



Kosta Kalogiros

Partner

Toronto

kkalogiros@mccarthy.ca

t. +1 416-601-7861

Bar Admission

Ontario 2011

Law School

Osgoode Hall Law School

Practices

Leasing
Real Property Development
Disputes and Litigation
Corporate Commercial Litigation
Professional Liability
Public Law
Transportation and Logistics
Alternative Dispute Resolution

Industries

Automotive

With a keen interest in disruption, Kosta always looks for the most innovative solutions to clients' problems.

Kosta is a partner in our Litigation Group in Toronto. He maintains a broad litigation practice, assisting public and privately held corporations with their corporate/commercial disputes and automotive and technological matters. He also has experience in domestic and international arbitration, professional negligence, commercial leasing and real property, product liability, telecommunications and estates.

As a leader in the firm's Automotive Industry Group, Kosta advises key players on issues relating to autonomous vehicles and artificial intelligence, particularly in the infrastructure and transportation contexts. A strategic adviser, Kosta provides pragmatic advice to the firm's clients on risk management strategies and the disruptive impact of these and other new technologies.

Kosta is actively engaged in developments in the AI and deep learning space. He is also a member of MT?Play, a global gaming consultancy, with a particular industry focus on eSports.

Kosta has appeared before all levels of the Ontario courts. He has also appeared before administrative bodies, including the College of Physicians and Surgeons, the Health Professions Appeal and Review Board and the College of Physiotherapists. As well, he has acted for claimants and respondents in private domestic and international arbitration matters.

In addition to traditional litigation mandates, Kosta provides public relations and pre-litigation assistance, and due diligence/liability opinions. Some of his recent notable work includes:

Dispute Resolution

- counsel in a multi-million-dollar private arbitration between telecommunication service providers;
- counsel in a multi-million-dollar real property development contractual dispute (successful on all grounds);
- counsel on multiple professional negligence matters ranging from physicians to investment dealers;
- counsel on behalf of minority shareholders in various oppression and contractual disputes, including in a \$5-million arbitration resolved favourably at pre-hearing mediation;
- counsel for multiple institutional clients in relation to managing commercial leasing disputes;

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- counsel for energy and construction companies dealing with NIMBY disputes;
- advising and providing legal guidance to a large Canadian institutional investor in respect of breach of reps/warranties claim;
- acting for multiple companies in departing employee disputes (i.e., enforcing non-compete/non-solicit);
- assisting auto manufacturers in challenging government policy change re electric vehicle rebates;
- assisting auto dealers in disputes with OMVIC;
- successfully resisting multiple reviews/appeals to the Health Profession Appeal and Review Board;
- *Fram Elgin Mills 90 Inc. v. Romandale Farms Limited*;
- *Fikry v. College of Physicians and Surgeons of Ontario*;
- *Van Sluytman v. Muskoka (District Municipality)*;
- *Goodings v. Lubin*;
- *Kara v. Arnold*;
- *2156384 Ontario Inc. v. C&K Property Management Inc.*;
- *Allen v. Aspen Group Resources Corporation*;

Regulatory

- assisting automotive manufacturers with recalls;
- advising international autonomous vehicle (AV) developer on Canadian regulatory environment and deployment of AVs in various provinces;
- assisting global automaker in navigating/responding to Transport Canada safety compliance audit;
- providing legal guidance to auto-parts manufacturer on import and safety regulations/obligations;
- working with renewable energy project developers in navigating regulatory approval process with the Ministry of the Environment (including bringing judicial review proceedings);
- assisting auto dealers in navigating/challenging the Ontario dealership licensing requirements;
- advising on consumer protection law and other relevant regulations in the context of merger and acquisition transactions;

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- presenting to, and with, the federal and provincial government on AVs and auto safety;

Transactional/Corporate

- advising Brookfield Assessment Management Inc. in its \$8.4-billion acquisition of Genesee & Wyoming;
- advising Brookfield Infrastructure Partners L.P. in its \$4.3-billion acquisition of Enercare Inc.; and
- advising a major Canadian bank in relation to collateralization of a potential \$90-million loan.

Kosta received his JD from Osgoode Hall Law School in 2010.

He is also actively involved in the Hellenic legal and professional community, serving as the President of the Hellenic Canadian Lawyers' Association and serving on the Next Generation Committee of the Hellenic Heritage Foundation. He is conversationally proficient in Greek.

Recent Experience

- **Brookfield Infrastructure and GIC acquire Genesee & Wyoming Inc. for US\$8.4B**
December 30, 2019
- **Romandale Farms Inc. successful in long-standing dispute surrounding ownership of 280 acres in Markham, Ontario**
September 13, 2019
- **Brookfield Infrastructure acquires Enercare Inc. for C\$4.3B**
October 16, 2018

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Recent Insights

- **Dispute Resolution - Alternative Dispute Resolution**
June 15, 2021
- **Working on the Chain: Lessons from the COVID-19 Era**
June 14, 2021
- **Dispute Resolution - Class Actions**
May 31, 2021
- **Dispute Resolution – Canada’s Court System**
May 18, 2021

Events

- **Working on the Chain: Lessons from the COVID-19 Era**
June 08, 2021
- **Transportation and Logistics Fall Tune-Up**
October 22, 2019
- **Transformative Technologies & the Law: Part II – The Connected City**
September 27, 2018