



# Connor Bildfell

## Associate

Vancouver

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

t. +1 604-643-5877

## Bar Admission

British Columbia 2018

## Law School

University of British Columbia

## Practices

Litigation and Dispute Resolution

Appellate Litigation

Class Actions

Corporate Commercial Litigation

Public Law

Securities Litigation

Cyber/Data

## Connor helps clients achieve their objectives in complex disputes, both in and out of court

Connor Bildfell is an associate in our Litigation Group in Vancouver. Recognized for his ability to navigate complex disputes, he has represented clients in private arbitrations and before courts at all levels, including the Supreme Court of Canada. His practice focuses on corporate/commercial, class action, privacy, public law, and regulatory disputes.

### Corporate/Commercial

Connor has a broad corporate/commercial practice covering mining, real estate, technology, and other commercial disputes. He has represented or is representing:

- a U.S. mining company before the B.C. Supreme Court and Court of Appeal in a dispute over a Guatemalan mining project
- a U.K. mining company in a dispute over financing for the largest Mongolian mining project in history
- a B.C. mining company in an arbitral dispute over the frustration of a stream agreement relating to a B.C. mining project
- a Brazilian mining company in a dispute over entitlement to an additional deposit under a stream agreement
- a B.C. real estate developer in an arbitral dispute over a rezoning and servicing agreement
- a B.C. real estate developer in a dispute over the duty to negotiate in good faith with respect to a potential sale of a valuable Vancouver property
- a B.C. real estate developer before the B.C. Court of Appeal in a dispute over one of Vancouver's most significant proposed real estate development projects
- a B.C. real estate developer before the B.C. Court of Appeal in a dispute over the modification of a commercial lease

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- a B.C. social media software company before the B.C. Supreme Court in a dispute over a procurement contract
- a group of affected family members before the B.C. Supreme Court and Court of Appeal in a dispute over the distribution of trust assets derived from a closely held family business
- a former gaming industry senior executive before the B.C. Supreme Court and the Court of Appeal in a dispute alleging misfeasance in public office and fraudulent misrepresentation

## Class Actions

Connor represents Canadian and multinational companies in complex, high-stakes class action litigation, including in the technology, mining, pharmaceutical, banking, and consumer products industries. He has represented or is representing:

- a U.S. social media and technology company in a proposed B.C. class action alleging that its social media platforms cause teen mental health issues
- a U.S. mining company in a proposed Ontario securities class action alleging misrepresentations about an alleged groundwater contamination at a Mexican mine
- a B.C. mining company in a proposed B.C. securities class action alleging misrepresentations about the company's plans for a proposed Alaskan mine
- a U.S. pharmaceutical company in a proposed B.C. class action seeking recovery under the B.C. *Opioid Damages and Health Care Costs Recovery Act*
- a Canadian bank in a multi-jurisdictional class action alleging breach of the *Competition Act* in relation to credit card fees
- a U.S. home improvement retailer in a proposed B.C. class action alleging breach of customers' privacy rights

## Privacy

Connor is a Certified Information Privacy Professional (Canada) and regularly advises and represents Canadian and multinational companies on privacy matters. He has represented or is representing:

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- a U.S. social media and technology company before the Federal Court in a dispute alleging breaches of the *Personal Information Protection and Electronic Documents Act*
- a Canadian bank before the Federal Court in a dispute alleging breaches of the *Personal Information Protection and Electronic Documents Act*
- a Canadian banking association on potential strategic reforms to a bill proposing new federal private sector privacy legislation
- several Canadian banks on potential strategic reforms to a bill proposing new private sector privacy legislation in Quebec
- a Canadian accounting firm in response to a cybersecurity incident
- an Indigenous individual before the Federal Court in a dispute over correctional authorities' refusals to disclose personal information documenting the unlawful use of force in prison

### Public Interest and Constitutional Litigation

Connor regularly represents a range of individuals and organizations in public interest and constitutional litigation across Canada, including before the Supreme Court of Canada. He has represented or is representing:

- an Indigenous women's organization before the Supreme Court of Canada in a dispute impacting Indigenous women's ability to fulfill their sacred roles under Indigenous laws
- a disability advocacy organization before the Supreme Court of Canada in a dispute over the ability of public interest organizations to bring constitutional challenges on behalf of marginalized people based on public interest standing
- a non-profit trade organization before the Supreme Court of Canada in a dispute over the meaning of the new "making available" right in the *Copyright Act*
- an LGBTQI2S advocacy organization before the Supreme Court of Canada in a dispute over the impact of religious freedom on the scope of the judicial role

