



# Litigation

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## Overview

Field Law has a multifaceted background in providing advice and counsel within all areas of litigation. We represent clients before all levels of court in Alberta as well as the Federal Court and the Supreme Court of Canada, and before a wide variety of tribunals, boards and commissions.

Sometimes, clients face disputes where immediate action is crucial. Waiting for the usual legal process could result in irreparable harm, or the other side might be pushing for injunctive relief without meeting the complex evidentiary requirements. In these high-stakes situations, with significant evidence to manage, swift and strategic action is essential. At Field Law, we understand the legal landscape, quickly identify the key facts, and use our experience and judgment to effectively protect and advance our clients' positions.

We work closely with clients to find practical and economical solutions to disputes utilizing alternative methods such as mediation, arbitration and mini-trials to resolve a wide range of legal disputes.

Field Law has a skilled and knowledgeable group of litigators who provide assistance to clients in numerous areas including:

- Alternative Dispute Resolution
- Appeals and Judicial Reviews
- Class Actions
- Commercial Injunctions
- Construction
- Corporate and Business Disputes
- Debt Recovery and Restructuring
- Estate Litigation and Dispute Resolution
- Intellectual Property
- Pensions and Benefits
- Personal Injury
- Privacy
- Products Liability

## Experience

Graham Group Ltd v Labas Estate, 2017 ABQB 241

Envacon Inc v 829693 Alberta Ltd, 2017 ABQB 623

893682 Alberta Ltd v Baker Hughes Canada Company, 2017 ABPC 261

## Industries

Construction  
 Craft Brewing + Distilleries  
 Education  
 Emerging Technology  
 Indigenous  
 Law Enforcement  
 Public Sector

## Services

Business  
 Collections, Bankruptcy +  
 Insolvency  
 Construction  
 IP Litigation  
 Alternative Dispute Resolution  
 Class Actions  
 Corporate + Business Disputes  
 Criminal  
 Products Liability  
 Professional Regulatory  
 Estate + Trust Disputes

Barlot v Eisner, 2017 ABQB 636

May v 1986855 Alberta Ltd, 2018 ABCA 94

Fish v Boyd, 2018 ABQB 190

1536466 Alberta Ltd v Prestigious Properties Inc, 2017 ABQB 176

Graham Group Ltd v Labas Estate, 2017 ABQB 368

Martinez v. Chaffin, 2019 ABCA 216

ING Insurance Company of Canada v. Manuel, 2008 ABCA 201

Nagy v Northtech Drilling Ltd., 2020 NWTSC 38

Rollingson Racing Stables Ltd v Horse Racing Alberta, 2019 ABQB 632

Rollingson Racing Stables Ltd v Horse Racing Alberta, 2020 ABCA 419

The Alberta Teachers' Association v Buffalo Trail Public Schools Regional Division No 28, 2022 ABCA 13

Factors Western Inc v DCR Inc, 2021 ABCA 433

MN v Edmonton (Police Service), 2021 ABLERB 25

Dmyterko v Telus, 2021 ABQB 175

Twin Creek Dairy Ltd. v. CNH Industrial Canada, Ltd., 2021 SKQB 57

Alberta Teachers' Association v Buffalo Trail Public Schools Regional Division No 28, 2020 ABQB 582 (CanLII)

Waughtal v Innovative Agri-Ventures Inc, 2020 ABQB 455

Gradziel v Town of Coalhurst, 2020 ABQB

Malmberg v Boyd, 2020 ABQB 326

ST v. Edmonton (Police Service), 2020 ABLERB 1 (CanLII)

