

Amer Pasalic

Senior Associate



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Toronto

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Overview

Amer Pasalic (He/Him/His) is a senior associate in the Litigation and Dispute Resolution group at Dentons Canada in Toronto. He has a broad commercial and civil litigation practice, with particular expertise in cases involving contractual disputes, fraud, product liability, estates and trusts litigation, professional negligence, lease disputes and real estate litigation. Amer has appeared in the Ontario Superior Court of Justice, the Ontario Court of Justice, the Small Claims Court, the Landlord and Tenant Board, and in private arbitration tribunals.

Prior to joining the firm as an associate, Amer worked as a provincial offences prosecutor for the City of Toronto, and acted as an in-take volunteer at Law Help Ontario – Superior Court of Justice branch. As an articling student, Amer completed a secondment with Toronto Community Housing Corporation (TCHC).

Experience

- **BMW Canada Inc.:** Acting as lead litigation counsel in the prosecution of illegal export matters and the enforcement of non-export covenants for BMW's luxury line of vehicles.
- **Canadian National Railway Company:** Acting as counsel in a successful motion to strike a pleading for being scandalous, frivolous and vexatious: 2018 ONSC 4994
- **Canadian National Railway Company:** Awarded costs on the motion to strike referenced above: 2019 ONSC 100
- **Servisair Inc.:** Acting as counsel in a successful right to sue application before the Workplace Safety and Insurance Appeals Tribunal: 2018 ONWSIAT 2591.
- **LawPro:** Acting as counsel to a law firm in the successful dismissal of a professional negligence action arising out of an estate matter: *Eve v Brook et al.*, 2016 ONSC 1496.
- **Counterforce Corporation:** Acting as counsel in a successful motion for summary judgment for breach of non-solicitation covenants in a settlement agreement: *Counterforce Inc. v Volpe*, 2015 ONSC 4555.
- **The Salvation Army:** Acting as counsel in a successful dismissal of an action for being frivolous, vexatious

and an abuse of process under Rule 2.1.: *Nemmour v Durdle et al.*, 2015 ONSC 3772.

- **Large public housing agency:** Acting as counsel in regards to litigation advice concerning the dissolution of one of its subsidiaries.
- **Canadian Chartered Bank:** Acting as counsel to the administrative agent and the lenders in connection with the CA\$215 million project financing for the development, construction, ownership and operation of the 58.32 MW Bow Lake wind power project. The Bow Lake wind power project is owned by a limited partnership with the Batchewana First Nation and BluEarth Renewables as limited partners and currently represents the largest economic partnership between a First Nation and a wind energy developer in Canada.
- **Multinational financial institution:** Advising in connection with a breach of contract claim.
- **Confidential client:** Acting as counsel in matters involving estate claims, breach of trust actions, and dependant support claims.
- **Confidential client:** Acting as counsel in matters of professional negligence arising out of estate and trust matters.
- **Crown Corporation:** Acting as counsel in successful motions for leave to issue writs of seizure and sale and notices of garnishment.
- **Plaintiffs and Defendants:** Advising in connection with lien actions, claims for delay, competing claims between secured creditors in insolvency proceedings and trust claims made under *Construction Lien Act*.
- **Employer:** Advising in connection with breach of fiduciary duty and non-competition litigation against a former employee.
- **Employer:** Advising in connection with wrongful dismissal litigation.
- **Confidential client:** Acting as counsel in connection with environmental spills including site clean-up, including for public sector entities.
- **Confidential client:** Acting as counsel in connection with regulatory requirements and permitting issues for energy distributors.
- **Landlords:** Acting as counsel in connection with rent arbitrations to determine the prevailing rent for the renewal term of a commercial lease.
- **Large electronics manufacturer:** Advising in connection with claims of breach of contract.

Recognition

- Top 5% of graduating class at Osgoode Hall Law School
- Samuel Rubinoff Prize in Legal Process
- Ivan Cleveland Rand Prize in Constitutional Law
- Cassels Brock & Blackwell LLP Prize in Constitutional Law
- Carl Orback, Q.C. Prize in Family Law
- McMillan LLP Award for academic excellence
- Board of Governors Medal (University of Windsor)
- Governor General of Canada Academic Medal - Bronze

In the Media

- Quoted in the article "Mandatory arbitration clauses: How do the consumers fare?," *National Magazine*, November 2, 2015

