

Young Park

Partner

EMAIL ypark@foglers.com

PHONE 416.365.3727



Young is a commercial litigator whose diverse advocacy practice includes complex business disputes, cross border disputes, regulatory hearings, judicial review proceedings, privacy and data protection, product liability, professional liability, franchise disputes, real estate and defamation.

Young is an effective and versatile advocate with extensive experience conducting trials, arbitrations, regulatory hearings and appeals. He also regularly advises his clients on regulatory and risk management matters, focusing on providing pragmatic advice to resolve business problems. Young acts for clients in industries including technology, mining, energy, manufacturing, telecommunications, logistics, education, entertainment, food and beverage, consumer electronics, home appliances and accounting and audit services.

Young is recognized as a leading lawyer in *The Best Lawyers in Canada* for Administrative and Public Law and Corporate & Commercial Litigation.

PRACTICE AREAS

Litigation and Dispute Resolution

Administrative and Regulatory

Advertising and Marketing

Arbitration and Alternative Dispute Resolution (ADR)

Commercial Litigation

Judicial Reviews and Appeals

Indigenous

Privacy, Data Governance and Cybersecurity

Real Estate Litigation

Representative Work

Counsel to the Appellants in *Bunker v. Veall*, 2023 ONCA 501

Education & Memberships

EDUCATION

Osgoode Hall Law School, LL.B., 1998

University of Toronto, Trinity College, B.A., 1995

MEMBERSHIPS

Canadian Bar Association

Awards & Recognition

The Best Lawyers™ in Canada
Administrative and Public Law and Corporate & Commercial Litigation

Speaking Engagements & Publications

Speaker, CASL Update
Lexpert's Annual Privacy and Data Protection Conference, November, 2018 & 2019

Speaker, CASL's Private Right of Action - Class Action Goldmine or Proxy for the Regulator?
IT.CAN Teleconference Roundtable, April 2017

Speaker, The New Private Right of Action Preparing for Uncertain Times - What's Trending Now in Digital
Advertising & Marketing Law Seminar, February 2017

Counsel to the respondent Fasteners & Fittings Inc., in Qingdao Top Steel Industrial Co. Ltd. v. Fasteners & Fittings Inc., 2022 ONSC 279 (CanLII)

Counsel to the Centre for Digital Rights in a judicial review challenge of a decision by the Commissioner of Canada Elections not to investigate a complaint into the potential violation of privacy rights of Canadian electors by the three main Federal political parties of Canada.

Counsel to the Canadian Civil Liberties Association in a public interest judicial review application and Charter challenge against Waterfront Toronto, City of Toronto, the Ontario Government and Federal Government to set aside Waterfront Toronto's agreement with Sidewalk Labs (Google's sister company) to develop and build a "smart city" at Quayside in Toronto.

Counsel to an eastern producer in the anti-dumping Gypsum Board Hearing before the Canadian International Trade Tribunal.

Counsel for a major energy company in successful judicial review applications to restrain a municipality from preventing the development of a wind farm, including quashing a wind turbine noise by-law

Counsel for Klondex Mines Ltd. on a successful motion to stay proceedings based on forum non conveniens, which was affirmed by the Ontario Court of Appeal: Solloway v. Klondex Mines Ltd., 2014 ONSC 391 (CanLII), 2014 ONSC 1632 (CanLII) and 2014 ONCA 672 (CanLII)

Counsel for a tech company in prosecuting claims against a former employee for breach of confidence and misappropriation of confidential information

Counsel for a cruise and entertainment company in a judicial review application challenging the validity of a government agency's procurement decision

Counsel for a private international school in a judicial review application challenging the validity of the Crown's decision to terminate its credit granting authorization

Counsel for a national law firm in an arbitration with a former partner concerning pension entitlements under a partnership agreement

Trial counsel for a multinational company in a lengthy product liability jury trial

Counsel for a multinational company in a land contamination dispute in Ontario

Counsel for a Mazda car dealership in a successful application for specific performance of an agreement of purchase and sale of land

Counsel for a Mazda car dealership in a successful application for specific

Keynote Speaker, The New Private Right of Action under CASL - Preparing for Uncertain Times

