



**Rui Gao**  
Associate

**Office**  
Toronto

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**Expertise**  
Dispute Resolution

**Bar Admissions**  
Ontario, 2018

## Rui is developing a broad litigation practice.

She has assisted on a range of litigation matters, including contract disputes, tort claims, class actions and securities law issues. As a law student, Rui clerked for Justices D. Turcotte and L. Fournier at the Superior Court of Québec in Montréal.

Rui is fluent in French and Mandarin.

### REPRESENTATIVE WORK

#### **Insolvency Institute of Canada**

Acting for the Insolvency Institute of Canada as an intervenor before the Supreme Court of Canada in *Aquino v. Ernst & Young Inc.* and *Scott v. Doyle Salewski Inc.*, two cases raising important questions about corporate attribution and set-off in the insolvency context.

#### **Gotham Green Partners, LLC**

Acting as counsel to Gotham Green Partners, LLC in defence of a petition seeking to unwind the debt restructuring transaction of iAnthus Capital Holdings Inc.

#### **Confidential Client**

Acted for a leading global services provider and its Canadian subsidiary in a high-stakes arbitration relating to the termination of a series of long-term services agreements.

#### **Gotham Green Partners, LLC**

Acted for Gotham Green Partners, LLC in a successful application by the Gotham lenders to compel the enforcement of a restructuring and support agreement concerning the recapitalization of iAnthus Capital Holdings.

#### **Saline Investments Ltd.**

Acting for Saline Investments Ltd. in enforcement proceedings commenced by the Ontario Securities Commission alleging violations of the *Securities Act* (Ontario) in respect of certain short selling and securities lending transactions.

#### **Mohawk Industries Inc.**

Acting for Mohawk Industries Inc. in defence of a proposed class action in Ontario alleging anti-competitive conduct in the condominium refurbishment industry.

#### **Estate Trustees of Barry Sherman and Honey Sherman**

Acted as counsel to Estate Trustees of Barry and Honey Sherman in proceedings against the *Toronto Star* involving a request to unseal court files concerning the Shermans' Estates. The precedent-setting decision by the Supreme Court of Canada in this case created new and important law concerning privacy and court openness.

#### **Liquor Control Board of Ontario**

Acted for the Liquor Control Board of Ontario in defending claims asserted against it for approximately \$1.5 billion in antitrust class action proceedings

# DAVIES

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pending in the Ontario Superior Court against the LCBO, Brewers Retail Inc. and a number of major brewers. In March 2018, Justice Perell of the Ontario Superior Court granted summary judgment dismissing all claims asserted against the LCBO and the other defendants, and awarded substantial costs of almost \$800,000. The decision of Justice Perell granting summary judgment in favour of the LCBO was affirmed by the Ontario Court of Appeal in April 2019.

### **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.

### **Potentia Renewables Inc.**

Acting for Potentia Renewables Inc. and its affiliates in a contractual dispute with the Independent Electricity System Operator (IESO) regarding Potentia's right to optimize solar projects.

## RECOGNITIONS

*Best Lawyers: Ones to Watch*—Corporate and Commercial Litigation

## INSIGHTS

In Case You Missed It: Decisions on Our Radar, co-author  
Feb. 06, 2024

Canadian Bar Association, The CBA Competition Law and Foreign Investment Review Section's Criminal Matters Committee, "Solicitor-Client Privilege and the Bureau's Immunity and Leniency Programs"; Webinar  
Nov. 27, 2023

In Case You Missed It: Decisions on Our Radar, co-author  
Oct. 08, 2023

Canada's Top Court Confirms Anti-SLAPP Motions Protect Speakers, Not Plaintiffs  
May 25, 2023

Canada's Top Court Invalidates Uber's Arbitration Clauses and Clarifies the Doctrine of Unconscionability  
July 03, 2020

Developments in the Law of Evidence: The 2018-2019 Term, co-author  
Feb. 12, 2020

Not All Customers Are the Same: Top Court Rules Business Customers Cannot Join Consumer Class Action  
Apr. 09, 2019

## EDUCATION

McGill University, BCL/LLB, 2017

# DAVIES

**Rui Gao**  
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Collège Jean-de-Brébeuf, IB (Economics), 2013

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