Insights

- Co-author, "Heidari v Naghshbandi: Ontario Court of Appeal Clarifies When Security for Costs of an Appeal is Appropriate," *Dentons Commercial Litigation Blog*, April 13, 2021
- Co-author "Partial Summary Judgment (Almost) Dead in Ontario," *Dentons Commercial Litigation Blog*, February 24, 2021
- Co-author, "*Malik v Attia*: Ontario Court of Appeal further restricts partial summary judgment," *Dentons Commercial Litigation Blog*, February 2, 2021.
- "Timing (and purpose) is everything: The importance of prompt disclosure to admissibility of video surveillance evidence", *Dentons insights*, August 19, 2019
- Co-author, "Privacy in the Spotlight: Ontario Superior Court of Justice confirms new tort for public disclosure of private facts", *Dentons insights*, February 19, 2019
- Co-author, "Appeal court upholds exemptions under ESA", *Legal Alert*, Volume 36, No. 1, April 2017
- Co-author, "Parents beware: an update on social host liability in Ontario", *International Law Office*, April 25, 2017
- Co-author, "Judicial inattentiveness? Speak up or forever hold your peace!", *International Law Office*, March 14, 2017
- Amer Pasalic & Norm Emblem, "Media coverage in politics: court draws line between critical political reporting and defamation", *International Law Office*, July 5, 2016
- "Supreme Court of Canada affirms robust World Bank immunities in global anti-corruption case", *International Law Office*, May 31, 2016
- Co-author, "*Tenny v Ontario*: appeal court clarifies permissible procedure for service of summons *ex juris*", *International Law Office*, January 19, 2016
- Co-author, "OSC bans Conrad Black from holding key roles in public entities", *International Law Office*, May 5, 2015
- Co-author, "Participant and non-party experts exempt from expert witness requirements", *International Law Office*, April 21, 2015
- Co-author, "Court generously interprets timeframe for foreign state to set aside default judgment", *International Law Office*, March 31, 2015
- Co-author, "Court of Appeal on judicial use of enhanced summary judgment powers", *International Law Office*, March 24, 2015
- Co-author, "Ontario declines jurisdiction over BP cross-border securities class action", *International Law Office*, September 16, 2014
- Matthew Fleming & Amer Pasalic, "Court Limits Plaintiff's Ability to Access Corporate Documents in Securities Class Action," Case Comment on *Mask v. Silvercorp Metals Inc.*, (12 August 2014), online: Canadian Securities Litigation
- Co-author, "The Conrad Black saga continues: OSC affirms reciprocal order power", *International Law Office*, July 7, 2014
- Co-author, "Interlocutory challenges to requests to admit: putting teeth into the procedure", *International Law*

Office, April 15, 2014

- Co-author, "Lawyers beware – risks of giving investment advice to clients", *International Law Office*, March 11, 2014
- Co-author, "Strategies on moving to enforce and responding to letters rogatory in Ontario", *International Law Office*, January 21, 2014
- "Class Action vs. Arbitration: A Cross-Jurisdictional Overview of Consumer Protection Legislation in Canada", *Canadian Arbitration and Mediation Journal*, Fall/Winter 2013
- Author, "Supreme Court defers to Securities Commission on the Interpretation of Limitation Periods in Secondary Proceedings", *Canadian Securities Litigation*, December 11, 2013
- Author, "Discharge of contaminants into the environment: 'When in doubt, report'", *Dentons Insights*, November 5, 2013
- Co-author, "Is Canada Ready for Class Arbitration?" presented at the ADRIC/ICC Canada Gold Standard ADR Conference, October 25, 2013
- Co-author, "Understanding the nuts and bolts of requests for proposals (RFPs)" presented at the Construction Law Best Practices Conference, May 28, 2013

Activities and Affiliations

- The Advocates' Society
- Law Society of Upper Canada
- Member, Ontario Bar Association
- Member, Canadian Bar Association

Community Involvement and Pro Bono

Community Involvement

- Daily Bread Food Bank
- Lawyers Feed the Hungry
- United Way

Pro Bono

- Pro Bono Law Ontario Small Claims Court Duty Counsel Project, Toronto, ON
- LawHelp, Pro Bono Law Ontario
- Community Living Ontario
- Community & Legal Aid Services Programme (CLASP), Osgoode Hall Law School

Teaching Roles

- Osgoode Dean's Fellow in Torts

Presentations

- “Evolving Trends in Class Actions” presented at The Advocates’ Society Seminar on Class Actions Advocacy, March 5, 2014

Memberships

- Member, Associates Advisory Committee (Dentons Toronto)

Areas of focus

Practices

- Litigation and Dispute Resolution

Education

- Osgoode Hall Law School, 2012, JD
- University of Windsor, 2009, BA Sc Honours

Admissions and qualifications

- Ontario, 2013

Languages

- English
- Serbo-Croatian