont. Bd. Inq.)
- *Clark (Litigation guardian of) v. Ontario Federation of School Athletic Associations*, 1997 CarswellOnt 397 (Gen. Div.)
- *Aegis Biomedical Technologies Ltd. v. Jackowski*, 1996 CarswellOnt 3638 (C.A.)
- *Billiton International Metals, BV v. Allis-Chalmers Canada Inc.*, 1996 CarswellOnt 3535 (Gen. Div.)
- *Kerbel v. Great West Life Assurance Co.*, [1996] 3 C.P.C. (4th) 156 (Ont. Master)
- *VIA Rail Canada Inc. v C.N. Railway Company*, (1996), 511-R-1996 (Canadian Transportation Agency)
- *Matzelle Estate v. Father Bernard Prince Society of Precious Blood*, 1996 CarswellOnt 2733 (Gen. Div.)
- *VIA Rail Canada Inc. v. C.N. Railway Company*, (1996), 467-R-1996 (Canadian Transportation Agency)
- *Drummond v. Tempo Paint and Varnish Co.*, [1996] O.H.R.B.I.D. No. 15 (Ont. Bd. Inq.)
- *Aegis Biomedical Technologies Ltd. v. Jackowski*, [1996] 28 O.R. (3d) 558 (C.A.)
- *Matzelle Estate v. Father Bernard Prince Society of Precious Blood*, [1996] 11 E.T.R. (2d) 78 (Ont. Gen. Div.)
- *Grace and Belford v. Mercedes Homes Inc. et al.*, [1996] O.H.R.B.I.D. No. 5 (Ont. Bd. Inq.)
- *VIA Rail Canada Inc. v. C.N. Railway Company*, (1996), 314-R-314 (Canadian Transportation Agency)
- *Malhotra v Canada (Minister of Transport)*, [1995] S.C.C.A. No. 47, leave to appeal dismissed
- *Silva v. O'Donohue*, [1995] 27 O.R. (3d) 162 (C.A.)
- *Silva v. O'Donohue*, 1995 Carswell Ont 389 (Gen. Div.)
- *Silva v. O'Donohue*, 1995 Carswell Ont 6466 (Prov. Div.)
- *Otis Canada Inc. v. Ontario Superintendent of Pensions*, (1995), *P.C.O. Bulletin*, Vol. 5, Issue 4, 60, 12 C.C.P.B. 117 (Ont. Pen. Commission)
- *Drummond v. Tempo Paint and Varnish Co.*, (1994), 24 C.H.R.R. D/341 (Ont. Bd. of Inq.)
- *Malhotra v. Canada (Min. of Transport)*, [1994] F.C.J. No. 349 (F.C.T.D.), affirmed F.C.A.
- *Parks v. Christian Horizons*, [1993] 14 O.R. (3d) 374 at 378 (Gen. Div.)
- *Parks v. Christian Horizons*, [1993] 14 O.R. (3d) 374 (Gen. Div.)
- *Sommerville v. National Bank of Canada*, 1992 Carswell Ont 1810 (Gen. Div.)
- *Parks and McIntyre and Ontario Human Rights Commission v. Christian Horizons*, [1992] 16 C.H.R.R. D/171 (Ont. Bd. of Inq.)
- *Broadley v. Steel Co. of Canada Inc.*, [1991] 15 C.H.R.R.D/408 (Ont. Bd. Inq.)
- *Parks and McIntyre and Ontario Human Rights Commission v. Christian Horizons*, [1991] 16 C.H.R.R. D/40 (Ont. Bd. of Inq.)

Publications

Alan is the co-author of three legal texts, including *The Directors' and Officers' Canadian Risk Management Guide* and *Secondary Market Liability in Canada (Second Edition)*. He is the author of many legal articles repeatedly cited by courts, including the Supreme Court of Canada.

