

Robb C. Heintzman

Counsel



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Overview

Robb Heintzman is a senior member of the Litigation and Dispute Resolution group of Dentons' Toronto office whose practice focuses on representing corporations in multinational class actions and significant commercial litigation.

Robb currently acts as lead counsel in many complex and precedent setting commercial cases in Canada. He regularly represents corporate clients including banks, automotive manufacturers, investment firms, underwriters, and professional service firms. He successfully represented a national professional services firm in the first class action in Ontario under the *Ontario Class Proceedings Act* and has since been engaged on behalf of corporate clients in many class actions brought by consumers, shareholders, lenders, and other creditors. A proponent of alternative dispute resolution, Robb has also been involved in many negotiated settlements, mediations, and arbitrations.

Experience

- **Deloitte & Touche:** Acting as lead counsel on multiple shareholder and creditor class actions regarding, among others, Philip Services Corp. and Livent Inc. (*Coulson v. Citigroup Global Markets Canada Inc.* 2012 ONCA 108) (2012); *CIBC v. Deloitte & Touche*, 2013 ONSC 2166; *Deloitte & Touche v. Livent Inc.* (Receiver of), [2017] 2 SCR 855, 2017 SCC 63 (CanLII).
- **CV Technologies Inc.:** Acting as defence counsel in a precedent-setting class action case under s. 138 of the *Ontario Securities Act* regarding secondary market liability. *Ainslie v. CV Technologies Inc.*, (2008), 304 D.L.R. (4th) 713 (Ont. S.C.J.).
- **Daimler/Benz:** Acting as lead counsel in multiple anti-trust class actions.
- **Daimler/Benz:** Acting as lead counsel with regard to consumer class actions in Canada involving Takata Corporation and its production and sale of air bags.
- **Confidential client:** Acting as lead counsel to a multi-national financial institution in proposed class proceedings brought in the Federal Court of Canada related to allegations of price manipulation in the market for SSA Bonds.
- **Confidential client:** Acting as lead counsel to a multi-national financial institution in proposed class

proceedings related to allegations of manipulation of pricing, through the London fix, of global gold markets.

- **Confidential client:** Acting as lead counsel to a multi-national financial institution in proposed class proceedings related to allegations of manipulation of the global silver markets.
- **Confidential client:** Acting as lead counsel to a multi-national financial institution in proposed class proceedings related to allegations of manipulation of exchange rates in global foreign exchange markets.
- **Leading global pharmaceutical company:** Acting as lead counsel in respect of the disputed sale of a \$3 billion business.
- **VMedia:** Successfully representing VMedia and QVC, Inc. in the Federal Court of Appeal from the decision of the Canadian Radio-television and Telecommunications Commission. (*2251723 Ontario Inc. (c.o.b. as VMedia) v. Rogers Media Inc.*, 2017 FCA 186).
- **Morgan Stanley Canada Limited:** Acting as counsel in connection with a high profile plan of arrangement transaction involving Magna International Inc.
- **Royal Bank of Canada and RBC Dominion Securities:** Acting as counsel in connection with the collapse of the asset backed commercial paper market.
- **Teranet Inc.:** Acting as lead counsel in connection with a \$100 million dissenting shareholder dispute. (*Teranet Inc. v. Canarab Marketing Corp.* (2008), 54 B.L.R. (4th) 138 (Ont. S.C.J. - Comm. List).
- **Deloitte:** Acting as lead counsel in the first class action, based on misrepresentation, initiated under the Ontario Class Proceedings Act, including the first certification decision by an appellate Court. (*Abdool v. Anaheim Management Ltd.*, (1993), 15 OR (3rd) 39; (1995) 21 OR (3rd) 453 (Div. Ct.).
- **Altamira:** Acting on behalf of the founding shareholders of Canada's largest no-load mutual fund in connection with the proposed hostile takeover by Manulife Financial.
- **Jones Heward Investment:** Acting as lead counsel with regard to advisory services provided by a large portfolio management company. (*2878852 Canada Inc. v. Jones Heward Investment Counsel*, 2007 CarswellOnt 90 (C.A.).
- **Inco Ltd.:** Acting as lead counsel in defence of Inco's mining and hedging activities. (*Inco Ltd. v. Ontario (Minister of Finance)* (2001) 61 OR (3rd) 561).
- **Meridian Gold Inc.:** Advising in connection with the CA\$3.5 billion take-over bid for Meridian by Yamana Gold Inc., including a "poison pill" hearing before the Ontario Securities Commission.

Recognition

First recognized in 2018, Robb has been commended for his extensive knowledge and experience in the following respected publications:

- *The Best Lawyers in Canada:* Securities Law
- *The Legal 500 Canada:* Dispute Resolution
- *Martindale-Hubbell:* Distinguished BV Peer Review Rating

In the Media

- Quoted in the *Globe and Mail* on Secondary Market Trading Provisions and the Ontario *Securities Act*, December 10, 2008

Insights

- "Secondary Market Liability in Canada: Securities Class Actions", Practical Law Multi-Jurisdictional Guide 2012/13 Dispute Resolution, Volume 1, *Practical Law Company*, October 2012
- "Secondary Market Liability in Canada: Securities Class Actions", *Practical Law Company*, May 2012
- "Securities Class Actions in Canada - Increased Exposure for US Companies, Directors and Officers as a Result of Canada's New Secondary Market Civil Liability Regime" *Inside*, New York State Bar Association Newsletter - Corporate Counsel Section, Vol. 29, No. 2, p. 22 (Fall 2011)
- The "Gatekeeper" Requirement and Secondary Market Liability Class Actions in Canada, *Executive View Media Limited* (March 2010).

Activities and Affiliations

- Member, Canadian Bar Association
- Member, Ontario Bar Association

Presentations

- Speaker on various topics, including class actions, tax and insolvency litigation, asset tracing and recovery and international liquidations

Areas of focus

Practices

- Alternative Dispute Resolution (ADR)
- Class Action Defense
- Litigation and Dispute Resolution
- Professional Liability Litigation
- Securities and Shareholder Litigation

Education

- Queen's University, 1977, LLB
- Queen's University, 1974, BA

Admissions and qualifications

- Ontario, 1979

Languages

- English