



firm profile

McMillan is a modern and ambitious business law firm serving public, private and not-for-profit clients across key industries in Canada, the United States and internationally. With recognized expertise and acknowledged leadership in major business sectors, we provide solutions-oriented legal advice through our offices in Vancouver, Calgary, Toronto, Ottawa, Montréal and Hong Kong. Our firm values – respect, teamwork, commitment, client service and professional excellence – are at the heart of McMillan's commitment to serve our clients, our local communities and the legal profession. For more information, please visit our website at www.mcmillan.ca.

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class actions

overview

When companies are faced with a class action lawsuit, the risks extend far beyond damage to the bottom line. Brands can be tarnished, employees may become demoralized, and markets can punish share prices. But with expert legal counsel that anticipates these threats and responds to them vigorously, the risk can be minimized—even eliminated.

McMillan's Litigation Group has broad experience in major domestic, cross-border and international class actions. Our highly accomplished litigators have expertise in a broad range of class action specialties. These include antitrust and competition, fraud, product liability, consumer protection, securities, employment, pharmaceuticals and medical devices, automotive, intellectual property, environmental, and banking litigation. Our prime focus is to preserve shareholder value and public reputation by defeating claims early.

Our specialist lawyers across Canada can seamlessly and effectively handle multijurisdictional cases typical of class actions. Our litigators have worked with many of Canada's leading corporations and have defended claims of varying sizes and degrees of complexity.

McMillan professionals help clients lead by:

- Counseling on early resolution options, including defeating class treatment, seeking dismissal or summary judgements, and negotiating settlements
- Defending against class actions in the courts
- Managing the discovery process
- Creating strategies that mitigate risk across multiple business areas, including public relations, finance and human resources
- Advising on the Canadian implications of suits originating in the United States

representative transactions

Our clients include public and private corporations, government agencies, and individuals. Examples of our experience in class actions include involvement in:

- Antitrust proceedings involving:
 - credit cards
 - auto parts
 - air customer and air cargo surcharges



class actions

- Dynamic Random Access Memory (DRAM), Static Random Access Memory (SRAM), flash memory
- LCD flat panel monitors and CRT monitors
- retail gasoline
- pharmaceuticals
- chocolate
- hydrogen peroxide, EPDM, choline chloride, polyester polyols, polyester staple and rubber chemicals
- auto pricing, auto service charges, auto after-market lights and auto filters
- bulk vitamins
- copper futures and lender liability
- linerboard
- the sale of fine art by auction houses
- Maltol
- specialty food service hardware
- photochromic lenses
- travel agents
- Product liability claims involving:
 - pharmaceuticals and medical devices
 - consumer goods, including rear projection televisions and cameras
 - pet food and director liability
 - auto component wear
 - consumer goods financing
 - well equipment used in Walkerton, Ontario
 - polybutylene
 - propane fired burners in appliances
- Consumer protection proceedings involving:
 - auto warranty coverage, auto pricing and auto price disclosure
 - credit charges
 - pharmaceuticals (including cough medicine and Synthroid)
 - new homes and other residential real estate
 - advertising and promotional contests
- Financial services litigation involving:
 - administration of registered accounts



class actions

- receipt of proceeds of alleged fraud
- Securities related claims including:
 - prospectus misrepresentation in an IPO
 - timing and pricing of stock options
 - oppression claims
- Insurance proceedings involving the adjustment of complete loss automobile claims
- Other
 - Hepatitis C infections via the Canadian blood system
 - Franchisees, mass termination of leases