

Cassels



Rajit Mittal

Partner

Contact Information

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Office

Vancouver

Expertise

- Litigation
- Class Actions
- Entertainment & Sports
- Intellectual Property
- Securities Litigation

Biography

Rajit Mittal* is a partner in the Litigation Group at Cassels. Raj's focus is complex corporate and commercial litigation. He has represented clients in a wide variety of industries, including technology, gaming, banking, hospitality, automotive, and entertainment. Raj's experience includes acting for: public and private companies in corporate disputes and class actions; developers, mortgage brokers, and agents in real estate disputes; national organizations and local entrepreneurs in intellectual property disputes; and institutional and individual clients in defamation and crisis management.

He has acted as lead counsel at all levels of Court in British Columbia and in arbitrations, and as co-counsel in the Supreme Court of Canada.

Recent representative work includes:

- Confidential client: Counsel for the plaintiff in obtaining and upholding a freezing order in British Columbia over the defendants' assets in aid of ongoing proceedings in New York state
- *1264777 B.C. Ltd. v Gill*, 2023 BCSC 131, aff'd 2023 BCCA 410: Counsel for a private lender, including on appeal, in the successful enforcement of a \$1.2 million mortgage and defence of the transaction against allegations of fraud, relying on the indoor management rule
- *Re Jacob Cohen*, 2022 BCSECCOM 325: Acting for a publicly traded cannabis company in the successful enforcement of the company's advance notice by-laws and related matters before the BC Securities Commission
- Confidential client: Lead counsel in a successful arbitration on behalf of a medical technology software provider in a licensing dispute with a national health services provider
- Class Action Defence: Defence counsel in a number of class actions proceedings, including securities and product liability
- *1704604 Ontario Ltd. v. Pointes Protection Association*, 2020 SCC 22; *Bent v. Platnick*, 2020 SCC 23: Co-counsel for a coalition of interveners at the Supreme Court of Canada in two appeals heard together by the Court interpreting legislation

aimed at strategic lawsuits against public participation (SLAPP)

- *Russell v. Synex International Inc.*, 2019 BCSC 34: Co-counsel for dissident shareholders in a successful and precedent-setting decision on the use of blank proxies and the interpretation of national securities regulations
- Confidential client: Representing the lead defendant in a nationally publicized defamation claim intersecting the #MeToo and #TimesUp movements, artistic freedom, and institutional responses to claims of sexual misconduct
- *Northwest Organics, Limited Partnership v. Fandrich*, 2019 BCCA 309: Appellate counsel for a successful respondent in an appeal of a damages award in defamation.
- Confidential client: Representing a prominent hospitality brand in a licensing and trademark dispute
- Confidential client: Advising a production company in its dispute with an internationally recognizable actor in the wake of a scandal
- Confidential client: Representing the Vendors in a Share Purchase Agreement in a successful settlement of a multi-million-dollar dispute between the Vendors and the Purchaser over the post-closing adjustment amount

Publications and presentations include:

- Presenter, "Arbitrator Conflicts," ADR Institute of Canada National Conference, November 2019
- Co-author, "Wait! What about that conflict of interest?" *The Advocate*, July 2018
- Author, "The Worth of Land in Words," *British Columbia Real Estate Law Guide*, LexisNexis Canada, February 2018

Raj is also dedicated to providing pro bono legal representation to those in need.

Prior to joining Cassels, Raj was an associate in the Commercial Litigation Group at a boutique litigation firm based in Vancouver.

**Services provided through a Law Corporation*

Achievements

- Pivot Legal Society's Access to Justice Award (2018)
- Henry B. Rhude Memorial Prize in Secured Transactions, Schulich School of Law (2015)

Recent Representative Work

- SilverCrest Metals Announces Acquisition by Coeur Mining to Create Leading Global Silver Company
- NexGold Completes Business Combination with Blackwolf
- CloudMD Completes Go-Private Transaction
- Masonite International Acquired by Owens Corning
- Kaizen Discovery Acquired by Ivanhoe Electric

Insights

- Amendments to the BC Securities Act Grant New Powers to the BCSC to Seek Administrative Contempt Charges and Investigate Investment Market Misconduct
- Think Before You Act(ivism): An Overview of Shareholder Activism
- The SEC Comes to BC for a Mareva

Pro Bono & Community Involvement

- Access Pro Bono, Pro Bono Counsel
- Law Students' Legal Assistance Program, Board Member
- Pivot Legal Society, Past Board Member

Education / Bar Admissions

- J.D., Dalhousie University, 2015
- B.A., University of British Columbia, 2012

- British Columbia, 2016

Associations

- Canadian Bar Association
- Law Society of British Columbia
- Vancouver Bar Association