



Rui Gao

Partner

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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

Saline Investments Ltd.

Acted for Saline Investments Ltd. in successfully defending against 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. This decision was named one of the top 10 business decisions of 2024 by *Law360 Canada*.

Potentia Renewables Inc.

Acted 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.

Insolvency Institute of Canada

Acted for the Insolvency Institute of Canada (IIC) as an intervener before the Supreme Court of Canada in *Aquino v. Ernst & Young (Aquino)* and *Scott v. Golden Oaks (Golden Oaks)*, two important commercial cases concerning corporate attribution and set-off in the bankruptcy and insolvency context. These decisions were named #2 of the top 10 business decisions of 2024 by *Law360 Canada*.

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.

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

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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 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.

RECOGNITIONS

Best Lawyers: Ones to Watch—Corporate and Commercial Litigation

Law360 Canada—Top 2 and 5 Business Decisions (2024)

Chambers Canada Award—Litigation Firm of the Year (2018)

Chambers Canada: Canada's Leading Lawyers for Business—Litigation, General Commercial Department: Ontario (Band 1 for firm)

INSIGHTS

Making a Profit Is Not Illegal: Capital Markets Tribunal Dismisses Enforcement Proceedings Finding Borrowed Free Trading Shares Remain Unaffected By Pledge of Restricted Shares

Nov. 11, 2024

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

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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
Collège Jean-de-Brébeuf, IB (Economics), 2013