



Jason Holowachuk, K.C.

Partner

Contact Information

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Office

Calgary

Expertise

- Litigation
- Construction
- Energy
- Franchise
- Product Liability

Biography

Jason Holowachuk* is a partner in the Litigation Group at Cassels. An accomplished litigator, Jason has extensive and varied experience in a broad range of commercial, financial, energy, manufacturing, real estate and construction related matters. He has appeared before all levels of Court and various administrative tribunals and has acted as counsel in complex, multi-party litigation involving issues of substantial claim value arising in Canada and internationally. Jason also has experience with banking and securities regulators on policy and proposed legislation related to swaps and derivatives. At Cassels, Jason has served as Chair of the firm's Corporate Responsibility Committee. In 2022, Jason was appointed King's Counsel in Alberta.

Jason's representative experience includes:

- Oil and gas disputes in excess of \$50 million involving project development, pipeline, plant and facilities issues, field production, operations and services, unitization and pooling issues, intellectual property rights, competition and confidentiality matters, often requiring urgent injunctive relief
- Commodity marketing disputes involving forwards, futures, swaps and derivatives, including a longstanding mandate for creditors of the world's largest market maker in relation to termination payment obligations, material adverse change events and the monetization of a \$1 billion portfolio of physically and financially settled natural gas and electricity transactions
- Construction and project infrastructure disputes, including mandates for owners, contractors and material suppliers involving RFP and procurement issues, extras, deficiencies and delay claims in excess of \$50 million as well as builder's lien and other realization matters
- Securities and corporate governance disputes valued in excess of \$100 million involving contested plans of arrangement, takeover bids, director and shareholder disputes, oppression remedies, receiver and inspector appointments
- Class actions, including the successful defence of a Schedule 1 bank and its board of directors resulting in pre-certification

dismissal of a representative claim alleging price fixing and other anti-competitive conduct in relation to foreign exchange transactions

- Franchise litigation, including the enforcement of post-termination obligations on behalf of franchisors
- Fraud and white-collar crime, including obtaining judgment for a global transportation and logistics provider and pursuing multi-jurisdictional enforcement proceedings against a former officer
- Product liability matters in defence of some of the world's largest manufacturers of medical, consumer and industrial products

**denotes Professional Corporation*

Achievements

- *Best Lawyers in Canada* (Construction Law)
- Canadian Cancer Society, Dr. John McEachern Medal for Distinguished Service
- *Chambers Canada* (Litigation: Corporate/Commercial – Alberta)

Client Commentary

- “Despite the unusual challenges with COVID-19, Jason Holowachuk forged ahead, putting in incredible hours and finding creative solutions to every difficulty put in his path.” – *Chambers Canada (Litigation: Corporate/Commercial – Alberta)*
- “Jason is a wonderful lawyer and a good advocate, he championed the client brilliantly, provided good advice and support.” – *Chambers Canada (Litigation: Corporate/Commercial – Alberta)*
- “Jason is a terrific lawyer.” – *Chambers Canada (Litigation: Corporate/Commercial – Alberta)*

Insights

- Product Liability Newsletter – December 2022
- Suspension Lifted: Limitation and Procedural Periods Are Set to Resume in Ontario on September 14, Have Already

Resumed in Other Provinces

- Et tu Parfait? Nova Scotia Court Provides Guidance Regarding the Interpretation of “Use Clauses” in Commercial Leases

Pro Bono & Community Involvement

- Volunteer with the Canadian Cancer Society, having served in senior leadership capacities on its National Board of Directors and Governance Committee and as Board Chair of the AB/NWT Division.
- Held significant oversight accountabilities in these roles, including audit and finance, corporate governance, risk mitigation, and strategic planning.
- Active public speaker and policy advocate in relation to numerous federal and provincial cancer control initiatives, including 2014 amendments to the *Employment Standards Code* permitting Albertans compassionate care leave for a gravely ill family member.

Education / Bar Admissions

- J.D., University of Saskatchewan, 1999
- B.A., University of Saskatchewan, 1995
- Alberta, 2000
- Ontario, 2021

Associations

- American Bar Association (Litigation, Dispute Resolution, Construction Law Sections)
- Canadian Bar Association
- Calgary Bar Association
- Construction Lawyers Society of America, Fellow
- Law Society of Alberta
- Law Society of Ontario
- The Advocates' Society