His other publications include the following:

- D'Silva, A.L.W., Urbanski, Alexandra "A Win for Equality Rights: Trinity Western v. LSUC"
- D'Silva, A.L.W. Court of Appeal provides guidance for securities class actions
- D'Silva, A.L.W., O'Kelly, Patrick J. and Murdoch, Daniel "Timminco and Celestica: Recent developments in securities class actions", Stikeman Elliott Litigation Update, June 2016
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- D'Silva, A.L.W. "Supreme Court Rules Social Hosts Not Responsible for the Actions of their Intoxicated Guests", Stikeman Elliott Insurance Law Update, May 2006

- D'Silva, A.L.W. "Canadian Insurance Industry 2006 – 2007 Expected Developments" Stikeman Elliott Insurance Law Update, April 2006
- D'Silva, A.L.W. "Stare Decisis: Room for Sober Second Thoughts in David Polowin Real Estate Ltd. v. Dominion of Canada" Canadian Institute Conference, November 2005
- D'Silva, A.L.W. "Insurance and Financial Services Class Actions," Stikeman Elliott Conference, October 2004
- D'Silva, A.L.W. "Product Liability Class Actions" Insight Conference, October, 2003
- D'Silva, A.L.W. "Dishonest Employees, Misappropriation of Corporate Opportunities, Fraud and Appropriate Remedies", AICA Program, May 2003
- D'Silva, A.L.W. "Insurance Coverage and IT Agreements", IT.Can/Law Society of Upper Canada, May 2003
- D'Silva, A.L.W. "Case Comment: Dunmore v. Attorney General (Ontario)", *Lexpert*, February 2002
- D'Silva, A.L.W. "Insurance Coverage and Y2K Claims", Insurance and Reinsurance, June 1999
- D'Silva, A.L.W. "Dishonest Employees, Misappropriation of Corporate Opportunities and Unfair Competition," FCG Litigation Conference, April 1999
- D'Silva, A.L.W. "Y2K Liability", *Fasken Campbell Godfrey Newsletter*, October 1998
- D'Silva, A.L.W. "Y2K-Potential Liability and Risk Management," *Canadian Institute*, 1998
- D'Silva, A.L.W., University of Toronto, Appeals and Judicial Review, Case Book, 1999
- D'Silva, A.L.W. et al. "The Canadian Litigation Process," *Dispute Resolution Contacts Handbook*, International Commercial Litigation, 1998
- D'Silva, A.L.W. et al. "Developments and Opportunities for Insurers in Canada", *International Financial Law Review*, 1997
- D'Silva, A.L.W. "The Duty to Accommodate Disabled Employees with Modified Work", *Ontario Workers' Compensation Review*, 1997
- D'Silva, A.L.W. "Punitive Damage Awards in Canada" - used for insurance seminars, 1996
- D'Silva, A.L.W. "The Use of Medical Questionnaires in the Employment Context" for FCG Labour Conference, 1995
- D'Silva, A.L.W. "Human Rights Law - Some General Concepts" for Canadian Risk Management Conference, Ottawa, 1992
- D'Silva, A.L.W. "Discrimination in the Workplace: Employer Liability, Remedies, Special Programs and Practical Considerations for Employers" (co-authored with Eleanore A. Cronk), 1992
- D'Silva, A.L.W. "Giving Effect to Human Rights Legislation - A Purposive Approach", Windsor Review of Legal and Social Issues (1991), Vol. 3, pp. 45-70 - cited in Canada (Attorney General) v. Mossip, [1993] 1 S.C.R. 554
- D'Silva, A.L.W. "Case Comment: Janzen v. Platy", Queen's Law Journal, Vol. 14, No. 2 pp. 281-300, 1989
- D'Silva, A.L.W. "Book Review: Sexual Harassment in the Workplace", Ottawa Law Rev., Vol. 19, No. 3 pp. 733-739, 1987
- D'Silva, A.L.W. "Hate Propaganda in Canada", submitted to the Canadian Human Rights Institute and the Law Reform Commission for their working paper on "Hate Propaganda" (No. 50), 1986
- D'Silva, A.L.W. "A Strategy Against Racists" Le Défi, September 1985
- A Practical Guide to the Family Law Act, Esther Lenkinski - researched and wrote first draft of book, 1986
- The Canadian Human Rights Yearbook, (1985-1987) Student Editor

