

# Michael Donsky

## Partner

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Michael is an experienced civil litigator. His practice has a particular focus on broker liability litigation and employment law matters.

Michael has also acted as lead counsel on matters before the Ontario Superior Court of Justice, the Court of Appeal for Ontario and the Supreme Court of Canada. As well he has appeared on administrative matters involving the Mutual Fund Dealers Association, the Investment Industry Regulatory Organization of Canada, The Financial Services Commission of Ontario, the Chartered Professional Accountants Ontario and the Ontario Securities Commission.

He has acted and advised on employment matters involving Employment Standards, Human Rights and wrongful dismissal claims (both employee and management side). As well, in the regulatory area, he has acted on behalf of both dealers and individual registrants. Michael has acted on matters before the Human Rights Tribunal of Ontario.

He has also acted in a variety of areas including securities, regulatory enforcement and professional negligence.

Michael represents registrants in proceedings before provincial securities commissions, self-regulatory organizations and the courts. He has advised corporations and individuals involved in proceedings before provincial securities commissions and in general employment matters.

Michael has successfully resolved numerous litigation claims through trial and appeal and Michael has successfully resolved many more claims, both litigation and regulatory, through mediation and negotiation.

## PRACTICE AREAS

**Broker/Dealer Litigation**

**Employment Litigation**

**Indigenous**

**Judicial Reviews and Appeals**

**Litigation and Dispute Resolution**

**Securities Litigation**

**Securities Registrant Regulation and Compliance**

## Education & Memberships

### EDUCATION

**Called to the Ontario Bar, 1992**

**University of Toronto, J.D., 1990**

**University of Western Ontario, Faculty of Arts, 1987**

### MEMBERSHIPS

**Canadian Bar Association**

**Toronto Lawyers Association**

**Ontario Literacy Coalition**

**The Advocates' Society**

**The Law Society of Ontario**

## Awards & Recognition

**The Best Lawyers™ in Canada**  
**Administrative and Public Law**

## Speaking Engagements & Publications

**Presentation: "Cannabis in the Workplace: Are the old rules up in smoke?"**  
**WP Financial Annual Conference in Niagara Falls, Ontario, June 2018**

**Employment and Labour****INDUSTRY GROUPS****Cannabis****Representative Work****In the Matter of Daniel Tiffin**

Successfully represented client regarding various allegations before the Financial Services Commission of Ontario including allegations of misleading the Superintendent and FSCO, providing false and misleading documentation making false statements in support of false documentation. In the end, FSCO agreed to drop all of the charges against the accused.

**Ndex Systems Inc. v. Kenneth Aquino and Marjorie J. Hull**

Successfully brought a motion for summary judgment dismissing the plaintiff's action. The claim included allegations of actions contrary to the Fraudulent Conveyances Act, the Assignments and Preferences Act and of conduct alleged to be oppressive under Section 248 of the Ontario Business Corporations Act. Successfully responded to an appeal of that decision.

**In the Matter of Matthew Scott Sinclair**

Successfully negotiated with OSC Staff a settlement of the allegations against Mr. Sinclair including allegations that companies of which Mr. Sinclair was Chairman, President, and Chief Executive Officer, or of which he was the directing mind engaged in: breach of a cease trade order; offering securities without a prospectus and conduct contrary to Ontario Securities Law and the Public Interest.

**In the Matter of Goldbridge Financial Inc., Wesley Wayne Weber and Shawn Lesperance**

Successfully negotiated with OSC Staff a settlement of the allegations against Mr. Lesperance including assisting the trading of securities in the Ontario markets without having registered under the Securities Act and while not being registered to trade in securities or act as an advisor under s. 25(1) of the Act.

**International Financial Group ats. Robert Half Canada Inc.**

International Financial Group ats. Robert Half Canada Inc. Successfully resisted plaintiff's claim for injunctive relief to restrain clients from acting in breach of purported restrictive covenants.

**Ingram Micro ats Andrew Kieran**

Successfully resisted an appeal from a trial judgment and established the priority of wording of express option agreements over the effect of a notice payable on a constructive dismissal; won at trial, court of appeal and resisted motion for leave to Supreme Court of Canada

**Lannick Associates et al. ats. Robert Half Canada**

Successfully overturned an interim injunction that had been obtained against clients restraining them from acting in breach of purported restrictive covenants

**Presentation: "Symptoms of Dementia and Financial Abuse Prevention in Seniors."**

[IPC Financial National Fall Conference in St. Johns, Newfoundland, September 2017](#)

**Presentation: "The Vulnerable Investor. The Vulnerable Advisor. Best Practices when dealing with the "Senior Investor": Protect the client, Protect Yourself."**

[IPC Financial National Fall Conference in Vancouver British Columbia, September 2015](#)

**Panelist: "The Independent Contractor Physio Therapist"**

[Ontario Physiotherapy Association Conference, 2007](#)

**Presentation "The Low-Down on Employment Law"**

[An overview of employment law issues as they impact on small businesses.](#)

**Presentation: "Civil Liability in the Secondary Markets"**

[An overview of the Ontario legislation, comparative U.S. experience, the due diligence defence and disclosure policy.](#)

## Recent Insights

### CORPORATE COMMERCIAL

#### **41 Lawyers Profiled Across 24 Areas of Law in The Best Lawyers in Canada, 2024**

Announcement, Recognition

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