

Michael Donsky

Partner

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Michael is an experienced civil litigator. His practice has a particular focus on broker liability litigation and employment law matters.

Michael has also acted as lead counsel on matters before the Ontario Superior Court of Justice, the Court of Appeal for Ontario and the Supreme Court of Canada. As well he has appeared on administrative matters involving the Mutual Fund Dealers Association, the Investment Industry Regulatory Organization of Canada, The Financial Services Commission of Ontario, the Chartered Professional Accountants Ontario and the Ontario Securities Commission.

He has acted and advised on employment matters involving Employment Standards, Human Rights and wrongful dismissal claims (both employee and management side). As well, in the regulatory area, he has acted on behalf of both dealers and individual registrants. Michael has acted on matters before the Human Rights Tribunal of Ontario.

He has also acted in a variety of areas including securities, regulatory enforcement and professional negligence.

Michael represents registrants in proceedings before provincial securities commissions, self-regulatory organizations and the courts. He has advised corporations and individuals involved in proceedings before provincial securities commissions and in general employment matters.

Michael has successfully resolved numerous litigation claims through trial and appeal and Michael has successfully resolved many more claims, both litigation and regulatory, through mediation and negotiation.

PRACTICE AREAS

Broker/Dealer Litigation

Employment Litigation

Indigenous

Judicial Reviews and Appeals

Litigation and Dispute Resolution

Securities Litigation

Securities Registrant Regulation and Compliance

Education & Memberships

EDUCATION

Called to the Ontario Bar, 1992

University of Toronto, J.D., 1990

University of Western Ontario, Faculty of Arts, 1987

MEMBERSHIPS

Canadian Bar Association

Toronto Lawyers Association

Ontario Literacy Coalition

The Advocates' Society

The Law Society of Ontario

Awards & Recognition

The Best Lawyers™ in Canada
Administrative and Public Law

Speaking Engagements & Publications

Presentation: "Cannabis in the Workplace: Are the old rules up in smoke?"
WP Financial Annual Conference in Niagara Falls, Ontario, June 2018

INDUSTRY GROUPS

Cannabis

Representative Work

In the Matter of Daniel Tiffin

Successfully represented client regarding various allegations before the Financial Services Commission of Ontario including allegations of misleading the Superintendent and FSCO, providing false and misleading documentation making false statements in support of false documentation. In the end, FSCO agreed to drop all of the charges against the accused.

Ndex Systems Inc. v. Kenneth Aquino and Marjorie J. Hull

Successfully brought a motion for summary judgment dismissing the plaintiff's action. The claim included allegations of actions contrary to the Fraudulent Conveyances Act, the Assignments and Preferences Act and of conduct alleged to be oppressive under Section 248 of the Ontario Business Corporations Act. Successfully responded to an appeal of that decision.

In the Matter of Matthew Scott Sinclair

Successfully negotiated with OSC Staff a settlement of the allegations against Mr. Sinclair including allegations that companies of which Mr. Sinclair was Chairman, President, and Chief Executive Officer, or of which he was the directing mind engaged in: breach of a cease trade order; offering securities without a prospectus and conduct contrary to Ontario Securities Law and the Public Interest.

In the Matter of Goldbridge Financial Inc., Wesley Wayne Weber and Shawn Lesperance

Successfully negotiated with OSC Staff a settlement of the allegations against Mr. Lesperance including assisting the trading of securities in the Ontario markets without having registered under the Securities Act and while not being registered to trade in securities or act as an advisor under s. 25(1) of the Act.

International Financial Group ats. Robert Half Canada Inc.

International Financial Group ats. Robert Half Canada Inc. Successfully resisted plaintiff's claim for injunctive relief to restrain clients from acting in breach of purported restrictive covenants.

Ingram Micro ats Andrew Kieran

Successfully resisted an appeal from a trial judgment and established the priority of wording of express option agreements over the effect of a notice payable on a constructive dismissal; won at trial, court of appeal and resisted motion for leave to Supreme Court of Canada

Lannick Associates et al. ats. Robert Half Canada

Successfully overturned an interim injunction that had been obtained against clients restraining them from acting in breach of purported restrictive covenants

Presentation: "Symptoms of Dementia and Financial Abuse Prevention in Seniors."

IPC Financial National Fall Conference in St. Johns, Newfoundland, September 2017

Presentation: "The Vulnerable Investor. The Vulnerable Advisor. Best Practices when dealing with the "Senior Investor": Protect the client, Protect Yourself."

IPC Financial National Fall Conference in Vancouver British Columbia, September 2015

Panelist: "The Independent Contractor Physio Therapist"

Ontario Physiotherapy Association Conference, 2007

Presentation "The Low-Down on Employment Law"

An overview of employment law issues as they impact on small businesses.

Presentation: "Civil Liability in the Secondary Markets"

An overview of the Ontario legislation, comparative U.S. experience, the due diligence defence and disclosure policy.

Recent Insights

CORPORATE COMMERCIAL

**41 Lawyers Profiled Across 24 Areas of Law in The Best Lawyers
in Canada, 2024**

Announcement, Recognition