Legal Posts

- A Win For Equality Rights: Trinity Western v. LSUC
- Court of Appeal provides guidance for securities class actions
- Timminco and Celestica: Recent developments in securities class actions
- Class Action against Eastern Platinum Ltd. dismissed
- Supreme Court of Canada restores decision of Ontario Court of Appeal in Sharma v. Timminco Limited
- Supreme Court of Canada affirms constitutionality of provincial breathalyzer laws
- SCC allows Ecuadorian plaintiffs to bring enforcement claim against Chevron in Ontario
- Ontario Court of Appeal clarifies test for when action may be restored to the trial list
- Toronto litigators successful in overturning high punitive damages award
- Directors' Duties in Canada: Six Key Concepts
- Supreme Court of Canada denies authorization in first Quebec secondary market securities class action
- Toronto litigators to argue Supreme Court of Canada breathalyzer law case
- Court of Appeal endorses use of hybrid trials

Speaking Engagements

Alan frequently speaks at legal and business conferences, including the following conferences:

- Speaker on "Tailings Storage Facilities: From Design to Closure – A Liability Lifecycle", Toronto (May 2019).
- Speaker on "Securities Class Actions in Canada and the United States", Stikeman Elliott seminar, (February 2016).
- Panellist on "Securities Law Update 2015," LSUC, Toronto, (November 2015).
- Speaker on "Crisis Management and Communications Post Litigation," Federated Press' Reinventing the Corporate Secretary Course, Toronto, (October 2015).
- Speaker on reversal of the punitive damages award in the *Branco v. AIG* appeal, webinar, (June 2015).
- Speaker on developments in Canadian securities class actions at the Property and Casualty Insurance Compensation Corporation (PACICC), webinar, (June 2015).
- Speaker at the Northwind Class Actions Invitational Forum, Cambridge, (June 2015).
- Speaker on "Securities Class Actions - Year in Review", Stikeman Elliott seminar, (January 2015).
- Speaker on "Privilege, Litigation Privilege, Document Holds and Waivers in Today's Litigation Environment" at the Insurance Bureau of Canada's Annual Legal Conference, Toronto (June 2014).
- Speaker on "New Developments in Securities Class Action Litigation," Federated Press' inaugural Class Actions course, Toronto (March 2014).
- Panellist on "International D&O: What Does "Football" Mean to You?" PLUS Annual D&O Symposium, New York (January 2014).

- Speaker on “Corporate Counsel and Litigation Management: Aligning the sometimes opposing interests of outside counsel and cost containment” Stikeman Elliott seminar, (March 2013).
- Speaker at the Pre-Emptive Business and Legal Strategies for Canadian Class Actions Conference, Toronto (November 2012).
- Speaker on “Securities Class Actions Litigation,” at the 13th Annual National Forum on Class Actions Litigation by The Canadian Institute, Toronto (September 2012).
- Speaker on “Bill 198 and Other Recent Canadian D&O Claim Developments,” PLUS Canada Workshop, Toronto (June 2012).
- Speaker on “Protecting Against Class Actions – What In-House Counsel Need to Know,” Stikeman Elliott seminar co-hosted with the Canadian Corporate Counsel Association, Toronto (May 2012).
- Speaker on “D&O Liability in Canada,” presentation to insurance industry, Toronto (April 2012).
- Speaker on “Class Actions: Secondary Market Liability” The 7-Minute Miner, Stikeman Elliott seminar (March 2012).
- Speaker on “The New Corporate Insecurity: Securities Class Actions” at the 2011 Fall Convention by The Advocates’ Society, Costa Rica (November 2011).
- Speaker on “Class Actions Litigation” at the 12th Annual Forum on Class Actions Litigation by Canadian Institute (September 2011).
- Speaker on “Leading Cases under New Rules of Civil Procedure”, Ontario Bar Association’s Summary Judgment Motions Conference, Toronto (May 2011).
- Panellist on “Recent Development in Canadian Securities Class Actions: Secondary Market Liability”, Stikeman Elliott seminar (November 2010)
- Panellist on “Bill 198 – Five Years Later”, Executive Liability Panel, Chartis Inc., Toronto (October 2010)
- Speaker on “Reducing the Risk of Directors and Officers in Securities Class Actions and Litigation: Ensuring, Global Governance, Strong Compliance Programs and Appropriate D&O Coverage”, at the 9th Annual Advanced Forum on Securities Litigation and Enforcement by Canadian Institute (October 2010)
- Speaker on “Implications and Applications of Key Securities Cases”, at the 11th Annual National Forum on Class Actions Litigation by Canadian Institute (September 2010)
- Panellist on expert roundtable on “E-Discovery in Class Actions”, by Canadian Lawyer magazine (June 2010 edition)
- Speaker on “Litigation Trends: Perils and Pitfalls” discussing the developments of Canadian class actions at the Northwind Property and Casualty Insurance Industry Forum, Langdon Hall, Cambridge (May 2010)
- Speaker on “Securities Class Actions” at the 7th National Symposium on Class Actions by Osgoode Professional Development (April 2010)
- Panellist on “International D&O: Focus Canada” discussing Canadian securities class actions at PLUS’ D&O Symposium 2010 conference, New York (February 2010)
- Keynote speaker on “Secondary Market Liability Issues for Directors and Officers” at the 12th National Forum on Directors’, Officers’, and Fiduciaries’ Liability by Canadian Institute (2009)
- Speaker on “Getting Started - The Leave Application under Bill 198” at the Law Society of Upper Canada’s Emerging Issues in Directors’ and Officers’ Liability 2009: Advising Clients in Recessionary Times Conference (2009)
- Panellist on “When the Butterfly Flaps its Wings: Cross-Border Litigation in Your Practice” on cross- border class actions issues at the Ontario Bar Association Annual Conference (2009)
- Speaker on the Ontario Securities Act at the Roundtable on Joint and Several Liability by Law Commission of Ontario and the Hennick Centre for Business and Law of York University (2009)

