



James Sullivan, Q.C.

Partner | Vancouver

james.sullivan@blakes.com

Vancouver: 604-631-3358

The logo for the law firm Blakes, featuring the name in a stylized, cursive script font.

Jim is senior trial and appellate counsel, with experience in a wide range of complex litigation matters. He has appeared as counsel in British Columbia, Alberta, and Ontario, as well as the Supreme Court of Canada. In 2013 Benchmark named Jim Canada's Class Action Litigator of the year. In 2017 the Attorney General of British Columbia appointed Jim as Queen's Counsel. In 2018 Who's Who Legal referred to Jim as "the dean of the British Columbia product liability and class action bars."

Jim has represented clients in numerous major corporate commercial, class action, energy, contaminated site, regulatory offence, constitutional and product liability cases. He also advises clients on national and international compliance and foreign and domestic anticorruption.

SELECT EXPERIENCE

Recent experience includes:

- Acting for the Province of British Columbia in a purported class action alleging that the Province's regulation of fish farms had injured the aboriginal fishery; action was dismissed by the British Columbia Court of Appeal (2011), and leave to appeal to the Supreme Court of Canada was dismissed (November 2012)
- Counsel to Microsoft Corporation in a class action alleging breaches of the *Competition Act* and various other economic claims regarding the sale of software products throughout Canada
- Acting as counsel to Lafarge Canada Inc. in a matter finally decided in the Supreme Court of Canada concerning the constitutional question of which level of government controlled the development of a concrete facility on the Vancouver waterfront; Supreme Court of Canada upheld Lafarge Canada Inc.'s position and enabled the facility to be developed
- Acting as counsel to Merck & Co., Inc. and Merck Frosst Canada Ltd. in a purported class action in British Columbia relating to Propecia and Proscar
- Conducting international anticorruption investigations and due diligence for multinational clients in connection with allegations of improper payments to government officials
- Acting as counsel to Hunt Oil in an action concerning an oil and gas tenure in northeastern British Columbia - Hunt Oil acquired the tenure only to find out that the Province of British Columbia had not disclosed that the tenure was in an area that was considered historically and spiritually significant by a local aboriginal group; the matter proceeded through an extensive litigation process and settled, successfully for Hunt Oil on the eve of trial in 2012
- Acting as counsel to Coca Cola Ltd. in the co-ordination of its Canadian litigation concerning

Vitaminwater® class actions; these class actions have to be co-ordinated not only between various jurisdictions in Canada but also with other international jurisdictions

- Acting as counsel to Syscon Justice Systems Canada Ltd., successfully defending a 10-week trial for a commission sought in the amount of C\$17-million
- Acting as arbitrator for government and business

AWARDS & RECOGNITION

Jim is recognized nationally and internationally as leading litigation counsel in the following publications:

- *Who's Who Legal: Canada 2017* (Life Sciences, Product Liability)
- *The Best Lawyers in Canada* (Corporate and Commercial Litigation, Class Action Litigation, Product Liability Law, Environmental Law and Appellate Practice)
- *Who's Who Legal: Canada* (Product Liability Defence - "Highly Recommended" for his advice to corporate clients regarding the prevention of product liability claims and his "fabulous abilities" at defending leading manufacturers in the courts). In 2016 recognized as one of Canada's top five product liability defence lawyers, the only lawyer so recognized in British Columbia)
- *The Lexpert Guide to the Leading US/Canada Cross-border Litigation Lawyers in Canada* (Class Actions - the only British Columbia lawyer so recognized)
- *Lexpert's Special Edition on Litigation in Report on Business Magazine*, December 2014 (recognized as one of Canada's highest-ranked business-focused litigation lawyers)
- *Benchmark Canada: The Definitive Guide to Canada's Leading Litigation Firms and Attorneys* (Canada's Class Action Litigator of the Year 2013)
- *Benchmark Canada: The Definitive Guide to Canada's Leading Litigation Firms and Attorneys* (a litigation star in British Columbia and a litigation star in Class Actions, Competition and Environmental Law)
- *Chambers Global: The World's Leading Lawyers for Business* (Dispute Resolution, describing Jim as "an excellent advocate - very customer focused and good at figuring out what clients need")
- Legal Media Group's *Guide to the World's Leading Litigation Lawyers*
- *The Canadian Legal Lexpert Directory* (Class Actions)
- *Who's Who Legal: Product Liability Defence* (as "one of the leading product liability experts in British Columbia")
- *The Legal 500 Canada* (Recommended for Dispute Resolution)
- Appointed Queen's Counsel

PUBLICATIONS

[Co-author: New B.C. Legislation Proposes Multi-Jurisdictional Opt-Out Class Actions](#)
Blakes Bulletin on Class Actions, April 27, 2018.

