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Colin Pendrith is a partner in the [Litigation Group](#) and a member of the [Franchise Law Group](#). Colin has a commercial litigation practice with a focus on franchise disputes, corporate defamation and brand protection, and shareholder disputes.

Colin takes a pragmatic approach to dispute resolution, using the courts and alternative dispute resolution strategies, including mediation and arbitration, as necessary, to achieve positive results for clients.

Colin has litigated successfully at all levels of court in Ontario, as well as the Supreme Court of British Columbia, and the Court of Appeal for British Columbia.

Select Decisions

- *Dairy Queen Canada, Inc. v. M.Y. Sundae Inc.*, 2017 BCSC 358
 - Obtained judgment against franchisee for unpaid royalties and passing off following three day summary trial
 - Dismissed counterclaim for breach of contract, breach of duty of good faith and disclosure claims under the *Arthur Wishart Act (Franchise Disclosure)*, 2000
- *Dairy Queen Canada, Inc. v. M.Y. Sundae Inc.*, 2017 BCCA 442
 - Resisted appellants' motion to adduce fresh evidence on appeal
 - Resisted appeal of trial judgment
- *Resolute Forest Products Inc. v. 2471256 Canada Inc. DBA Greenpeace*, 2017 ONSC 5383
 - Defeated motion to strike or stay action based on alleged parallel proceeding
- *Resolute Forest Products Inc. et al. v. 2471256 Canada Inc.*, 2014 ONSC 3996
 - Resisted appeal of motion to strike claim for intentional interference with economic relations
- *118143 Ontario Inc. v City of Mississauga*, 2015 ONSC 3691; 2015 ONSC 7528
 - Successfully defended plaintiffs' \$7.5 million claim for negligent enforcement of a bylaw by municipality following three week trial
 - Costs of \$390,000 awarded



- *118143 Ontario Inc. (Canamex Promotions) v. Mississauga (City)*, 2016 ONCA 620
 - Resisted appeal by plaintiffs of trial judgment

- *Chuang v. Toyota Canada Inc.*, 2015 ONSC 885
 - Successfully defended plaintiffs' \$28 million claim for breach of contract and breach of the duty of good faith following a three week trial
 - Costs of \$1.2 million awarded

- *Chuang v. Toyota Canada Inc.*, 2016 ONCA 584
 - Resisted appeal of trial judgment and costs award, and further motion to re-open appeal

- *Adams v Adams*, 2016 ONSC 3357; *Adams v Adams*, 2016 ONSC 4288
 - Successfully appealed Master's refusal to vacate a certificate of pending litigation
 - Costs of \$24,805 awarded

- *Construction Distribution & Supply Co. Inc. v King Packaged Materials*, 2016 ONSC 4042; 2016 ONSC 7397
 - Dismissed claim for wrongful termination of a distributorship and obtained judgment on counterclaim on a motion for summary judgment
 - Costs of \$80,000 awarded

- *Sawdon Estate*, 2012 ONSC 4042
 - Defeated claim by residual beneficiary against Estate following trial

- *Sawdon Estate v. Sawdon*, 2014 ONCA 101
 - Successfully resisted appeal by residual beneficiary
 - Succeeded on cross-appeal and obtained precedent-setting "blended" costs order

- *St Amour v. CD Tullis*, 2014 ONSC 1972
 - Successfully struck certain paragraphs and causes of action in statement of claim

Call to the bar

Ontario, 2011

Associations

- Canadian Bar Association



- Ontario Bar Association

Expertise

Copyright & Entertainment

Franchise

Litigation