



Gordon Capern LL.B.
Partner

p: 416.646.4311 **f:** 416.646.4301
e: gordon.capern@paliareroland.com

Gordon Capern is a senior partner and a leader of the firm's corporate and commercial litigation practice.

Gordon enjoys representing the interests of entrepreneurs and has spent much of his career acting in cases involving businesses where there are significant interests at stake. He has advised clients and acted as counsel in the resolution of disputes in all areas of corporate and commercial activity, including:

- issues arising from complex commercial transactions, including mergers and acquisitions in a wide array of industries
- liability of professional advisors, including auditors, accountants and lawyers
- shareholder and partnership disputes
- director, officer and employee litigation, with considerable expertise in their fiduciary obligations
- franchises and dealerships

Representative Work

Gordon has appeared before all levels of Ontario Courts, and has extensive experience in mediation and arbitration.

He has been involved in a number of significant briefs including acting as counsel to:

- Hollinger Inc. in claims against its auditors and its banking syndicate
- Barrick Gold in a claim relating to the ownership of a Chilean mine
- respondents in high-profile insider trading and tipping cases before the Ontario Securities Commission
- stakeholders in the restructuring of Canada's Asset-Backed Commercial Paper market

Education:

Osgoode Hall Law School,
LL.B., 1989

Bar Admissions:

Ontario, 1991

Professional Affiliations:

Gordon is a two-term director of the Advocates Society, the leading organization for litigation counsel in Ontario, where he has acted as the Vice-Chair of its Standing Committee on Advocacy and Practice and the Chair of its Collegiality, Mentoring and Membership Committee, and where he teaches. He is also a Fellow of the International Academy of Trial Lawyers.

Gordon Capern L.B.

Partner

p: 416.646.4311 **f:** 416.646.4301

e: gordon.capern@paliareroland.com

- minority Hollinger shareholders in proceedings before the Ontario Securities Commission
- the successful respondent at the Ontario Court of Appeal in a decision which established the proper procedures in pursuing shareholder derivative actions under the Ontario Business Corporations Act: *Lederer v. 372116 Ontario Limited* 2001 CanLII 24159 (O.C.A.)
- City of Toronto at the Toronto Computer Leasing Inquiry.

Awards and Honours

Gordon is recognized as a leading litigation lawyer in:

- Chambers Global
- The Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada
- Lexpert/Report on Business Guide to Leading Litigation Lawyers
- Lexpert® Guide to the Leading US/Canada Cross-Border Litigation Lawyers in Canada
- Best Lawyers in Canada
- Benchmark Litigation

Community Involvement

- Gordon is heavily involved in work in the community. He is a director of the Canadian Foundation for AIDS Research (www.canfar.com), and also serves as a co-chair of AIDSbeat (www.aidsbeat.com) which is a major CANFAR fundraiser and the focal point of the fall social calendar in the Toronto legal community.
- Gordon is a past Vice-Chair of AMREF Canada (www.amrefcanada.org), which funds vital health initiatives in sub-Saharan Africa. He remains an ambassador for AMREF.