

SAMANTHA GORDON



Categories: [People](#), [Lawyers](#)

Samantha Gordon is a talented litigation and dispute resolution lawyer with a focus on complex corporate, commercial and securities disputes. Samantha has significant experience in antitrust class action defence, shareholder and governance disputes, M&A litigation, proxy contests, contract disputes and commercial arbitration. She regularly acts on cross-border and multi-jurisdiction class actions, including Canadian civil cartel cases involving finance (foreign exchange, SSA bonds), computer components (DRAM, ODD), generic drugs, auto parts, caustic soda, salmon and brokerage commissions.

An experienced litigator, Samantha represents clients at all levels of court in Ontario. She has appeared before the Supreme Court of Canada, Ontario Court of Appeal, Federal Court of Appeal, Federal Court, Superior Courts in three provinces, Ontario Commercial List, Ontario Securities Commission, and domestic and international arbitration tribunals.

In 2019, Samantha completed a secondment with the Office of Mergers and Acquisitions at the Ontario Securities Commission, where she was involved in the oversight of M&A transactions, a hearing relating to a proxy contest and a number of policy projects.

Samantha was appointed to the Ontario Securities Commission - Securities Proceedings Advisory Committee in 2023. She is also an adjunct lecturer teaching Securities Litigation at Queen's University, Faculty of Law. She is the national representative for the International Bar Association (Young Lawyers), and a member of The Advocates' Society, American Bar Association (Litigation) and the Women's White Collar Defense Association.

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Expertise: Capital Markets & Securities, Class Actions, Competition, Antitrust & Foreign Investment, Corporate Commercial Litigation, Litigation & Dispute Resolution

Location: Toronto

Phone: 416.865.7251

Position/Title: Partner, Litigation & Dispute Resolution

Directorships & Affiliations:

- International Bar Association, National Representative for Canada (Young Lawyers)
- The Advocates' Society, Member of The Judicial Independence Task Force
- Women's White Collar Defense Association
- American Bar Association (Litigation)
- Law Society of Ontario
- Ontario Securities Commission - Securities Proceedings Advisory Committee

Publications:

- "[International Coordination of Cases](#)," in Litigating Competition Law in Canada, co-authored with Neil Campbell, *Lexis Nexis*, (November 30, 2023)
- "[Judicial Independence: Defending an Honoured Principle in a New Age](#)", The Advocates' Society Judicial Independence Task Force (April 2020)
- "Guide to Tracing Assets Around the World 2018", TerraLex (May 2018)
- "[Guide to Managing Whistleblowers Insight into Canada's first paid whistleblower program by a](#)

[securities regulator](#)" (2017)

- "Issues in the Preparation and Presentation of Expert Evidence: An Update", The Advocates' Quarterly (February 2016)
- "Issues in the Preparation and Presentation of Expert Evidence", The Advocates' Quarterly (April 2015)

Education & Admissions:

Degree: Called to the Ontario bar

Year: 2015

Degree: JD

University: University of Windsor

Year: 2014

Degree: BAH

University: Queen's University

Year: 2011

Rankings & Recognition:

- Recognized in the 2024 Canadian Legal Lexpert Directory as a Repeatedly Recommended Lawyer in the area of Competition Law
- Recognized by Chambers Canada (2024) as a leading lawyer in the area of Dispute Resolution: Class Action (Defense)
- Recognized by *Best Lawyers in Canada* (2024) as a "One to Watch" in the area of Corporate and Commercial Litigation
- Recognized in the *2023 Benchmark Litigation: Canada Guide* as a Future Star
- Recognized by *Best Lawyers in Canada* (2023) as a 'One to Watch' in the area of Corporate and Commercial Litigation
- 2022 Global Competition Review (GCR) Award for Litigation of the Year – Cartel Defence (2021 FC 1185).
- Recognized by *Best Lawyers in Canada* (2022) as a 'One to Watch' in the area of Corporate and Commercial Litigation
- W. Whiteside Award, for contribution to the law school, the legal profession and the community at large
- Torkin Manes LLP Award, for combined academic achievement and service to the community
- Honourable Walter S. Tarnopolsky Award, for respect for and commitment to equality and human rights,

service to the community, civility and generosity of spirit

- Igor Kaplan Memorial Award, for exemplifying the traditions of the law in scholarship, commitment and integrity

Speaking Engagements:

- 14th Annual Class Actions Colloquium – Ontario Bar Association
- December 1, 2022

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- Hot Topics in Securities Litigation Tenth Annual Securities Symposium – The Advocates' Society
 - September 2020

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- Shareholder Activism Ninth Annual Securities Symposium – The Advocates' Society
 - September 2019

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- Class Actions: Case Law Update and Strategic Implications Canadian Defence Lawyers – Defending Products Claims
 - February 22, 2017

Representative Matters: Corporate, Commercial and Securities

- Counsel in precedential OSC case on securities process and disclosure in a conflict of interest transaction (2020 ONSEC 6).
- Represented an intervener before the Supreme Court of Canada in R. v. Comeau, the leading case concerning free trade in Canada under s.121 of the Constitution Act (2018 SCC 15).
- Represented companies in technology, manufacturing and mining industries in litigation matters and related strategy in hostile proxy / control contests.
- Represented a European banking client in an appeal before the Ontario Court of Appeal in a complex 12-year, multi-transfer fraudulent conveyance action.
- Represented an international telecommunications company in defending an interlocutory and permanent injunction based on allegedly misleading advertising statements.
- Represented a ground lease tenant in successfully responding to a leave to appeal application to the Supreme Court of Canada in a dispute regarding a rent reset provision.
- Represented a lender in related bankruptcy and receivership proceedings (2017 ONSC 4107).
- Canadian counsel for SABMiller plc regarding Canadian Competition Bureau clearance of its US \$107

billion take-over by Anheuser Busch InBev SA/NV..

Class Actions

- Represented a computer component manufacturer in successfully defeating certification (2021 FC 1185). The case was selected as GCR Litigation of the Year - Cartel Defence.
- Successful contested sequencing application in British Columbia (May 2021).
- Represented an appellant before the Supreme Court of Canada in Pioneer Corp. v. Godfrey, the leading case on certification standards in anti-trust class actions (2019 SCC 42).
- Counsel on various multijurisdictional civil cartel/conspiracy class action proceedings, including cases involving finance (foreign exchange, SSA bonds), computer components (DRAM, ODD), generic drugs, auto parts, caustic soda, salmon and brokerage commissions.
- Counsel to numerous cannabis companies on secondary market securities class actions in Canada and as Canadian counsel for parallel US proceedings.
- Counsel on consumer protection / representation class actions including with respect to pharmaceuticals, credit card overdraft charges, and cocoa supply chains.

Arbitrations

- Represented a ground lease tenant in a complex rental reset arbitration.
- Defended a mining company in an international arbitration (LCIA) regarding a claim for a 50% interest in a mining project in Africa arising from an Earn-in agreement.
- Represented a global telecommunications company in an arbitration dealing with a breach of contract dispute.

Teaching Engagements:

- Winter 2021, 2022, 2023 – Term Adjunct Lecturer, Faculty of Law, Queen's University, Securities Litigation
- Winter 2019 – Guest Lecturer, Faculty of Law, Queen's University, Contested Transactions

Practices: Capital Markets & Securities, Competition, Antitrust & Foreign Investment, Class Actions, Corporate Commercial Litigation, Litigation & Dispute Resolution