



## Kristine Spence

Partner

### Office

Toronto

### Tel

416.367.7573

### Email

kspence@dwpv.com

### Expertise

Dispute Resolution

### Bar Admissions

Ontario, 2014

Kristine has acted for clients on a variety of litigation matters, including class actions, contract disputes and securities law disputes.

She has appeared before all levels of court in Ontario, including the Ontario Court of Appeal and the Ontario Superior Court of Justice and has made both written and oral submissions to the Supreme Court of Canada.

Before joining Davies, Kristine clerked at the Caribbean Court of Justice before practising litigation at a leading global law firm. Previously, she lived in Shanghai, China, where she worked as a marketing consultant for a multinational professional services firm.

## REPRESENTATIVE WORK

### Mastermind Toys

Acted for Mastermind Toys in its proceedings under the *Companies' Creditors Arrangement Act*, which included liquidating 18 stores and the sale of majority of its locations to Mastermind Toys Inc., a subsidiary of Unity Acquisitions Inc.

### Grup Mediapro S.L.U.

Acted for Grup Mediapro S.L.U. in a litigation settlement with CSB, LP, culminating in a transaction pursuant to which Mediapro sold its Canadian business, consisting of the OneSoccer Channel, to CSB.

### Ralph Reichmann

Acted as lead counsel for Ralph Reichmann, the patriarch of a wealthy and successful Canadian family, in defending claims against him and his wife brought by his son, Abraham Reichmann, in relation to events that span over 40 years and concern, among other things, oppression and breaches of fiduciary duties in relation to notable family-owned enterprises and numerous trusts.

### Multiple Defendants

Acting for multiple defendants in defence of an action initiated by Metrolinx regarding contamination of the Stouffville railway corridor.

### OMERS Administration Corp and OMERS Private Equity Inc.

Acting for OMERS Administration Corporation and OMERS Private Equity Inc. in five separate lawsuits filed by former employees of OMERS Private Equity, including one that initially claimed C\$65 million in damages. The plaintiffs allege, among other things, breach of a long-term compensation plan.

### West Face Capital Inc.

Acted for West Face Capital Inc. in defending successfully against a second claim asserted against it by The Catalyst Capital Inc., this time for more than \$1.3 billion, arising from the participation by West Face in the purchase and subsequent sale of Wind Mobile Inc. On April 18, 2018, Justice Hailey of the Ontario Superior Court of Justice determined that this second claim was essentially an attempt to re-litigate the same facts and issues that had previously been decided by Justice Newbould in the first such claim between

# DAVIES

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Catalyst and West Face. As such, Justice Hainey dismissed the claim as against West Face, and all of the other defendants, as an abuse of process. Catalyst's appeal from the Order of Justice Hainey dismissing this action as an abuse of process was dismissed by the Ontario Court of Appeal in early May 2019. In November 2019, the Supreme Court of Canada dismissed Catalyst's application for leave to appeal.

### The Law Students' Society of Ontario

Acted for an intervener, the Law Students' Society of Ontario, in the *Trinity Western University et al. v The Law Society of Upper Canada* and *The Law Society of British Columbia v Trinity Western University et al.* appeals before the SCC.

### Confidential Client

Advising and assisting a whistleblower to make a detailed confidential/anonymous whistleblower submission to the Ontario Securities Commission under the OSC's Whistleblower Program in respect of securities fraud and misleading disclosure in the exempt market.

### General Motors Financial

Acting for General Motors Financial in defending a class action claiming damages resulting from an alleged privacy breach concerning customer information.

### Barrick Gold Corporation

Acting for Barrick Gold Corporation and certain of its former and existing officers and directors in defence of multi-billion dollar class actions in Ontario and Québec alleging breaches of the public disclosure requirements under provincial securities legislation concerning Barrick's Pascua Lama mining project in Chile and Argentina.

## RECOGNITIONS

*Benchmark Canada: The Definitive Guide to Canada's Leading Litigation Firms & Attorneys*—Future Star

## EDUCATION

University of Western Ontario, JD (Dean's Honour List), 2013  
Ivey Business School, University of Western Ontario, BA (Honours Business Administration) (with Distinction, Academic Excellence Opportunity), 2007

## COMMUNITY INVOLVEMENT

Ontario Justice Education Network, Ambassador