



## William Main

### Associate

Toronto

[wmain@mccarthy.ca](mailto:wmain@mccarthy.ca)

t. +1 416-601-8235

### Bar Admission

Ontario 2016

### Law School

University of Oxford  
University of Toronto

### Practices

Disputes and Litigation  
Corporate Commercial Litigation  
Professional Liability  
Class Actions  
Appellate Litigation  
White Collar Defence and  
Investigations  
Cyber/Data

### Industries

Technology  
Healthcare  
Food, Beverage & Agribusiness

**Will develops and executes strategies to advance his clients' interests and deliver solutions tailored to his clients' priorities. Will utilizes a diverse set of litigation and other tools to attain results.**

Will maintains a broad litigation and advisory practice, with a particular focus on privacy & defamation law, complex commercial disputes, securities, and professional negligence.

- **Privacy & Defamation** – Will's work in privacy and information encompasses privacy litigation, privacy regulatory work, and advice. His defamation work includes litigation, pre-litigation advocacy and advice for plaintiffs and defendants. His defamation clients have included corporations, media entities, journalists, politicians, and other individuals. Will has a particular expertise in bringing and defending anti-SLAPP motions. He has represented media companies in respect of applications for production orders and publication bans in criminal proceedings.

Will's advocacy in respect of reputational interests extends to political law and the political realm, where he has represented and advised high-profile political leaders on issues including ethical compliance and conflicts of interest (including before the Ethics Commissioner of Canada), and social media disputes.

- **Complex commercial** – Will has a broad commercial litigation practice that includes contractual disputes, economic torts, and class actions.
- **Securities** – Will's securities litigation practice includes securities litigation and class actions, internal investigations, regulatory, corporate litigation, shareholder disputes, and private equity.
- **Professional negligence** – Will has extensive experience assisting clients with professional liability claims. Will acts for physicians on behalf of the Canadian Medical Protective Association (CMPA), providing advice and representation at civil trials, appeals, and administrative proceedings. Will has also acted for plaintiffs in professional negligence proceedings, including in a significant group claim against an insurance brokerage.

Will represents a diverse set of clients including tech companies, public issuers, asset managers and investment firms, high-profile political figures, municipalities, media entities, and professionals. Will understands that the specific priorities and broader interests of his clients vary, and he provides services and solutions crafted for each client's unique needs.

Will has represented clients before the Ontario Court of Appeal, Ontario Superior Court of Justice, Federal Court, Ontario Securities Commission, Alberta Securities Commission, Information and Privacy Commissioner of Ontario, Health Professions Appeal and Review Board

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(HARB), and Discipline Committee of the College of Physicians and Surgeons of Ontario. Will has also acted as counsel in private commercial arbitration and mediation proceedings.

## RECENT MANDATES & CASES

Some of Will's recent notable mandates include:

### Privacy & Defamation

- Representing CBC in *Subway v. CBC*, responding to a \$210 million defamation case brought by Subway with respect to a *Marketplace* episode concerning chicken products at quick service restaurants.
- Representing a Canadian engineering sales company in a defamation action against a California technology company. To date, that representation has included successfully defeating an anti-SLAPP motion brought by the defendant (*Echelon v. Glassdoor*, [2021 ONSC 5701](#), under appeal) and a motion to extend time to seek leave to appeal brought by a third party (*Echelon Environmental Inc. v. Glassdoor Inc.*, [2021 ONCA 763](#)).
- Representing CBC in opposing a publication ban sought by a defendant in a criminal proceeding.
- Representing Desjardins General Insurance Group Inc. and one of its employees in *Wakeling v. Desjardins*, a claim alleging the privacy tort of intrusion upon seclusion, among other claims. The breach of privacy and other claims were struck out with costs and without leave to amend (*Wakeling v. Desjardins General Insurance Group Inc.*, [2020 ONSC 6809](#)). The decision was upheld on appeal, with costs (*Wakeling v. Desjardins General Insurance*, [2021 ONCA 672](#)).
- Counsel to a then-Federal Cabinet Minister responding to an application by a member of the public to compel that the Minister unblock them on a social media platform, on *Charter* and other grounds.
- Counsel to a prominent former politician responding successfully to an inquiry by the Federal Ethics Commissioner.
- Representing a media company in challenging a production order in the context of a criminal investigation.
- Advising and advocating for a significant Canadian company in respect of a series of Access to Information Requests at a sensitive legal and commercial time for the company.
- Defending a physician in a defamation action brought in respect of a consultation report he authored.
- Representing a physician in respect of a complaint made to the Information and Privacy Commissioner of Ontario.
- Providing privacy law compliance advice in respect of a significant hospital construction project.
- Advising a municipality regarding sensitive defamation matters with a political dimension.