- Quorum Club's Class Action Roundtable on "Recent Developments In Class Actions From The Court Of Appeal" (2008)
- Chair and speaker on "Fine Minds in the House" by the Advocates' Society Luncheon Speakers Series, included former Attorney General Allan Rock and Justice Colin Campbell (2008)
- Speaker on "Market Disclosures and Misrepresentation Actions" discussing Danier Leather case and securities class actions at Osgoode Hall Law School's Annual Update: Litigating Shareholders Disputes (2008)
- Chair, Advocates' Society's 2008 Civil Litigation Skills Certificate Program: A Trial from A to Z.
- AIG seminar "Multinational Risk Seminar", 2008 – speaker on secondary market liability.
- Osgoode's 2008 CLE 2nd Annual Update "Litigating Shareholder Disputes," speaker on "Market Disclosures and Misrepresentation Actions.
- Keynote speaker on Canadian constitutional cap cases at the National Insurance Conference of Canada, Ottawa 2008.
- Ontario Bar Association's 2008 Conference on "Privilege, Confidentiality and Conflicts of Interest", speaker on "Lawyers on boards: Conflicts and Preserving Solicitor Client Privilege".
- Stikeman Elliott/Deloitte's 2008 client seminar "The ripple effect: The impact of the global financial crisis on the Canadian insurance industry".
- Ontario Bar Association's 2007 Insurance Law Conference, speaker on Herbison and Vytlingam cases in the Supreme Court of Canada.
- CCCA 2007 Spring Conference, Directors & Officers Panel on developments in securities class actions.
- Co-chaired Canadian Institute 7th Annual Conference "Litigating Insurance Disputes", speaker on the panel "Testing the Limits of the Business Judgment Rule Post Danier Leather".
- Co-chaired Canadian Institute's 2007 conference on Protecting "Directors' and Officers from Liability"– spoke on recent directors and officers liability issues.
- Jefferson Wells' 2007 Conference, "The Current State Of The Law In Canada On White Collar Crime, Fiduciary Duties And Canada's Developing Whistleblower Laws And Protections" – co-speaker with Cynthia Cooper (Worldcom).
- CICA's 2007 Errors and Omissions Conference in Las Vegas, chaired a panel on conducting mediations in auditor negligence cases.
- Advocates' Society 2007 Annual Conference, Bahamas, Speaker on E-Discovery and Sonoma Principles in Canada.
- Panellist on "Self-Evaluation Privilege" at Stikeman Elliott's "Regulators at the Gate" client conference (2006)
- Canadian Institute's 2005 conference on "Stare Decisis and recent Court of Appeal decision in Polowin v. Dominion of Canada".
- Stikeman Elliott's 2005 client seminar "Secondary Market Liability in Canada".
- American Bar Association, August, 2004.
- Stikeman Elliott's 2004 client seminar "Next Wave of Class Actions".
- American Bar Association's 2004 Annual Conference on directors' and officers' liability.
- Conference Board of Canada's 2004 conference, issues for Canadian Arbitration Clauses in Commercial Contracts.
- Stikeman Elliott's 2003 client seminar on auditor negligence issues.
- Conference Board of Canada's 2003 conference to senior executives on Insurance/Litigation issue.
- Insight Conference's 2003 conference on developments in class actions in Canada.

