



## Jill Yates

### Associée

Vancouver

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

t. +1 604-643-7908

### Admission au barreau

Colombie-Britannique 2002

### Faculté de droit

University of British Columbia

### Domaines de pratique

Litige et résolution des différends  
Actions collectives  
Litige en droit commercial et en droit  
des sociétés  
Responsabilité du fabricant  
Litige en concurrence  
Mode alternatif de résolution des  
conflits

### Secteurs d'activité

Droit bancaire et services financiers  
Commerce de détail et marché de  
consommation  
Technologie et communications

*Disponible en Anglais seulement*

## **Jill brings a blend of strategic thinking, practical problem-solving and procedural experience to resolve complex class action, product liability, financial services and general commercial litigation files for clients.**

An experienced commercial litigator, Jill is the Chair of our National Class Actions Group and Practice Lead of our Vancouver Litigation group. She is also a member of our firm's Financial Services Litigation group and Consumer and Retail group.

Clients appreciate Jill's ability to simplify complicated legal problems, identify priorities, develop a strategy to navigate through the labyrinth of complexities, and arrive at a winning resolution. During her career, Jill has defended clients in industries such as financial services, retail and consumer markets, technology, and manufacturing, against class actions lawsuits. These class actions have included wide-ranging allegations such as breach of contract, economic torts and restitution, price-fixing, product liability, and breach of privacy. She has also represented financial institution clients in an assortment of matters such as mortgage terms, de-marketing and fraud, and has defended clients in consumer litigation matters, including in relation to the *Business Practices and Consumer Protection Act*.

Jill's representative experience includes:

### **CLASS ACTIONS**

- defending the asset management arm of a financial institution through a nine-week common issues trial in response to allegations of closet indexing. Jill's client was successful on all issues.
- defending various large financial institutions in class actions regarding various different fees and fee structures, including credit card fees paid by merchants, balance protection insurance, mortgage pre-payment fees, and others.

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- defending clients in a variety of industries in product liability class actions.
- defending price fixing class actions for several different global producers of food and technological products.
- defending an online platform in a class action regarding pricing display.
- defending a large multi-national technology company in a class action based on privacy and geo-location issues.
- defending a large financial institution in a class action and related proceedings regarding alleged fraudulent schemes, including Ponzi schemes.
- defending a drug producer against a class action regarding consumer protection claims.

## COMMERCIAL LITIGATION

- representing a large landowner and resource extraction company in a significant dispute regarding conspiracy and fraud through a nine-week trial. representing a large landowner and resource extraction company in a significant dispute regarding conspiracy and fraud through a nine-week trial. Jill's clients were successful on all issues, which result was confirmed on appeal. Jill obtained a very significant costs award against the opposing parties.
- representing a major developer in a complex arbitral dispute regarding a sale of land and development conditions. The case resolved on excellent terms.
- representing a major developer in a complex dispute over closing terms through trial and appeal. Jill's client was successful on all issues at both levels of court.
- representing both vendors and purchasers in a variety of contractual disputes including through trial, with successful results.

## FINANCIAL SERVICES LITIGATION

- defending financial institutions in relation to various class actions (see above).
- defending senior bank personnel at a public inquiry.

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- defending a financial institution and its board members in relation to allegations of conspiracy and fraud through arbitration.
- defending a financial institution in relation to an alleged Ponzi scheme.
- defending a financial institution in relation to allegations of defamation.
- defending a financial institution in relation to de-marketing clients.
- defending financial institutions on a variety of matters posing significant reputational risk.

Jill is the editor of the fifth edition of *Defending Class Actions in Canada*, published by LexisNexis, and was an editor and contributing author to the previous editions. She is also a frequent presenter on class actions and other litigation topics at Canadian Bar Association events and other conferences. These are important commitments to Jill as they represent opportunities to provide the marketplace with a broader context of the class action and litigation landscape. By being made aware of the latest trends, how the law is evolving and how cases are being resolved in different industries, Jill believes the marketplace will be better informed and have a richer perspective which to view their own legal challenges.

Jill received her BSc (Biological Sciences) from the University of Lethbridge in 1998, where she received the Gold Medal and the Governor General's medal. Jill received her LLB from the University of British Columbia in 2001. After graduating from law school, Jill clerked for the Chief Justice of the British Columbia Court of Appeal. She was called to the bar of British Columbia in 2002 and is a member of the Canadian Bar Association and the Vancouver Bar Association. She is the past chair of the Consumer Litigation Committee of the International Bar Association and of the Class Actions Section of the Canadian Bar Association, British Columbia.

Jill strongly believes in the importance of contributing to the larger community. She is the current Chair of the Boys and Girls Club of South Coast B.C. and the co-chair of McCarthy Tétrault's Vancouver United Way Committee.

