



Éric Azran

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Éric Azran is a partner in the Litigation & Dispute Resolution Group. His practice extends to all aspects of civil and commercial litigation, ranging from providing clients with legal opinions and strategic advice to representing clients in Quebec courts of first instance and appeal, as well as administrative tribunals.

Accolades

- *The Best Lawyers in Canada 2020* in Corporate and Commercial Litigation.
- *The Canadian Legal Lexpert Directory 2019* as a leading lawyer in Corporate Commercial Litigation.
- *Chambers Canada 2019* as a leading lawyer in Litigation: General Commercial - Québec.
- *Benchmark Canada: The Definitive Guide to Canada's Leading Litigation Firms 2019* in *General Commercial and Securities*.
- *The Legal 500 Canada 2018* as a recommended lawyer in Dispute Resolution.
- *The Best Lawyers in Canada 2018* in corporate and commercial litigation.
- *Le Monde Juridique* magazine as *Plaideur de l'Année 2016 de 40 ans et moins* (2016 Litigator of the Year among attorneys under 40).
- *Benchmark Canada: Definitive Guide to Canada's Leading Litigation Firms and Attorneys 2014*.
- *Benchmark Canada: Definitive Guide to Canada's Leading Litigation Firms and Attorneys 2013* as "Litigation Star".
- *Lexpert 2013 Guide to the Leading US/Canada Cross-Border Litigation Lawyers in Canada* as one of 19 "Canadian Litigation Lawyers to Watch" in Canada.
- *Lexpert's Rising Stars: Leading Lawyers Under 40, 2012*.
- *The Canadian Legal Lexpert Directory 2012* as a "repeatedly recommended" leading lawyer in securities litigation.

Representative Work

- Represented Aviva Insurance Company before the Supreme Court of Canada, in a dispute of national importance in which the central question was litigation privilege and whether it can be raised in opposition to administrative investigators.
- Represented the St. Lawrence Seaway Corporation (SLSC) in a major constitutional dispute, in which the Superior Court had to determine whether the Quebec Act respecting occupational health

and safety (AOHS) could apply to persons who work on a federal undertaking's construction sites. The SLSC won its case in May 2016.

- Represented several seniors' residence owners in their dispute with the Comité paritaire de l'entretien d'édifices publics. This was an important case in which the Court of Appeal was called on to decide whether a seniors' residence was a "public building" within the meaning of the Decree respecting building service employees. In April 2016, the Court of Appeal ruled in favour of the seniors' residence owners.
- Represented CIBC Wood Gundy in a class action filed by shareholders of Jitec. He also represents CIBC in a class action in which the concept of "market timing" is the central issue.
- Represented Penson Financial Services Canada in a class action relating to the rules surrounding the use of an omnibus account and the obligations of a custodian of funds. This action was dismissed by the Court before the authorization stage.
- Developed a special expertise relating to the drafting, strategy, and legal rules specific to these types of proceedings.
- Acted in many cases involving complex issues of corporate law (for example, oppression remedies and recourses relating to shareholder and director liability).
- Acts in cases involving the potential liability of financial institutions for fraud committed by a third party.
- Represented American Capital in a case which, for the first time in Quebec, dealt with the application of the U.S. theory of "requalification of debt."
- Acted for Bank of America in a case which focused on the rights and obligations of a financial institution in relation to the exercise of its security.
- Represents CIBC Wood Gundy and other firms in civil claims dealing with questions of suitability and compliance. He also represented CIBC in an action in which, for the first time in Quebec, the Superior Court defined the inner workings of a monetization plan, and in another action involving different aspects of derivatives offered by banks.
- Kuwait Airways in the exemplification by the Quebec courts of a judgment obtained in England against the Republic of Iraq and Iraqi Airways. A seizure order was obtained before judgment in the hands of Bombardier in connection with 10 aircraft having a total value of approximately \$350M. The issue of sovereign immunity of the Republic of Iraq was ultimately dismissed by the Supreme Court of Canada.
- Regularly represents clients (including major retailers) in the context of real estate disputes, whether it be in the context of leasing disputes or in the acquisition or sale of real estate.
- Acted for Logan Teleflex in the context of complex claims relating to the construction of an automated baggage handling system at Montreal's Trudeau Airport.
- Acted for Lloyds in the case of *Shama Textiles Inc. v. Certain Underwriters at Lloyds* in which the Quebec Superior Court rejected a \$14M claim by the insured.

Publications

- "Changing landscape of Canadian takeover law", *The Lawyers Weekly*, January 2017 (co-author).

Legal Posts

The following posts are available on Stikeman.com:

- [Limits to the inquiry powers of a regulatory body in light of Lizotte v. Aviva Insurance Company of Canada](#)

Professional Activities

Eric is Fellow of the Litigation Counsel of America (LCA).

In March 2012, he was selected for and successfully completed the “Emerging Leaders in Law Firms” program offered by Harvard Law School, Executive Education.

He teaches civil evidence and trial strategies to students at the École du Barreau du Québec.

He also chaired the Montréal office’s *Pro Bono* Committee from 2010 to 2012. He is currently Co-Chair of the National Diversity Committee.

Education

Université de Montréal (LL.B. 1998)

Bar Admission

Québec, 1999