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- an individual before the Supreme Court of Canada in a dispute over the nature and effect of *Henson* trusts (i.e., trusts designed to benefit persons living with disabilities)
- a Canadian advocacy organization before the Supreme Court of Canada in a dispute over the effect of a constitutional declaration of invalidity made by a superior court
- a Canadian advocacy organization before the Supreme Court of Canada in a dispute over the constitutionality of Canada's Safe Third Country Agreement regime
- a prisoners' rights organization before the Supreme Court of Canada in a dispute over prisoners' ability to recover damages for *Charter*-infringing laws
- a Canadian bar association before the Supreme Court of Canada in a dispute related to the protection of solicitor-client privilege and language rights in criminal proceedings
- a drug policy coalition before the B.C. Court of Appeal in a dispute over the sentencing principles that apply in cases involving people who are dependent on drugs
- a constitutional rights organization before the Ontario Superior Court in a *Charter* challenge to the "false statements" prohibition in the *Canada Elections Act*
- a B.C. Crown corporation before the B.C. Supreme Court in a dispute over the constitutionality of the government's response to the COVID-19 pandemic

## Regulatory

Connor represents organizations and individuals in regulatory matters across a range of industries, including energy, transportation, hospitality, and professional services. He has represented or is representing:

- a B.C. utility on operations-related regulatory matters
- an Ontario airport terminal operator on operations-related regulatory matters

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- an Ontario construction and infrastructure company on airport regulation matters
- a B.C. airport operator on agricultural land regulation matters
- a U.S. short-term accommodation platform on bylaw-related regulatory matters
- a U.S. food-delivery platform on employment-related regulatory matters
- a U.S. ride-sharing platform on bylaw-related regulatory matters
- a senior executive in the Commission of Inquiry into Money Laundering in British Columbia
- the Law Society of British Columbia in professional misconduct proceedings

## Publications

Connor is an active writer and thought leader. His scholarship has been published in a number of legal publications, including the *Advocate*, *Alberta Law Review*, *Asper Review of International Business and Trade Law*, *BarTalk*, *Canadian Bar Review*, *Canadian Corporate Counsel*, *Canadian Criminal Law Review*, *Canadian Journal of Administrative Law and Practice*, *Canadian Journal of Law and Technology*, *Canadian Privacy Law Review*, *Commercial Litigation and Arbitration Review*, *Commercial Times*, *Construction Business*, *Construction Law Letter*, *Dalhousie Law Journal*, *Ottawa Law Review*, *Pepperdine Dispute Resolution Law Journal*, *Public Works Management & Policy*, *Review of Constitutional Studies*, *Saskatchewan Law Review*, and *UBC Law Review*. He is also the copy editor of the *Advocate*, a contributing author to *Global Corruption: Law, Theory & Practice* and *Virtual Advocacy: Litigating from a Distance*, and a regular contributor to the firm's blogs. He is also the host of the podcast *Five Tech Law Cases Everyone Should Know*.

## Community Involvement

Connor is an active member of the community. He currently serves on the board of the Allard Law Alumni Association, is chair of the CBABC's Access to Justice Committee, and provides *pro bono* advice on matters of public interest. He previously served as a board member and board secretary of Kids Up Front (Vancouver), which provides enriching experiences to children in need; vice-president of the board of the Vancouver Inter-Cultural Orchestra, which brings cultures together through music; and a volunteer for

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the Justice Education Society of BC, which empowers people to access and deliver justice in Canada and around the world.

## Education and Clerkships

Before joining the firm, Connor clerked at the Supreme Court of Canada and the B.C. Court of Appeal. He received his J.D. from the University of British Columbia in 2016, graduating as the gold medallist. During law school, he served as Editor-in-Chief (Editorial) of the *UBC Law Review*, was a member of the winning team in the 2016 B.C. Law Schools Moot, worked as a research assistant, volunteered as a peer tutor, and participated in the Law Students' Legal Advice Program, which provides free legal assistance to persons with limited means. Before law school, Connor received his BCom from the University of Victoria in 2013, graduating at the top of his class. He also worked at an international accounting firm, was named "Business Co-op Student of the Year", and studied abroad at Peking University in China.

## Languages

Connor speaks English, French, Spanish, and some Mandarin.

## Awards & Rankings

### Best Lawyers in Canada

Ones to Watch: Corporate and Commercial Litigation

### Best Lawyers in Canada

Ones to Watch: Administrative and Public Law

### Best Lawyers in Canada

Ones to Watch: Class Action Litigation

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## Recent Experience

- **Claim challenging the constitutionality of COVID-19 pandemic response measures struck**  
February 23, 2024
- **Meta Platforms' successful defence against PCC's PIPEDA challenge**  
April 13, 2023
- **Successfully defended against application for appeal to SCC in case concerning the distribution of assets from family trusts**  
January 12, 2023
- **Partners Group acquires SureWerx from The Riverside Company**  
December 28, 2022

## Recent Insights

- **McCarthy Tetrault's TechLex reports on R. v. Bykovets**  
March 6, 2024
- **Supreme Court of Canada Rules IP Addresses Attract a Reasonable Expectation of Privacy**  
March 6, 2024
- **Technology Perspectives Outlook 2024**  
February 12, 2024
- **Announcing the New BC Real Estate Litigation Group**  
February 6, 2024