

# Martine Garland

## Partner

**EMAIL** mgarland@foglers.com

**PHONE** 416.849.4102



Martine is a partner in the firm's Litigation and Dispute Resolution Group, with a focus on commercial litigation.

Martine acts for a broad range of clients, including individuals and corporations, both big and small. She recognizes that every client needs advice and a legal strategy that best suits their needs, with consideration of the financial costs of litigation. She has acted in a variety of matters, including cases involving real estate and property disputes, shareholder disputes, oppression remedy proceedings, Mareva and other injunctive proceedings, negligence claims, contractual disputes and estate litigation.

Prior to becoming a lawyer, Martine devoted an extensive amount of her life to training for and playing hockey at the highest level. She was a Division I All-American at the University of New Hampshire, and also played for the Team Canada Under 22 women's hockey team program for several years. Martine worked her way up from being at the bottom of the Under 22 program's rankings (and not making the team her first year), to becoming part of the Team Canada Senior National team. Martine achieved a lifelong dream of playing for the Senior National Team at the Four Nations Tournament in Sweden in front of her family.

Martine brings to the court room the same work ethic, intensity and intelligence that she did to the arena. While she is a fierce advocate, she also recognizes that not all problems require litigation and early resolution is often the best result for clients. Where litigation is necessary, Martine will take a practical and strategic approach in order to advance her clients' interests.

When she is not litigating, Martine and her wife, Suzanne, try to keep up with their two wonderful and exhausting children, Jack and Shea. She also tries to find time to stay active, either golfing and trying to keep her drives on the fairway, or playing hockey.

Martine is a member of the firm's Diversity & Inclusion Committee, and understands the importance of making the firm a more diverse and inclusive place to work.

## Representative Work

- Represented an individual shareholder in an arbitration. The arbitrator dismissed the opposing parties' claims of oppression against the client and further denied their request to wind up the corporation.
- Represented a commercial landlord and successfully received an

## Education & Memberships

### EDUCATION

**Called to the Ontario Bar, 2014**

**University of Toronto Law School, J.D., 2013**

**University of New Hampshire, B.A.  
Psychology**

### MEMBERSHIPS

**Law Society of Ontario**

**Ontario Bar Association**

**Canadian Bar Association**

## Speaking Engagements & Publications

**Speaker, Your First Civil Trail**

**OBA Civil Litigation/ Young Lawyers Division, February 2023**

**Co-Chair, Top Appeals of 2022**

**OBA, January 2023**

order for security for costs against a defaulting tenant corporation.

- Represented a dentist in a claim against him relating to the sale of his dental practice.
- Represented an individual shareholder who jointly owned a motor vehicle dealership with a friend. The client alleged oppression against the defendants. The Court found the defendants had oppressed our client, and awarded damages: [Tahmasebi v Hamid](#), 2021 ONSC 3775 (CanLII).
- Represented a mortgagee in obtaining judgment against defaulting mortgagor following power of sale.
- Represented First Nations' client in action involving dispute over reserve land.
- Represented a corporation in an oppression remedy application brought by a shareholder.
- Represented a commercial landlord in an action for unpaid rents against a tenant that vacated the premises prior to the expiry of the lease.
- Represented an exporter in a claim against a supplier for breach of the *Sale of Goods Act*.
- Represented a corporation and its principal in a defamation lawsuit against a former business partner.
- Represented a musician in a breach of contract claim by a former manager.
- Represented a motor vehicle dealership in defending claim by a former customer.
- Represented a not-for-profit corporation in dispute against former partner in a project.
- Represented a manufacturer of goods against a distributor in a claim for breach of contract, unjust enrichment and a claim for fraudulent conveyance under the *Fraudulent Conveyances Act*. Martine successfully obtained a Mareva injunction against the defendants at the outset of litigation: [S. Cohen Inc. v FD Apparel Limited](#), 2017 ONSC 2734 (CanLII).

## PRACTICE AREAS

**Administrative and Regulatory**

**Commercial Litigation**

**Judicial Reviews and Appeals**

**Litigation and Dispute Resolution**

**Real Estate Litigation**

---

## Representative Work

**S. Cohen Inc. v. FD Apparel Limited, 2017 ONSC 2734 (CanLII)**

**Tran v. University of Western Ontario, 2016 ONCA 978 (CanLII)**

**Stefanov v. College of Massage Therapists of Ontario, 2016 ONSC 848 (CanLII)**

**Schwartz v. Fuss, 2015 ONSC 8143 (CanLII)**

---

## Recent Insights

### LITIGATION AND DISPUTE RESOLUTION

#### **OBA Speaking Engagement: Your First Civil Trial**

Speaking Engagement

### LITIGATION AND DISPUTE RESOLUTION

#### **Top Appeals of 2022**

Speaking Engagement

### AUTOMOTIVE AND TRANSPORTATION

#### **Successful Charter Challenge on Behalf of our Client**

Announcement

### LITIGATION AND DISPUTE RESOLUTION

#### **Bhasin V. Hrynew and the Duty of Good Faith: Evolution or Revolution?**

Article

---