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Kate Byers is an associate in our [Advocacy Group](#) with a broad commercial litigation practice, with a focus on franchise litigation and securities litigation. Prior to joining Cassels Brock as an associate in 2015, she was both a summer and articling student at the firm.

Kate's franchise litigation experience includes franchise class actions, Wishart Act claims, including rescission claims, and claims against guarantors of franchise corporations. Kate's experience with securities and corporate-commercial litigation includes oppression claims, primary and secondary market misrepresentation claims, and other shareholder disputes, including injunctions. Kate also has significant experience with matters relating to allegations of corporate misconduct, including internal and external investigations.

Kate has appeared before the Ontario Superior Court of Justice, the Ontario Divisional Court, and the Ontario Court of Appeal. She has worked on multiple leave applications and responding leave applications to the Supreme Court of Canada. Kate is a regular contributor to the firm's Securities Litigation and Franchise law E-Communiqués.

Kate has recently acted for the following clients:

- a private equity firm in proceedings to enforce certain agreements and shareholder rights and defend an oppression claim before the Ontario Superior Court of Justice (Commercial List)
- the special committee of a board of directors in investigating allegations of corporate misconduct
- an investments manager in a petition to the Supreme Court of British Columbia alleging an oppression claim against a corporation as a result of the client's investment in that corporation
- multiple franchisors in successfully defending proceedings alleging breaches of franchise agreements and the *Arthur Wishart Act (Franchise Disclosure), 2004*
- franchisors in successfully enforcing guarantees of franchisee obligations under franchise agreements

Kate received her J.D. from the Schulich School of Law at Dalhousie University in 2014, where she was awarded the Alistair Fraser Award for achieving the highest academic standing in Legal Ethics & Professional Responsibility in 2014 and was nominated for the Smith Shield, an internal moot and award. While in law

school, Kate obtained a certificate in International Business Law as part of the Queen's Global Law Program at Herstmonceux Castle in Sussex, England.

## **Call to the bar**

Ontario, 2015

## **Associations**

- Ontario Bar Association (OBA)
- The Advocates' Society

## **Expertise**

Franchise

Litigation

Securities Litigation