

Partner

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Denise Cooney is an accomplished litigator with a broad range of advocacy skills. Her practice includes commercial, estates, and employment disputes, as well as administrative law and appeals. She is a trusted advisor to her clients. She provides practical and strategic solutions which are sensitive to her clients' complex problems.

Denise is recognized in the legal community. She volunteers at Pro Bono Ontario, The Advocates' Society, and her alma mater, the University of Toronto. She is a frequent speaker and contributor to continuing legal education programs within and outside the firm. At the firm, Denise is a formal and informal mentor to students and associates. Denise clerked for the judges of the Court of Appeal for Ontario prior to starting her practice with the firm.

Education

University of Toronto, J.D., 2012

Queen's University, M.A., 2009

University of Western Ontario, B.A. (Hons.),
2008

Bar Admissions

Ontario, 2013

Professional Affiliations

Ontario Bar Association

The Advocates' Society

Practice Areas

Appeals and Judicial Review

Infrastructure and P3

Commercial Litigation

Professional Discipline and Regulation

Employment Law

Universities

Estates and Trusts

Awards and Honours

Best Lawyers: Ones to Watch in Canada 2024 - Corporate and Commercial Litigation
Labour and Employment Law, Trusts and Estates

Representative Work

Justice Dietrich gave directions clarifying legal title to real property where the deceased had dealt with title without his spouse's consent: *Berg v. Jaylevy Limited*, 2019 ONSC 2255. Megan Shortreed and Denise Cooney acted for the Estate Trustees.

Denise successfully represented a complainant in a sexual assault claim with respect to a decision of the Inquiries, Complaints and Reports Committee of the College of Physicians and Surgeons of Ontario. The Health Professions Appeal Review Board concluded that the Committee's decision was unreasonable. The Committee subsequently referred the allegations of the physician's professional misconduct to the Discipline Committee of the College: *L. F. v B. C. T.* (2017 CanLII 62882) (ON HPARB).

Rob Centa, Kris Borg-Olivier and Denise Cooney successfully represented Brandon Moyse in proceedings brought by Mr. Moyse's former employer in *The Catalyst Capital Group Inc. v Moyse*.

They successfully defended the employee in contempt proceedings in which Mr. Moyse's former employer sought to have him sent to prison for breach of a court order (2015 ONSC 4388). Subsequently, they successfully moved to have the employer's appeal to the Court of Appeal from that decision quashed (2015 ONCA 784), and to the Divisional Court dismissed for delay (2016 ONSC 554).

At the trial of the action, the plaintiff advanced the tort of spoliation against Mr. Moyse, the first time such a claim had been advanced to trial in Ontario. The court dismissed the action against Mr. Moyse in its entirety (2016 ONSC 5271). Mr. Moyse was wholly successful on appeal. The Court of Appeal for Ontario dismissed the appeal from the trial judge, and the motion for leave to appeal the costs decision (*The Catalyst Capital Group Inc. v. Moyse* (2018 ONCA 283)).

Community Involvement

Past member of The Advocates' Society Young Advocates Standing Committee

Represents Registered Early Childhood Educators through Pro Bono Ontario in professional discipline proceedings on a pro bono basis

Acted as duty counsel to self-represented litigants appearing before the Court of Appeal for Ontario's motions court, and Superior Court of Justice Civil Practice Court

Provides legal assistance to low-income self-represented litigants at Pro Bono Ontario

Volunteers at University of Toronto's Faculty of Law providing coaching and guidance to students participating in the school's moot programs, mentoring law students through its alumni mentorship program, and speaking to high school students as part of its programs for youth

Presentations

Presenter – *Civil Appeals: The Year in Review 2021* – Law Society of Ontario – December 2021

Speaker – *Summary Trial Essentials* – CBA – October 2021

Presenter – *Consumer Protection Panel* – Pro Bono Ontario – November 2019

Presenter – *Civil Litigation Refresher* – Law Society of Ontario – October 2018, 2019, 2020