

MCMILLAN CHANGING THE LEGAL LANDSCAPE WITH TWO SIGNIFICANT CASES IN LEXPERT'S TOP 10 CASES OF 2019-2020

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Category: [News](#)

McMillan is proud to have two cases featured in Lexpert's article [Top 10 Cases of 2019-2020](#). This recognition of our litigation work speaks to McMillan's national strength and expertise. We are pleased to share this honour with our valued clients.

"Once again, the innovation and business acumen our lawyers bring to their work is recognized as exemplary across the legal community," said Teresa Dufort, CEO and Managing Partner, McMillan. "In advancing client objectives, our legal teams were instrumental in shaping precedent-setting guidance on special committee responsibility from the OSC, and the future of price-fixing class actions as address by the Supreme Court of Canada."

[The Catalyst Capital Group Inc. \(Re\), 2020 ONSEC 6](#)

The Catalyst Capital Ontario Securities Commission case made the Top 10 Cases of 2019-2020 for what is now one of the most high-profile transactions in Canada's capital markets, involving Hudson's Bay Company. The matter resulted in the Ontario Securities Commission issuing new guidance regarding the role and responsibilities of a special committee in a conflicted going-private transaction and reconfirmed long-held principles regarding disclosure obligations of issuers. McMillan acted as lead counsel to The Catalyst Capital Group Inc. in connection with its successful fight to increase the offer price in the acquisition of Hudson's Bay Company. The decision highlights the strength, collaboration and innovation of McMillan's litigation and securities teams. The McMillan team was led by Paul Davis, and included Brett Harrison, Adam Chisholm, Sandra Zhao, Samantha Gordon, Jeffrey Levine and Kelly Kan.

[Pioneer Corp. v. Godfrey, 2019 SCC 42](#)

The optical disk drives competition law class action made the Top 10 Cases 2019-2020 list for its significant contribution to class action certification thresholds as well as limitation periods. The SCC's decision addressed critical issues related to the standard required to certify harm as a common issue in price-fixing cases; whether

umbrella purchasers have a cause of action for price-fixing; whether the Competition Act is a complete code for civil remedies for breaches of the Act; and the manner in which the limitation periods in the Act are applied. McMillan acted on behalf of the Koninklijke Philips Electronics, Lite-On Technology, and Philips & Lite-On Digital Solutions co-defendants. The McMillan team was led by Neil Campbell and included Joan Young, Sidney Elbaz and Samantha Gordon.

Lexpert's Top 10 Cases article is a long-standing annual staple of the magazine. This article is based on a canvas of cases from two years, 2019 and 2020, which involve an aspect of the law that affects the business community. The article reflects the viewpoints of Lexpert's research team on cases that are considered to be the most important of the year.