PROFESSIONAL APPEARANCES

Speaker: The Impact of Recent Amendments to the Class Proceeding Act

Canadian Bar Association, Class Action Sub-Section Meeting, Vancouver, British Columbia, February 14, 2019.

Panellist: Recent Multijurisdictional Developments in Class Actions

Class Action Climate in Canada: Recent Developments and Emerging Trends, Toronto, Ontario, January 30, 2019.

Panellist: Creative Settlement Structures in Class Actions

Class Action Climate in Canada: Recent Developments and Emerging Trends, Toronto, Ontario, January 30, 2019.

Speaker: Comparison of North American and Asian Product Liability Law

Asia Regional Meeting, International Association of Defence Counsel, Hong Kong, November 2, 2018.

Panellist: Ethics in Class Actions

Western Canada Class Action Conference 2018, Vancouver, British Columbia, October 11, 2018.

Instructor: McEachern Trial Advocacy Course

University of British Columbia Allard School of Law, Vancouver, British Columbia, September 13 and 18, 2018.

Speaker: Strategies for Conducting Complex Class Action Trials

Northwind Professional Institute's 2018 Class Actions Invitational Forum, Cambridge, Ontario, June 13, 2018.

Speaker: Current Trends in Director and Officer Indemnification Agreements

Managing Enterprise Risk: Spotlight on D&O Liability, Vancouver, British Columbia, February 22, 2018.

Speaker: Cy-Pres Love – Recent Issues in Cy-Pres Distributions

Class Action Subsection, Canadian Bar Association, Vancouver, British Columbia, October 3, 2017.

Speaker: How to Minimize Class Action Risk

Client Seminar, Vancity Savings Credit Union, Vancouver, British Columbia, October 2, 2017.

Instructor: McEachern Trial Advocacy Course

University of British Columbia Allard School of Law, Vancouver, British Columbia, September 14 and 19, 2017.

Speaker: Taming the Beast: Bringing Class Actions to Trial

Canadian Regional Meeting, International Association of Defense Counsel, Toronto, Ontario, June 6, 2017.

Lecturer: Anatomy of a Class Action: The Defence Perspective

Allard Hall School of Law, University of British Columbia, April 4, 2017.

Lecturer: Access to Justice and Class Actions

Allard Hall School of Law, University of British Columbia, March 30, 2017.

Speaker: Post-Certification Strategies

Ahead of the Class: Important Updates and Developments in Class Actions, Blakes Business Class Seminar, Toronto, Ontario, February 2, 2017.

Speaker: Cross-Border Litigation

Association of Corporate Counsel, Washington State Chapter, Seattle, Washington, September 20, 2016.

MEDIA APPEARANCES

Mentioned: Lexpert-ranked Lawyers

Lexpert Magazine, December 1, 2017.

Interviewed: Former LNG advocate Gordon Wilson seeks \$5M in defamation lawsuit

Article by Estefania Duran, Matt Lee, Liza Yuzda and Emily Lazatin, Global News/CKNW, August 17, 2017.

Interviewed: Class Action Update

Lexpert Online Magazine, June 21, 2016.

PROFESSIONAL ACTIVITIES

Jim is the author of *A Guide to the British Columbia Class Proceedings Act* (Butterworths, 1997) and is the co-author, with the Honourable Mr. Justice Mazko of the British Columbia Supreme Court, of the *Class Proceedings Act, Annotated* (The Continuing Legal Education Society of B.C., 2000 & 2002). He is a contributor to the *British Columbia Supreme Court Class Action Manual* (Supreme Court of British Columbia, 1999) and a contributing author to *Litigating Conspiracy: An Analysis of Competition Class Actions* (Irwin Law, 2006) and *Government Liability: Law and Practice* (Canada Law Book, 2007).

Jim is also a contributing editor of the Federated Press *Class Action Journal* and has written numerous articles and lectured extensively on class actions and environmental law throughout Canada, the United States and Europe.

EDUCATION

Admitted to the British Columbia Bar - 1988

Harvard Law School PIL Mediation Training - 1999

Harvard Law School PIL Negotiation Training - 1997

L.L.B., University of Saskatchewan - 1987

B.A., University of Saskatchewan - 1984