



Sean S. Smyth, K.C.

Partner

Calgary

ssmyth@mccarthy.ca

t. +1 403-260-3698

Bar Admission

Alberta 1994

England and Wales 1997

Law School

University of Calgary

Practices

Financial Institutions Regulatory
Matters
International Arbitration
Litigation and Dispute Resolution
Appellate Litigation
Class Actions
Corporate Commercial Litigation
Products Liability
Professional Liability
Securities Litigation
Alternative Dispute Resolution

Industries

Energy & Resources
Oil & Gas
Global Metals & Mining

Experience and a highly creative approach give Sean a leading edge to provide effective solutions to contentious litigation and arbitration matters.

Sean Smyth, K.C. is a partner in our Calgary Litigation Group. Known for his pragmatism and keen eye for detail, Sean's practice focuses primarily on domestic and international arbitration, corporate commercial litigation, securities litigation, class actions involving securities and product liability, construction litigation including claims against suppliers to major projects, and claims involving contract, tort and statutory interpretation.

Sean works with a broad range of clients across industry groups including financial services, oil and natural gas, construction, pharmaceuticals, agro-sciences, telecommunications, manufacturing, and real estate. Recognized for being the first point of contact in contentious matters, clients value his ability to handle adversarial situations by swiftly and effectively getting to the root of the issue to achieve winning resolutions.

Sean recently earned a Master of Laws degree in Litigation Project Management from Baylor University. His clients benefit from a disciplined, project management approach to litigation and arbitration, enhancing efficiency and effectiveness in the delivery of legal services.

Sean is a Fellow of the Chartered Institute of Arbitrators (FCIArb) and a member of the ADR Institute of Canada and the ADR Institute of Alberta.

Sean regularly leverages his depth of experience to represent clients in high-stakes disputes involving commercial contracts, shareholders' rights, directors' liabilities, securities, real estate transactions, product liability, intellectual property rights, class actions, and other matters related to corporate law, commercial transactions and commerce. He has appeared before all levels of courts in Alberta, the superior courts of Ontario, British Columbia, and Saskatchewan, the Federal Court of Canada, the Supreme Court of Canada, and a variety of regulatory, disciplinary and arbitral tribunals.

Sean S. Smyth, K.C.

Partner

Calgary

ssmyth@mccarthy.ca

t. +1 403-260-3698

Some of his representative work includes:

- Lead Counsel in several recent domestic and international arbitrations in the construction and financial services sectors
- Lead Counsel for target in hostile take-over bid - *Osum Oil Sands Corp.*, 2021 ABASC 81
- Lead Counsel for board of directors in proxy battle - *BullRun Capital Inc. v. GrowMax Resources Corp.*, 2019 ABQB 107
- Lead Counsel for a successful respondent and defendant - *Northrock Resources v. Exxonmobil Canada Energy*, 2017 SKCA 60; 2016 SKQB 188
- Lead counsel for the appellant - *Strategic Acquisition Corp v. Multus Investment Corp.*, 2017 ABCA 36, 2017 ABCA 217, 2017 ABCA 250, 2018 ABCA 63;
- Lead counsel for the successful plaintiff - *Strategic Acquisition Corp v. Multus Investment Corp.*, 2016 ABQB 681 per Mahoney J.
- Lead counsel for successful defendants - *Parrottino v. Concrete Associates VI Investment Corporation*, Action 1101-07455 per Lovecchio J.
- Lead counsel for the successful respondent - *IBM Canada Ltd. v. Almond*, 2015 ABCA 379; 2015 ABQB 336 per Pentelchuk J.

Sean attended law school at the University of Calgary and was called to the Alberta bar in 1994. He has been a practicing solicitor in England and Wales since 1997. He was appointed Queen's Counsel in 2016 (now King's Counsel). Sean earned a Master of Laws in Litigation Project Management from Baylor University in 2021.

Awards & Rankings

Chambers Canada

Leading Lawyer: General Commercial - Alberta

The Canadian Legal Lexpert Directory

Leading Lawyer: Litigation - Corporate Commercial

Sean S. Smyth, K.C.

Partner

Calgary

ssmyth@mccarthy.ca

t. +1 403-260-3698

Lexpert Special Edition: Litigation

Leading Lawyer

Lexpert Special Edition: Energy

Leading Lawyer

The Legal 500 - Canada

Leading Lawyer: Dispute Resolution - Alberta

Best Lawyers in Canada

Leading lawyer: Appellate Practice; Class Actions and Corporate Commercial Litigation Law

Benchmark Litigation Canada

Litigation Star: Arbitration; Dispute resolution; Securities; Product Liability and recall and Commercial

Recent Experience

- **Razor Energy Corp. converts NOI Proceedings to CCAA Proceedings**
January 31, 2024
- **Aurora Hydrogen Closes US\$10M Series A Preferred Share Financing**
June 23, 2022
- **Chesswood Group Limited acquires of Rifco Inc.**
January 14, 2022

Recent Insights

- **Court Rejects Distressed Corporate Arrangement Transaction**
September 6, 2023