[Canadian Institute's annual Ad Law Conference, January 23, 2017](#)

Speaker, Liability of Canadian Mining Companies for Foreign Operations (The Shifting Landscape)

[180 on Mining Law hosted by The Commons Institute, February 2015](#)

Speaker, Jurisdiction and Jurisdictional Challenges, 2015

Speaker, Duty to Consult and Accommodate, 2012

Panelist, Risk Management for In-House Counsel

[Continuing Professional Development Boot Camp, November 2011](#)

Presenter, Appeals

[Continuing Professional Development, October 2011](#)

Professional & Community Involvement

Director, Board of Directors, The Lighthouse for Grieving Children (2020 - present)

Member, Governance Committee, The Lighthouse for Grieving Children (2020 - present)

Board of Trustees, Trinity College, University of Toronto (2010 - 2016)

Chair, Governance Implementation Task Force, Board of Trustees, Trinity College (October 2014 to May 2015)

performance of an agreement of purchase and sale of land, which was affirmed by the Ontario Court of Appeal: (2009), 61 B.L.R. (4th) 64 (Ont. S.C.J.), aff'd 2010 ONCA 16 (CanLII)

Counsel for an international accounting firm in a judicial review application from the decision of a Professional Conduct Committee to refer professional discipline charges

Co-counsel for a pulp and paper company in an arbitration of a dispute concerning post-closing obligations in excess of \$55 million under an environmental indemnity

Counsel for a Global Fortune 500 manufacturer of consumer electronics and home appliances in successful proceedings against grey marketers for trade-mark infringement and false advertising

Counsel for a beer distributor in a successful proceeding brought against a service provider for deceit

Acted for a national real estate brokerage in successfully defending a discipline hearing before the Toronto Real Estate Board

Advise auditors who were called as Crown witnesses in criminal proceedings for fraud against officers of a public company

Advise auditors in responding to investigation and inquiries made by the Institute of Chartered Accountants of Ontario concerning their audit engagements of a public company

Counsel for an international accounting firm in defending proceedings against it for negligence in the conduct of its audits

Counsel for a major entertainment company in a complex multi-party product liability action

Acted for a Fortune 500 company in an action for trade-mark infringement, passing off and copyright infringement

Counsel for Nature Conservancy of Canada in a successful application to complete the purchase of an ecologically significant island in Georgian Bay, Ontario

Act for a multinational manufacturer and its Canadian distributor of consumer electronics and home appliances on safety incidents relating to allegedly defective home appliances and televisions before the Electrical Safety Authority of Ontario

Mitusev v. General Motors Corp, 2005 CanIII 32205 (ON SC)
Successfully acted for a U.S. manufacturer of car parts in opposing the plaintiffs' motion to add the manufacturer as a defendant.

Counsel for a public start-up mining company in a successful application for an injunction restraining certain directors who

engaged in self-dealing transactions from exercising their rights as directors

Shaw Cablesystems Limited v. Persona Communications Inc., 2007 CanLII 47157 (ON SC)

Acted for a telecommunications company in successfully opposing a motion to enforce an alleged settlement agreement.

Counsel for a franchisor in actions against it for alleged breaches of the disclosure obligations under the Arthur Wishart Act (Franchise Disclosure), 2000

Counsel for a manufacturer of airplane commuters in a successful application for an injunction restraining a former consultant from misappropriating confidential and proprietary information

Counsel to a CEO of a public company in responding to an investigation by Staff of the OSC into alleged insider trading

Hi-Tech Group Inc. v. Sears Canada Inc., 2001 CanLII 24049 (ON CA)

Counsel in a significant contract interpretation decision:

Acted for a manufacturer of flavour enhancers in defending a class action for price fixing

Recent Insights

LITIGATION AND DISPUTE RESOLUTION

Modernizing Canada's "Modern Approach" to Foreign Judgments

Article

CORPORATE COMMERCIAL

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

Announcement, Recognition

ADVERTISING AND MARKETING

Private Right Of Action Under CASL - The Case For Judicial Restraint In Ordering Non-Compensatory Damages

Article