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**Jill Yates' client service, commercial vision and sophistication are very strong. She has handled multiple class actions and large matters for us. She is especially effective at delivering complex messages quickly and concisely.**

— CHAMBERS AND PARTNERS

Jill's representative experience includes:

## CLASS ACTIONS

- defending the asset management arm of a financial institution through a nine-week common issues trial in response to allegations of closet indexing. Jill's client was successful on all issues.
- defending various large financial institutions against class actions regarding various different fees and fee structures, including credit card fees paid by merchants, balance protection insurance, mortgage pre-payment fees, and others.
- defending clients in a variety of industries against product liability class actions.
- defending clients in a variety of industries against consumer protection claims.
- defending various global producers of food and technological products against price-fixing class actions.
- defending large multi-national technology companies against privacy class actions.

## COMMERCIAL LITIGATION

- representing employers on complex employment litigation, including to obtain injunction orders and other urgent relief.
- representing a large landowner and resource extraction company in a significant dispute regarding conspiracy and fraud through a nine-week trial. Jill's clients were successful on all issues, which result was confirmed on appeal. Jill obtained a very significant costs award against the opposing parties.

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- representing a major developer in a complex arbitral dispute regarding a sale of land and development conditions.
- representing a major developer in a complex dispute over closing terms through trial and appeal. Jill's client was successful on all issues at both levels of court.
- representing both vendors and purchasers in a variety of contractual disputes including through trial.
- representing clients in a variety of industries on complex commercial disputes.

## FINANCIAL SERVICES LITIGATION

- defending senior bank personnel at a public inquiry.
- defending a financial institution and its board members in relation to allegations of conspiracy and fraud through arbitration.
- defending a financial institution in relation to an alleged Ponzi scheme.
- defending a financial institution in relation to allegations of defamation.
- defending financial institutions in relation to de-marketing clients.
- defending financial institutions on a variety of matters posing significant reputational risk.

Jill is the editor of the fifth edition of *Defending Class Actions in Canada*, published by LexisNexis, and was an editor and contributing author to the previous editions. She is also a frequent presenter on class actions and other litigation topics at Canadian Bar Association events and other conferences. These are important commitments to Jill as they represent opportunities to provide the marketplace with a broader context of the class action and litigation landscape. By being made aware of the latest trends, how the law is evolving and how cases are being resolved in different industries, Jill believes the marketplace will have a richer perspective from which to view their own legal challenges.

Jill won the Gold Medal and Governor General's Medal in 1998 in relation to her BSc (Biological Sciences). Jill received her LLB from the University of British Columbia in 2001, including winning various scholarships and awards. After law school, Jill clerked for the Chief Justice of the British Columbia

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Court of Appeal. She was called to the bar of British Columbia in 2002 and is a member of the Canadian Bar Association and the Vancouver Bar Association. She is the past chair of the Consumer Litigation Committee of the International Bar Association and of the Class Actions Section of the Canadian Bar Association, British Columbia.

Jill strongly believes in the importance of contributing to the larger community. She is the current Chair of BGC (formerly known as the Boys and Girls Club) of South Coast B.C. and is the co-chair of McCarthy Tétrault's Vancouver United Way Committee.

## Prix et distinctions

### Chambers Canada

Leading Lawyer: Dispute Resolution - Class Actions (Defence) & Litigation:  
General Commercial - British Columbia

### The Legal 500 Canada

Leading Lawyer: Dispute Resolution - British Columbia

### Benchmark Litigation Canada

Litigation Star

### Benchmark Litigation Canada

Top 100 Women in Litigation

### The Canadian Legal Lexpert Directory

Leading Lawyer: Class Actions; Litigation - Corporate Commercial

### Lexpert Special Edition: Litigation

Leading Lawyer

### Who's Who Legal: Canada

Leading Lawyer - Product Liability Defence

### Best Lawyers in Canada - 2022 and 2017

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Lawyer of the Year: Class Action Litigation

## Best Lawyers in Canada

Leading Lawyer in the areas of Corporate and Commercial Litigation and Class Action Litigation

## Mandats récents

- **MT a représenté avec succès les intimés dans le cadre d'une demande d'appel à la CSC en lien avec la distribution d'actifs de fiducies familiales**  
12 janvier 2023
- **Partners Group acquiert SureWerx auprès de The Riverside Company**  
28 décembre 2022
- **Gestion de placements TD obtient gain de cause dans le cadre du procès sur les questions communes alléguant la pratique d'indexation de placard**  
28 juin 2022
- **MT a représenté avec succès les parties concernées dans le cadre d'une procédure d'appel en lien avec la distribution d'actifs de fiducies familiales**  
2 février 2022

## Publications récentes

- **La nouvelle normalité : Un guide pour les chefs d'entreprises dans un monde continuellement affecté par la COVID-19**  
25 juin 2020
- **Webinar Recap - Looking Ahead to 2021: Risk Management and Common Law Class Action Trends in 2021**  
20 janvier 2021

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- **Webinar Recap - Looking Ahead to 2021: Risk Management and Common Law Class Action Trends in 2021**

22 janvier 2021

- **Filing Trends in British Columbia Class Actions**

7 mai 2021