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- Representing a Canadian food manufacturing company in respect of a debt dispute with defamation claim by counter-claim.
- While still a student at McCarthy's, assisting with a 13-week jury trial on behalf of CBC and three of its journalists. The action had been brought by a former academic, Ranjit Chandra, seeking \$132 million in damages for defamation and breach of privacy arising out of a three-part documentary program broadcast on *The National*. The claim was dismissed in its entirety at trial, the jury having accepted CBC's truth defence. CBC was awarded more than \$1.6 million in costs (*Chandra v. CBC*, [2015 ONSC 6519](#)). Dr. Chandra's motion for an extension of time to seek leave to appeal was dismissed (*Chandra v. Canadian Broadcasting Corporation*, [2016 ONCA 448](#)).

## Commercial Litigation

- Representing an asset management firm in an arbitration and mediation relating to a joint venture shareholder dispute. After defeating two motions brought by the opposing party, a resolution to the dispute was successfully negotiated.
- Representing an AI company in litigation alleging economically damaging and tortious conduct against a competitor. A resolution to the dispute was successfully negotiated.
- Representing a software technology company in a dispute over work performed for and fees owed by a corporate client. A resolution to the dispute was successfully and quickly negotiated.
- Counsel to an EV company in respect of a dispute over advertising with an Ontario motor vehicle regulator. The EV company prevailed at a hearing of the dispute.
- Representing a major Canadian federation of credit unions in respect of an alleged fraud incident at the expense of the company. A resolution was successfully and quickly negotiated, the company receiving reimbursement for the losses it had suffered.
- Counsel to a defendant brewing company in a proposed class action against the LCBO and several major players in the Ontario beer market (the "Beer Store Class Action"), which was successfully dismissed by pre-certification summary judgment (*Hughes v. Liquor Control Board of Ontario*, [2018 ONSC 1723](#), upheld on appeal *Hughes v. Liquor Control Board of Ontario*, [2019 ONCA 305](#)).
- Counsel to the successful financial institution in *Jama v. National Bank*, [2017 ONSC 1424](#), which was dismissed by summary judgment.
- Counsel to a major Canadian technology and consulting company in a multi-million dollar private arbitration relating to a significant government project.

## Securities

- Representing a global asset management company based in Canada in a dispute before the Alberta Securities Commission relating to a takeover.

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- Counsel to a major Canadian cannabis company in respect of regulatory compliance issues with potential securities implications. Conducted an internal investigation, advised the Special Committee of the Board, dealt with regulators, defended class and other litigation.
- Internal investigation with potential securities law implications for a Canadian biotechnology company.
- Internal investigation with potential securities law implications for a major Canadian raw materials manufacturing company.
- Counsel to the respondent in *Caldwell Investment Management Ltd. (Re)*, [2019 ONSEC 25](#), the first enforcement proceeding in Canada relating to best execution.

## Professional Negligence

- Counsel on a large group claim for negligence against an insurance brokerage.
- Defending medical negligence claims and payment demands on behalf of the CMPA, physicians, their clinics, and clinic staff.
- Regulatory and other advice to physicians and companies in the health and wellness sector.
- Counsel to the successful respondent physician on an appeal to the HPARB in *M. v. P. J. R. S.*, [2020 CanLII 12632](#) (ON HPARB).
- Counsel to the successful respondent physician on an appeal to the HPARB in *Applicant v. G.B.J.*, [2017 CanLII 53783](#) (ON HPARB).

Will received his law degree from the University of Oxford in 2014. Will graduated from Oxford with first-class honours and as the recipient of four class prizes. Will obtained his Master of Laws from the University of Toronto in 2015. William also holds an Honours Bachelor of Arts in Philosophy and Economics from Wilfrid Laurier University, during the course of which he was the recipient of the Fred Little Memorial Award for Excellence in Philosophy.

Will volunteers with Pro Bono Ontario. He is a member of the Canadian Bar Association, the Ontario Bar Association, and the Advocates' Society.

## Recent Experience

- **CannTrust seeks advisement in connection with internal investigations, regulatory and compliance matters, and class action defence**  
June 30, 2021
- **Molson Coors wins judgement dismissing a C\$1.4B class action**  
April 17, 2019

## Recent Insights

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- **The Tort of Internet Harassment: A new tort with an extraordinary remedy**  
February 08, 2021
- **The Duty of Care for Pure Economic Loss: How Far Does it Extend? The Supreme Court Delivers its Judgment in 1688782 Ontario Inc. v. Maple Leaf Foods Inc. et al.**  
November 16, 2020
- **The Duty of Care for Pure Economic Loss: How Far Does it Extend? The Supreme Court Delivers its Judgment in 1688782 Ontario Inc. v. Maple Leaf Foods Inc. et al.**  
November 09, 2020
- **Skateboards & Boomerangs: Court of Appeal reverses boomerang summary judgment, clarifies use of hearsay in affidavits**  
June 26, 2019