

SIDNEY ELBAZ



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Sidney Elbaz is a litigation lawyer with extensive experience in class actions, competition and antitrust, product liability, and consumer protection. Representing clients in the automotive, banking and finance, and life sciences sectors, he appears before all levels of court in Québec, the federal courts and a variety of tribunals.

Defending class action proceedings under Québec's *Consumer Protection Act*, Sidney has deep insight into matters concerning allegations of false representations, as well as product liability and failure to warn claims.

Sidney has also acted as Québec counsel in numerous cartel and conspiracy cases, defending major class actions involving allegations of anti-competitive activities relating to air cargo, air passengers, chocolate, gasoline, dynamic random-access memory (DRAM) and optical lenses.

Recognized as a leading lawyer in class action litigation by *Best Lawyers in Canada*, Sidney is also listed as a litigation star in the 2021 edition of *Benchmark Litigation Canada*.

Email: sidney.elbaz@mcmillan.ca

Expertise: Class Actions, Competition, Antitrust & Foreign Investment, Litigation & Dispute Resolution, Manufacturing, Product Liability & Regulation

Language Spoken: English, French

LinkedIn: <https://www.linkedin.com/in/sidney-elbaz/>

Location: Montréal

Phone: 514.987.5084

Position/Title: Partner, Litigation & Dispute Resolution

Community Involvement:

- Volunteer for child and adult services activities aimed at integrating adults with developmental disabilities into their community

Directorships & Affiliations:

- Canadian Bar Association
- *Defense Research Institute* (DRI)

Publications:

- [Franchising in Canada: 2022 Year in Review](#), January 2023
- Co-Author "[Encyclopaedia of International Commercial Litigation](#)," Wolters Kluwer, May 2021
- [Commentaire sur la décision Dion c. Compagnie de services de financement Primus Canada – Éclaircissements de la Cour d'appel sur les représentations au consommateur et les dommages punitifs](#), Rachel April Giguère et Sidney Elbaz, Repères, avril 2015
- [Commentaire sur les décisions Dubé c. Nissan Canada Finance, division de Nissan Canada inc.; Dion c. Compagnie de services de financement automobile Primus Canada; Daneau c. General Motors Acceptance Corporation du Canada Itée \(GMAC\); St-Pierre c. Banque Royale du Canada](#) – Divulgateion des frais dans les contrats types : mieux vaut être clair, Rachel April Giguère et Sidney Elbaz, Repères, janvier 2014
- [Article 2779 C.c.Q. : quels coûts pour le créancier forcé d'abandonner son recours ?](#) Commentaire sur la

décision Canada (Procureur général) c. Caisse populaire St-Joseph de Bordeaux, Rachel April Giguère et Sidney Elbaz, Repères, septembre 2012

Education & Admissions:

Degree: Called to the Québec Bar

Year: 2006

Degree: LLM

University: Cambridge University

Year: 2008

Degree: LLB (Common Law)

University: University of Ottawa

Year: 2006

Degree: LLL

University: University of Ottawa

Year: 2004

Degree: BA

University: McGill University

Year: 2001

Rankings & Recognition:

- Recognized in the 2023 Lexpert Special Edition on Canada's Leading Litigation Lawyers as a Leading Litigation Lawyer
- Recognized by *Best Lawyers in Canada* (2024) as a leading lawyer in the area of Class Action Litigation, Corporate and Commercial Litigation and Product Liability Law
- Recognized in the 2023 *Benchmark Litigation: Canada Guide* as a Litigation Star
- Recognized in the 2023 Canadian Legal Lexpert Directory as a Repeatedly Recommended Lawyer in the areas of Class Actions and Competition Law
- Recognized in the 2022 Lexpert Special Edition on Canada's Leading Litigation Lawyers as a Leading Litigation Lawyer

- Recognized by *Best Lawyers in Canada (2023)* as a leading lawyer in the areas of Class Action Litigation; Corporate and Commercial Litigation and Product Liability Law
- Recognized in the *2022 Benchmark Litigation: Canada Guide* as a Litigation Star
- Recognized in the 2022 Canadian Legal Lexpert Directory as a Repeatedly Recommended Lawyer in the area of Competition Law
- Recognized by *Best Lawyers in Canada (2022)* as a leading lawyer in the areas of Class Action Litigation; Corporate and Commercial Litigation and Product Liability Law
- Recognized in the *2021 Benchmark Litigation: Canada Guide* as a Litigation Star
- Recognized by the *Best Lawyers in Canada (2021)* as a leading lawyer in the areas of Class Action Litigation and Corporate & Commercial Litigation
- Recognized by *Best Lawyers in Canada (2020)* as a leading lawyer in the area of Class Action Litigation
- Recognized in the *2020 Benchmark Litigation: Canada Guide* as a Litigation Star
- Recognized in the *2019 Benchmark Litigation Canada Guide* as a Litigation Star

Speaking Engagements:

- Démystifier le processus de l'action collective, Québec bar webinar, Speaker
- January 20, 2021

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- Les grands rendez-vous de la formation 2020, Québec bar training session, Speaker
 - May 26, 2020

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- L'Association du Barreau Canadien Section Litiges commerciaux : revue des décisions marquantes de la dernière année en litige commercial
 - 2019

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- Colloque National des Recours Collections, Développements récents au Québec, au Canada et aux États-Unis. Influence du nouveau code de procédure civile au stade de l'autorisation
 - 2019

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- L'Association du Barreau Canadien, Section Litiges commerciaux : Revue jurisprudentielle en litige commercial
 - 2018

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- OpenForum Financement et Sureté : Revue annuelle des décisions marquantes en matière de sûreté au

Québec et en Ontario : leurs impacts sur votre pratique

- 2017

- Presentation to the Canadian Institute of Contemporary Jewish Law and Ethics – Chabad of Town of Mont Royal-Goals of Class Actions in Canada: Access to Justice, Judicial Economy, and Behavior Modification With Examples

- 2017

- L'Association du Barreau Canadien, Section Litiges commerciaux : un bilan jurisprudentiel de la dernière année en matière commerciale

- 2016

- Rendez-vous 2015 en droit des sociétés : Recours en oppression au Québec : développements récents depuis l'arrêt de la Cour suprême dans BCE

- 2015

- 10th Annual Pan-Canadian Insolvency & Restructuring Law Conference. Challenges Encompassing Consumer Insolvency Issues

- 23 - 24 October 2014

Representative Matters:

- Acting as Quebec counsel to major global manufacturers in connection with their product liability litigations;
- Representing a leading pharmaceutical company in a class proceeding in Quebec involving product liability and consumer protection allegations;
- Acted for an online streaming service in a class action matter concerning allegations of violating the Quebec consumer protection act;
- Acted on behalf of manufacturers in a product liability claim resulting in personal injury claims;
- Representing a gas retailer in the Quebec class action concerning the allegations of price fixing of gasoline in the retail level;
- Quebec co-counsel for a defendant in the DRAM alleged price fixing class action;
- Co-counsel acting on behalf of the Canadian Association of Insolvency and Restructuring Professionals (CAIRP) before the Supreme Court of Canada in *Quebec (Revenue) v. Caisse populaire Desjardins de Montmagny*, 2009 SCC 49, [2009] 3 SCR 286

- Counsel for the receiver in a cross-border restructuring of major plastic manufacturer.
- Counsel for secured lenders in a cross boarder restructuring

Teaching Engagements:

- Lecturer University of Ottawa National Program - Security for Debt (in 2008 and 2009)

Industries: Manufacturing

Practices: Class Actions, Competition, Antitrust & Foreign Investment, Litigation & Dispute Resolution, Product Liability & Regulation