



Byron Shaw

Associé

Toronto

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t. +1 416-601-8256

Admission au barreau

Ontario 2009

Faculté de droit

University of British Columbia

Secteurs de pratique

Litiges
Groupe d'appel
Actions collectives
Litige en droit commercial et en droit
des sociétés
Responsabilité du fait du produit
Responsabilité professionnelle
Droit public
Litige en valeurs mobilières

Expertise sectorielle

Santé
Industrie pharmaceutique

Byron Shaw is a brilliant lawyer and a terrific person; I can't say enough good things about him and would recommend him to any client.

— CLIENT INTERVIEW, CHAMBERS & PARTNERS

Byron has appeared before the Supreme Court of Canada, all levels of court in Ontario and trial and appellate courts in other Canadian provinces. Between 2017-2018, Byron worked at Paul, Weiss in New York, where he assisted in the defence of securities class actions and commercial and antitrust litigation before federal and state courts, the Department of Justice and the Federal Trade Commission.

Byron co-authors Constitutional Law with Justice Patrick Monahan and Padraic Ryan and his texts and other writings are frequently cited by trial and appellate courts including the Supreme Court of Canada. Byron also lectures Advanced Contracts at the University of Western Ontario, Faculty of Law.

[Byron is a] great leader and really drove the negotiations and paid attention to the details of the case.

— CLIENT INTERVIEW, CHAMBERS & PARTNERS

Byron clerked for the Court of Appeal for Ontario in 2008-2009 where he worked with former Associate Chief Justice Dennis O'Connor and Justices Sharpe, Weiler and Gillese. He received his B.A. (Hons.) in Economics from the University of British Columbia in 2005 and his LL.B from the University of British Columbia in 2008. He was called to the bar in Ontario in 2009.

Byron is active in the law community and is the Chair of the Canadian Subcommittee of the Commercial & Business Litigation Committee of the American Bar Association. He is also a member of the Canadian and Ontario Bar Associations and the Advocates Society.

NOTABLE CASES

Byron's significant engagements include:

- **St. Jude Medical** in product liability class action concerning defibrillators and cardiac resynchronization therapy devices.
- **Abbott Laboratories** in putative class actions concerning opioid medications.

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- **Abbott Laboratories** and **AbbVie** in the first pharmaceutical class action to be defeated on summary judgment in Canada.
- **Canadian Creditors Committee** in cross-border trial and related appeals concerning the allocation of \$7.3 billion amongst the debtor estates of Nortel.
- **J.D. Irving, Limited** in proceedings involving forest product marketing boards.
- **National Bank** in successful defence of proposed secondary market securities class action alleging that National Bank was a “promoter” under the *Securities Act*.
- **The former CFO of Manulife** in a class action regarding alleged inadequacies in the company’s public disclosure.
- **Ontario Lottery and Gaming Corp.** in commercial dispute with Ontario First Nations.
- **The Canadian Constitutional Foundation** in an intervention before the Supreme Court of Canada regarding the right to a jury for individuals charged with *Securities Act*

PUBLICATIONS

- *Constitutional Law*, 5th ed. (Toronto: Irwin Law, 2017) (co-authored with Justice Patrick Monahan and Padraic Ryan).
- *Constitutional Law*, 4th ed. (Toronto: Irwin Law, 2013) (co-authored with Patrick Monahan).
- “*Goldhar v. Haaretz.com: A Product of the Supreme Court’s Unfinished Project to Reform Canadian Private International Law*” (2019) 49(2) *Advocates’ Q.* 143 (co-authored with Scott Robinson).
- “Questions About Leave Test for Secondary Market Claims Remain Unanswered after Court of Appeal Decision in *Rahimi v SouthGobi Resources Ltd*” (2018) 13(1) *Canadian Class Actions Review* 5.
- “A Wise Development? The Growing Trend Towards Summary Judgment in Class Actions” (2017) 47 *Advocates’ Q.* 164 (co-authored with Neil Finkelstein and Brandon Kain).
- “Summary Judgment Prior to Certification in Class Actions: How *Microsoft* and *Hryniak* Have Changed the Landscape” (2015) 44 *Advocates’ Q.* 229 (co-authored with Neil Finkelstein, Brandon Kain and Eric Block).

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Mandats récents

- **Mobilinx obtient le contrat du TLR Hurontario dont l'achèvement est prévu pour 2024**

21 octobre 2019

Publications récentes

- **The New Constitution: U.K. Supreme Court Intervenes in Brexit Debate**

25 septembre 2019

- **What becoming a “charter city” could mean for Toronto**

18 novembre 2019

- **On the Basis of Text: SCOTUS Deals Victory for LGBTQ Rights Through the Words on the Page**

17 juin 2020

- **Court of Appeal for Ontario rules that parliamentary privilege prevents Mike Duffy from suing the Senate**

06 octobre 2020