Malmberg v Boyd, 2020 ABQB 80

Deadman v Jager Estate, 2019 ABCA 481

Town of Norman Wells v Mallon et al, 2020 NWTSC 02

LaPrairie Works Inc v Ledcor Alberta Limited, 2019 ABQB 701

Calder v Alberta, 2019 ABCA 289

1985 Sawridge Trust v Alberta (Public Trustee), 2019 ABCA 244

1985 Sawridge Trust v Alberta (Public Trustee), 2019 ABCA 243

ALIA re: Sylvia Lapaschuk and Andrew Tanasychuk

Amble Ventures (Alberta) Ltd v D.B.K. Engineering Ltd, 2019 ABQB 287

Melin v Melin, 2019 ABQB 241

Jager Estate v. Deadman, 2019 ABCA 99

LaPrairie Works Inc v Ledcor Alberta Limited, 2019 ABQB 189

Geertsma v McCann's Building Movers Ltd, 2019 ABQB 93

Conlin v Edmonton (Police Service), 2019 ABCA 63

Blicharz v Livingstone, 2019 ABCA 42

Hood v South Calgary Community Church, 2019 ABCA 34

Park Avenue Flooring Inc v EllisDon Construction Services Inc, 2019 ABQB 73

Harun-ar-Rashid v Royal Canadian Mounted Police (RCMP), 2019 ABQB 54

Makis v Alberta Health Services, 2019 ABCA 23

Melin v Melin, 2018 ABQB 1056

Paraniuk v Pierce, 2018 ABQB 1015

Elkow v Sana, 2018 ABQB 1001

Gagnon v Shoppers Drug Mart, 2018 ABQB 888

Alvas v Barrett, 2018 ABQB 651

Andrews v Edmonton (Police Service), 2018 ABLERB 16

Paradigm Quest Inc v Vezina, 2018 ABQB 441

Oyen and Remax Real Estate Central v. Sunderland and Malcolm, Provincial Court of Alberta

Kowalchuk v Hyundai Auto Canada Corp., 2018 ABQB 421

Kowlachuk v. Blanchard et al. (REIX), Alberta Court of Queen's Bench

KBR Industrial Canada Co v Air Liquide Global E&C Solutions Canada LP, 2018 ABQB 257

Szybunka v Edmonton (Police Service), 2018 ABQB 164

Stephen v MacLean, 2018 ABQB 53

MUA v Four Points Sheraton Edmonton South (DBA), 2017 ABQB 804

Direct Horizontal Drilling Inc v North American Pipeline Inc, 2017 ABQB 653

Gas Plus Inc v Levelton Consultants Ltd, 2017 ABQB 655

Paraniuk v. Edmonton (Police Service), 2017 ABCA 338

May v. 1986855 Alberta Ltd, 2017 ABQB 617

Graham Group Ltd v. Leitch Construction Inc, 2017 ABCA 321

Northcott v Cornerstone United Inc., 2017 ABPC 201

Andres v. Superior Power Products Limited, 2017 ABPC 138

Calder v Alberta, 2017 ABQB 162

Meghji v Ippolito, 2017 ABPC 7

Keyland Development Corporation v Rocky View (Municipal District No 44), 2016 ABQB 735

Primewest Energy Inc v Texacana Turbines Inc, 2016 ABQB 715

Haymour v. The Owners Condominium Plan No 802 2845, 2016 ABCA 367

Prestigious Properties Inc v. Cold Lake Estates Inc, 2016 ABQB 632

Vakurov v. Canada (Citizenship and Immigration), 2016 FC 859

Rein v. Alberta (Human Rights Commission), 2016 ABQB 386

Haymour v. Condominium Plan No 802 2845, 2016 ABQB 393

Canada (Attorney General) v. Tepper, 2016 FC 307

Bumstead v Dufresne, 2015 ABQB 787

Sticks and Stones Communications Inc v. Hole's Greenhouses & Gardens Ltd, 2015 ABQB 774

Federal-Mogul Canada Limited v. President of the Canada Border Services Agency, AP-2012-034

Paradigm Quest Inc v. Moser, 2015 ABQB 557

Evergreen Ecological Services Inc. v. President of the Canada Border Services Agency, AP-2014-027

Southern Pacific Resource Corp. v. President of the Canada Border Services Agency, AP-2014-028

Kassian Estate v. Canada (Attorney General), 2015 ONCA 544

Cranbrook (City) v. Gabriel Construction (Alberta) Ltd., 2014 BCSC 2280

Babinski v. Canada (Attorney General), 2014 ONSC 6493

Wall v. Canada (Attorney General), 2014 ONSC 6524

Dorsey v. Canada (Attorney General), 2014 ONSC 6525

Lustre Studio Inc v. West Edmonton Mall Property Inc., 2014 ABQB 575

1126592 Alberta Ltd. v. Condominium Corporation No. 0425913 (New Cambridge Lofts), 2014 ABPC 183

Murphy v. Cahill, 2014 ABQB 274

Black Fluid Inc. v Opulence Clothing Inc. , 2014 ABQB 138

Murphy v. Cahill, 2014 ABQB 62

Kassian Estate v. Canada (Attorney General), 2013 ONSC 892

Mohammad v. Canada (Public Safety and Emergency Preparedness), 2013 FC 24

Murphy v. Cahill, 2013 ABQB 335

Murphy v. Cahill, 2012 ABQB 754

Monterra Lumber Mills, Ltd. v. President of the Canada Border Services Agency, 2012 CanLII 85175

