



DAVID JOANISSE

PARTNER

Bar of Quebec - 1997

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AREAS OF EXPERTISE

- Civil and commercial litigation
- Shareholder disputes and directors and officers liability
- Wills, estates and trust litigation
- Construction law
- Employment law
- Class actions
- Condominium law
- Arbitration and dispute resolution

BIOGRAPHY

For over 25 years, David Joannis has focused his practice on civil and commercial litigation, particularly in the areas of shareholder disputes, breach of contract, tendering and inheritance matters. He is also very active in construction and condominium law. He is frequently called upon to deal with issues of administrative law, disciplinary law and employment law, as well as to defend various class actions.

He has pleaded before all levels of judicial courts and arbitration tribunals and has solid experience before appellate courts. He also acted as lead-counsel in several cases involving provisional measures such as injunctions, safeguard orders, Anton Piller orders and seizures before judgment. David has in addition taken part in numerous independent investigations, notably in disciplinary and/or harassment matters.

Although very active before the courts, he assists his clients in finding practical and effective legal solutions, which are then applied in negotiations and arbitrations. He is also involved in developing various business strategies for his clients, whose sectors he knows well. He sees himself not only as an effective lawyer but also as a true business partner committed to achieving concrete results.

His clients include individuals and companies in the manufacturing, construction, retail, high-tech, real estate, financial and utilities sectors.

Deeply involved in the cultural sector, he has long served as a director of various not-for-

profit organizations, particularly in the visual arts.

REPRESENTATIVE WORK

Representing a general contractor in relation to the construction of a commercial project worth several hundred million dollars, and advising on issues ranging from construction delays and deficiencies to changes to plans and specifications.

Representation of several condominium syndicates in connection with various issues, including internal management problems and major construction and design defects.

Representation of liquidators and heirs in estate matters, addressing various issues such as the annulment or maintenance of a will and compliance with liquidation obligations.

Representation of multiple clients in private arbitration in commercial matters involving various contractual issues and shareholder disputes based on shareholder agreements.

Representation of a general contractor in a dispute exceeding \$10 million involving delays, impact costs and additional work in the expansion of a plant, and addressing soil conditions and significant changes to plans and specifications during construction, as well as numerous modification directives and amendments.

Representation of condominium syndicates in a major litigation (exceeding \$30 million) concerning construction deficiencies and defects in a complex of over 450 luxury condominiums.

Representation of Garda in a lawsuit exceeding \$15 million filed following an explosion at a BRP factory in Estrie.

Obtained a safeguard order against the purchasers of Laboratoire Du-Var Inc., a cosmetics and health product manufacturing company, to prohibit payments to related companies and the distribution of dividends in the context of a claim for the balance of

the sale price by the former shareholders of the company.

Represented Groupe Atwill-Morin in obtaining a first-instance judgment compensating it for the loss of profits it suffered following the unjust disqualification of its bid in the context of a call for tender issued by Construction Defense Canada for a important contract for the refurbishment of a military building.

Representation of majority and minority shareholders in numerous oppression remedy actions before Quebec courts and before arbitration panels.

Representation of co-ownership syndicates, both in relation to management issues and in the context of various disputes.

Representation of art galleries in the context of claims for damages and in relation to intellectual property matters.

Defending various professionals, including engineers, architects and dentists, in hearings before the discipline committees of their professional orders.

Various litigations in matters related to acquisitive prescription, including the landmark 2020 decision of the Court of Appeal in *White v. Lallouz*.

EDUCATION

- LL.B., LL.L, University of Ottawa, 1995
- B.A., University of Ottawa, 1991

AWARDS AND RECOGNITIONS

- *Benchmark Canada "Litigation Star"* – since 2018
- *The Best Lawyers in Canada* – since 2021
- Right Honourable Brian Dickson Prize (Civil Law Section, University of Ottawa Faculty of

Law) (Excellence of academic standing in civil and common law)

PROFESSIONAL ASSOCIATIONS

- Barreau du Québec
 - Canadian Bar Association
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