

Partner

Kris Borg-Olivier

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Kris Borg-Olivier is a litigator with a keen analytical mind and calming presence. In a broad practice that focuses on commercial and civil litigation, he tackles complex legal problems with clarity and creativity.

Kris previously spent five years practicing in New York with a prominent international law firm, and draws on this experience in cross-border litigation. He has extensive experience acting for both plaintiffs and defendants in a wide range of complex commercial disputes, including oppression cases and regularly represents lawyers in civil actions and regulatory proceedings.

Kris has substantial trial experience and has served as lead counsel in numerous domestic and international arbitrations. In one recent example, he acted for an American client in a hard-fought international arbitration governed by New York law, ultimately securing a significant judgment for his client following a lengthy hearing.

Kris has been consistently recognized by *Lexpert* and *Benchmark Litigation*, where he has been named a Litigation Star.

Education

Harvard University, J.D., 2000

McGill University, B.A. (First Class Honours), 1997

Bar Admissions

Ontario, 2006

New York, 2001

Professional Affiliations

The Advocates' Society

Practice Areas

Class Actions

Mediation and Arbitration

Commercial Litigation

Professional Discipline and Regulation

Employment Law

Securities Litigation

Awards and Honours

Lexpert Special Edition on Litigation - Recognized as a leader in Litigation - Corporate Commercial - 2023

Best Lawyers in Canada 2024 - Administrative and Public Law, Corporate and Commercial Litigation

Canadian Legal Lexpert Directory - Consistently Recommended - Litigation - Corporate Commercial

Benchmark Litigation - Litigation Star

Representative Work

Kris' litigation practice is very diverse, including large complex commercial litigation, class actions, and all manner of business disputes, including shareholder oppression cases.

Kris acted for an American client in a hard-fought international arbitration governed by New York law, ultimately securing a significant judgment for his client following a lengthy hearing.

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).

Presentations

Mentor – *Practice Makes Perfect* – The Advocates' Society

Presenter – *Legal Drafting for Litigators* – The Advocates' Society

Co-Chair – *Winning Injunctions* – The Advocates' Society

Instructor/Presenter – *Cross Examinations – Intensive Trial Advocacy Workshop* – Ryerson Law Practice Program

Instructor/Presenter – *Examinations for Discovery – Advanced Skills Workshop* – Osgoode Professional Development

Presenter – *Dealing with Difficult Witnesses* – Ontario Bar Association

Presenter – *Fundamentals of Civil Motions* – Ontario Bar Association