Kassian Estate v. Canada (Attorney General), 2012 ONSC 4951

Curve Distribution Service Inc. v. President of the Canada Border Services Agency, AP-2011-023

Canadian Tire Corporation Ltd. v. Canada Border Services Agency, 2012 CanLII 36825

Chapman v. L'Hirondelle, 2012 ABCA 25

Condominium Corporation No. 042 5636 v. Chevillard, 2012 ABQB 131

Murphy v. Cahill, 2012 ABQB 793

Murphy v. Cahill, 2012 ABQB 530

Murphy v. Cahill, 2012 ABQB 531

Murphy v. Cahill, 2012 ABQB 220

Murphy v. Cahill, 2012 ABQB 446

Toronto-Dominion Bank v. Suitel Canada Executive Suites Corporation, 2012 ABQB 699

Chaaban v. Canada (Correctional Service), 2011 FC 1033

Condominium Corporation No. 0825873 v. 1246153 Alberta Ltd., 2011 ABQB 178

Toronto-Dominion Bank v Suitel Canada Executive Suites, 2011 ABQB 519

Condominium Corporation No. 0825873 v. 1246153 Alberta Ltd., 2010 ABQB 718

E. Gruben's Transport Ltd. v. Alberta Surplus Sales Ltd., 2010 ABQB 244

Toronto-Dominion Bank v. Suitel Canada Executive Suites Corporation, 2010 ABQB 355

Votour v. Tucker, 2010 ABQB 34

Wainwright (Town) v. 876947 Ontario Ltd., 2010 ABCA 23

Bank of Montreal v. Valerio, 2009 ABQB 578

Laasch v. Turenne, 2009 ABQB 267

Votour v. Tucker, 2009 ABQB 722

Guay v. Wong, 2008 ABQB 638

Saddleback v. Labine, 2008 ABQB 698

Owner: Condominium Plan No. 822 2909 v. Li, 2007 ABQB 693

623729 Alta. Ltd. v. Alldritt Developments Ltd., 2006 ABQB 358

916470 Alberta Ltd. v. Standard Life Assurance Co., [2005] A.J. No. 231, Alberta Court of Queen's Bench

Cooke v. Standard Life Assurance Co., [2005] A.J. No. 1668, Alberta Court of Queen's Bench

Liu v. Tangirala, [2005] A.J. No. 348, Alberta Court of Queen's Bench

Trosin v. Sikora, [2005] A.J. No. 1588, Alberta Court of Appeal

Swagger Construction Ltd. v. ING Insurance Co. of Canada, 2005 CarswellBC 2127, British Columbia Supreme Court [In Chambers]

Brandt Tractor Ltd. v. Seehta Forest Products Ltd., 2004 ABCA 74

Trosin v. Sikora, [2003] A.J. No. 262, Alberta Court of Queen's Bench

Campbell v. MacKenzie, 2003 ABPC 203

Seehta Forest Products Ltd. v. Brandt Tractor Ltd., 2003 ABQB 481

Trosin v. Sikora, [2002] A.J. No. 231, Alberta Court of Queen's Bench

Harp v. McCullough, 2002 ABQB 381

Harp v. McCullough, 2002 ABQB 397

Gibbs v. City of Edmonton, 2001 ABQB 413

Tecon Investments Ltd. v. Ottawa Algonquin travel Corp., [2000] A.J. No. 868, Alberta Court of Queen's Bench

Anderson v. University of Alberta, [1996] A.J. No. 1337, Alberta Court of Queen's Bench

re Electoral Boundaries Commission Act (Alberta), 86 D.L.R. (4th) 447, Alberta Court of Appeal

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## Client Stories

[ALIA re: Silvia Lapaschuk and Andrew Tanasychuk](#)



- **Where we began:** As defence counsel, we frequently face allegations that paint a negative picture of the defendant even though there is a good defence. In one such case, the plaintiff was convinced the defendants had defrauded an elderly relative. The relative, who could not read or write, sold land to the defendants for much less than market value, soon before his death.
- **Our approach:** Our strategy was to focus on the defendants' good character and relationship with the landowner before the land transfer. In Questioning, the defendants revealed themselves as kind people who would not take advantage of the landowner.
- **The result:** Despite initial concerns about liability exposure exceeding a million dollars, we were able to settle the case without any payment, based on discontinuance without costs. We negotiated a settlement after the plaintiffs' counsel questioned the defendants and saw for his own eyes that these were decent people, despite the nature of the allegations against them.

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