

# Cassels



## Ted Frankel

Partner

### Contact Information

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### Office

Toronto

### Expertise

- Litigation
- Class Actions
- Securities Litigation

### Biography

Ted Frankel (he/him/his) is the Co-Chair of the Commercial Litigation and Arbitration Group at Cassels.

Ted is a go-to litigator for complicated disputes ranging from corporate-commercial to shareholder oppression to sports law. He has significant trial and arbitration experience before all levels of Court as well as before domestic and international arbitral tribunals. Ted's client base includes large and medium-sized corporations, institutions and public entities. He maintains a general litigation practice that includes disputes related to contracts, securities, officer and director liability, professional negligence, fraud, defamation, class actions, estates and trusts, franchising, property, and election law.

A strong proponent of alternative dispute resolution, Ted prides himself in a creative and practical approach that puts his clients' interests front and centre at all times. As lead counsel on dozens of successful mediations and having earned the designation Qualified Arbitrator (Q. Arb.), Ted is equally equipped to resolve matters outside court or to try the case before judge, jury, or arbitrator.

In 2013, Ted was selected as one of *Lexpert's* Rising Stars: Leading Lawyers Under 40.

Ted's notable mandates include:

- Successfully arguing one of the leading cases on the "duty of good faith in the performance of contractual obligations"
- Acting for a major Toronto restaurant group with respect to shareholders' oppression claims which were recognized following arbitration
- Defending Toyota Canada on a \$25 million breach of contract claim that was dismissed at trial
- Defending the City of Mississauga on a \$7.5 million claim made by mobile sign companies arising from the enactment and enforcement of the City of Mississauga's Sign By-Law, that was dismissed at trial
- Defending seven Members of Parliament in a series of Federal Court applications collectively referred to as the "robocalls"

- case,” resulting in the dismissal of all seven applications
- Acting for a mining company with respect to rights under an option agreement, which were granted following arbitration
- Acting for NHL players, an Olympic Gold Medalist, sport merchandisers and non-profit sports associations including the Special Olympics
- Serving as an independent mediator and arbitrator on various commercial matters

## Achievements

- *Benchmark Litigation*, Future Star (2016)
- *Lexpert*, Rising Star Award (2013)

## Recent Representative Work

- Spark Power Completes \$35 Million Sale of Bullfrog Power to Envest
- Cassels Successfully Responds to Cannabis Application
- Cassels Successfully Represents Equestrian Canada on Appeal Concerning Selection of Athlete/Horse Combination Nominees for Tokyo Olympic Games
- Hockey Diversity Alliance Enters into \$1 Million Partnership with Kraft Heinz to Support the Eradication of Systemic Racism in Hockey
- Scotiabank Joins the Hockey Diversity Alliance to Support its Mission to Eradicate Systemic Racism in Hockey

## Insights

- Ontario Court Relies on the Duty of Good Faith and Awards Full Indemnity Costs
- Slapshot: SCC Clarifies Anti-SLAPP Picture
- Supreme Court Expands Obligations of Good Faith and Honesty in Contract Performance

## Pro Bono & Community Involvement

- Cassels Corporate Responsibility Committee, Chair
- Hockey Diversity Alliance, Board of Directors & Senior Advisor
- Pro Bono Ontario, Civil Litigation Panel Member
- Toronto Commercial Arbitration Society, Co-Executive Chair

## **Education / Bar Admissions**

- LL.B., Dalhousie University, 2003
- B.A. (History), McGill University, 1997
  
- Ontario, 2004

## **Associations**

- Association of Certified Fraud Examiners (ACFE)
- Canadian Bar Association
- Ontario Bar Association
- The Advocates' Society
- Toronto Commercial Arbitration Society, Chair
- Toronto Lawyers Association