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Chris Horkins is a partner in the [Advocacy Group](#) with a broad commercial litigation practice including franchise, product liability, securities litigation, insolvency and class actions defence. Prior to joining Cassels Brock as an associate in 2012, Chris was both a summer and articling student at the firm.

Chris has a proven record of effective advocacy at all levels of Ontario courts, in arbitrations and proceedings before administrative tribunals, including the Ontario and British Columbia Securities Commissions and Mutual Fund Dealers Association. A list of representative decisions where Chris has acted as counsel can be found below.

Chris's practice regularly involves:

- Representing franchisors in franchise litigation disputes, including class actions, rescission and good faith claims brought under the *Arthur Wishart Act* and the enforcement of post-termination restrictive covenants
- Defending manufacturers of automobiles, aircraft, watercraft, building products, drugs and medical devices, among other products, in personal injury and product liability actions, including class actions
- Acting for court officers and creditors in Canadian and cross-border insolvency and restructuring proceedings
- Acting for shareholders, directors, officers and other stakeholders in corporate and securities litigation disputes including oppression remedy applications and proceedings before provincial securities regulators
- Prosecuting and defending complex commercial disputes, including breach of contract claims

Chris is an active member of the Advocates' Society. In 2013 he was appointed to the Young Advocates' Standing Committee (YASC), a standing committee of the Advocates' Society promoting the interests of advocacy lawyers in their first ten years of practice. Chris also writes regularly for the firm's Franchise Law and Product Liability E-Communiqués and has been published in the newsletter of the International Bar Association's Franchise Law section. In addition, Chris is serving as Co-Chair of the Canadian Franchise Association's 2018 Franchise Law Day.

Chris maintains a busy pro bono practice, acting as counsel to unrepresented parties in securities enforcement matters before the Ontario Securities Commission and for early childhood educators in disciplinary proceedings before the Ontario College of Early Childhood Educators. Chris is also a volunteer board member at [RARE Theatre](#), a not-for-profit community theatre and outreach organization in Toronto aimed at promoting the voices of disenfranchised groups through theatre.



## Representative Cases

*Raibex Canada Ltd. v. ASWR Franchising Corp.*, 2018 ONCA 62, <<http://canlii.ca/t/hpzxv>> - successful appeal on behalf of franchisor of decision granting rescission to plaintiff franchisee on the basis of non-disclosure of lease where the franchise location was not determined at the time of the grant, leading decision on disclosure obligations and the rescission remedy under the *Arthur Wishart Act*

*YESCO Franchising LLC v 2261116 Ontario Inc.*, 2017 ONSC 4273, <<http://canlii.ca/t/h5bj1>> - successful defence of summary judgment motion on limitations grounds on behalf of Ontario master franchisee of sign and lighting repair business

*Costa Printing Limited v Handy Home Products Inc.*, (28 August 2017), Brampton DC-17-29 (Ont Div Ct) - successful appeal of trial decision granting judgment based on alleged unwritten guarantee

*College of Early Childhood Educators vs. Sophia McKenzie*, 2017 ONCECE 5, <<http://canlii.ca/t/hmwb8>>; 2017 ONCECE 9, <<http://canlii.ca/t/hp316>> - pro bono counsel to low-income early childhood educator in week long disciplinary hearing before regulatory college

*Sukhdeo (Re)*, 2017 CanLII 74489 (CA MFDAC), <<http://canlii.ca/t/hmx0r>> - settlement of disciplinary action by Mutual Fund Dealers Association against individual broker

*Hecla Mining Company*, 2016 ONSEC 31, <<http://canlii.ca/t/h4swl>>; 2016 ONSEC 32 (CanLII), <<http://canlii.ca/t/h4sw8>> / *Re Hecla Mining*, 2016 BCSECCOM 359, <<http://canlii.ca/t/gvcl8>> - co-counsel in joint hearing before Ontario and BC Securities Commissions, first decision to consider private placements as defensive tactics under new take-over bid regime

*MRP Recruiting Inc. v Mopals.com Inc.*, (17 October 2016), Toronto CV-16-557549 (OSCJ) - successful motion to stay inappropriate debt collection application against multiple unrelated parties

*Parvin v. Richardson*, 2015 ONSC 1778, <<http://canlii.ca/t/ggrt7>> - successful defence of motion to add brake component manufacturer to ongoing product liability action on limitations grounds

*Osztrovics Estate v. Osztrovics Farms Ltd.*, 2015 ONCA 463, <<http://canlii.ca/t/gjmnc>> - successful defence of motion for leave to appeal decision on bankruptcy trustee's investigative powers over bankrupt's family farming corporation to Ontario Court of Appeal

*Pricewaterhousecoopers Inc. (in its capacity as Trustee in Bankruptcy) v Osztrovics Farms Ltd.*, 2015 ONSC 2079, <<http://canlii.ca/t/ghb85>> - successful defence of appeal of decision regarding trustee's investigative powers over bankrupt's family farming corporation

*Re Osztrovics (No. 1)*, 2014 ONSC 1567, <<http://canlii.ca/t/g66gc>> - Successful motion to set aside bankrupt's automatic discharge

*2038724 Ontario Ltd. v. Quizno's Canada Restaurant Corporation*, 2014 ONSC 5812, <<http://canlii.ca/t/gdtxw>> - counsel to defendant franchisor in substantial franchisee class action

*MDG Computers Canada Inc. et al. v. MDG Kingston Inc. et al.*, 2013 ONSC 5436, <<http://canlii.ca/t/g0xb9>> - successful application to remove arbitrator in franchise dispute due to reasonable apprehension of bias



*The Cash Store Financial Services Inc. v. National Money Mart Company*, 2013 ONSC 2905, <http://canlii.ca/t/fxj2q> - successful defence of motion to impose discovery plan, leading decision on court's authority to impose discovery plan under Rule 29.1.03

## **Education**

Certificate (Intensive Trial Advocacy Workshop), Osgoode Hall Law School Professional Development, 2018

Certificate (Business Essentials for Lawyers), University of Toronto School of Continuing Studies, 2014

J.D., Queen's University, 2011

B.A. (Hons.) (Political Science and English), Queen's University, 2008

## **Call to the bar**

Ontario, 2012

## **Associations**

- Canadian Bar Association
- Ontario Bar Association
- The Advocates' Society (Secretary, Young Advocates Standing Committee)
- Defence Research Institute

## **Expertise**

Class Actions

Franchise

Litigation

Product Liability

Securities Litigation

White Collar Crime & Regulatory Response