- IT.Can/Law Society of Upper Canada's 2003 conference on liability issues in IT contracts.
- AICA Accountants Program, Scottsdale Conference, 2003 - auditors' negligence.
- The Changing Face of Insurance Law, 2002 - class actions.
- The Entertainment & Sports Law Association (Osgoode Hall Law School), 2001 Conference on the Olympics, on Olympic Sports Arbitration Procedures.
- Canadian Association of Disability Underwriters, 2000, guest speaker on disability issues in insurance contracts.
- Liberty Mutual Insurance Company, 1999 - conducted seminar on fire investigations to Special Investigations Unit and claims units.
- FCG Seminar, 1999 - injunction proceedings and anton pillar orders.
- Insight Conference, 1999 - using experts in the litigation process.
- Insight Conference, 1999 - Year 2000 risk management.
- Lorman Education Services, 1999 - insolvency issues.
- The Canadian Institute, 1999 - pending lawsuits on Year 2000 liability.
- FCG Litigation Conference, 1999 - Civil Fraud/Misappropriating Corporate Opportunities.
- Chair and speaker at Infonex Conference's 1999 conference on Year 2000 liability issues.
- Liberty Mutual, 1999 - conducted seminar for litigation lawyers on arson investigations and bad faith claim denials.
- The Canadian Institute's 1998 Strategic Forum for Canadian In-house Counsel conference, speaker on liability and insurance coverage issues.
- FCG Class Action Conference, 1998 - Year 2000 Millennium Bug liability issues.
- Mealey's Insurance Insolvency and Reinsurance Roundtable, Scottsdale 1998 - speaker at seminar on insurance issues.
- CMHC Seminar, 1998 - legal liability and risk management.
- Insurance Conference, 1998 - speaker at private conference for senior Canadian insurance executives on litigation and insurance issues surrounding the Year 2000 Computer Bug.
- The Canadian Institute, 1998 - "Legal Liability/Litigation Relating to The Year 2000 Millennium Bug".
- Lloyd's Claims Office, London, 1997 - speaker at insurance seminar on arson defences and arson investigations.
- Insight Conference's 1997 Securities Law Conference - "The legal ramifications of front-running in the securities industry".
- London Club, London, 1996 - speaker at a conference on recent developments in Canadian insurance law including the developments in motor vehicle insurance law and punitive damage claims against insurers.
- Law Society of Upper Canada, 1996 - speaker at a conference on "Practice and procedure before the Ontario Human Rights Commission".
- FCG Labour Conference, 1995 - drug testing and medical questionnaires in the workplace.
- Canadian Disability Rights Council, 1994 - member of a panel speaking on "The rights of disabled children within the public school system in Canada and the U.S."
- The Society of Public Insurance Administrators of Ontario, Extended Workshop, 1993 - Discrimination in the workplace and employer liability".

- Keynote speaker at Canadian Risk Management Conference's 1992 conference on "Discrimination in the workplace, the complaint procedures under the Human Rights Code and implications for insurance brokers".
- Success Signs - Johnson & Higgins Conference, 1992 - guest speaker at a conference on "Issues of discrimination in the workplace and sexual harassment".
- Canadian Bar Association, 1992 - guest speaker at conference on section 15 of the Charter.
- Canadian Bar Association, 1991 - "Employment Issues in the 1990's".

Education

Advocates' Society/Harvard Program (Mediation certificate, 1999)

University of Ottawa (J.D. cum laude, 1987)

Université Laval (French-language programme, 1984)

Carleton University (B.A. with distinction, 1983)

Bar Admission

Ontario, 1989