



William Holder

Partner

Business Litigation
Mediation & Arbitration
Commercial Real Estate Law
Fraud & Asset Recovery

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Profile

Bill is a senior mediator and litigator who combines a deep understanding of the law with a wealth of strategic experience in assisting our clients on a range of business issues. With a successful track record of 35+ years in resolving commercial disputes, Bill sees all sides of an issue to help our clients find the best solution to their case whether in or out of the courtroom.

His extensive understanding of these disputes and advanced mediation training in BC and at Harvard Law have provided Bill with a deep platform from which he operates as a highly effective mediator. Bill is equally comfortable working as a facilitative or evaluative mediator, but with counsels' agreement prefers the latter approach.

Work Highlights

Served as mediator in successful resolution of expropriation

> Mediation of multiple party expropriation Action involving a damages claim of \$55-million

Served as mediator in termination of commercial lease

- > Successful mediation of multiple party wrongful termination of lease and loss of business claim for \$500,000

Mediation of business loss claim

- > Served as mediator in resolving a \$7-million Action for business loss

Additional work highlights below

In addition to his extensive training, Bill is a Mediator of the Civil Roster of Mediate BC and is the practice group chair of our firm's Mediation and Arbitration group. He has served since 2016 as the co-chair of the Canadian Bar Association's Vancouver Alternative Dispute Resolution subsection and is currently the Secretary of the CBA's National ADR section.

Bill has also successfully completed Social Justice Mediation Training in collaboration with the ShchEma-mee.tkt (Our Children) project. This enables him to design and employ customized processes for mediations involving First Nations communities and Indigenous Peoples.

Services

- > Real property disputes
- > Cross border executions
- > Commercial lease disputes
- > Creditors Remedies/collections
- > Mediation

Credentials

Awards & Distinctions

- > Best Lawyers in Canada, Corporate and Commercial Litigation, 2020 - 2024

Industry Involvement

- > Canadian Bar Association, member, 1981 - Present
- > Canadian Bar Association of British Columbia, member, 1981 - Present
- > Canadian Bar Association, National Alternative Dispute Resolution Section, chair
- > Canadian Bar Association, Alternative Dispute Resolution (Vancouver) Subsection, co-chair
- > International Council of Shopping Centers, governance chair (BC), 2016 - Present
- > Law Society of British Columbia, member, 1981 - Present
- > MediateBC, civil roster member
- > Canadian Bar Association, National Alternative Dispute Resolution Section, past secretary, 2019 - 2020
- > Canadian Bar Association, National Alternative Dispute Resolution Section, past vice-chair, 2020 - 2021
- > International Council of Shopping Centers State and Provincial Government Relations

Advisory Group, past Canadian representative, 2010 - 2012

- > International Council of Shopping Centers, past governance chair (BC), 2007 - 2010
- > Law Court's Inn, former director

Community Commitments

- > Okanagan Road Racing Association, director
- > CrossFit, "A WOD to Remember" , past head organizer, 2016 - 2019
- > Zone 5 Karate Association of BC, past president, 2006 - 2015
- > BC Karate Team, past volunteer karate instructor and assistant coach, 2011 - 2012

Education & Call to Bar

- > Social Justice Mediation Training, sponsored by ShchEma-mee.tkt project, 2019
- > Harvard Law, Advanced Mediation Training, June 2017
- > Continuing Legal Education Society of British Columbia, Advanced Mediation Training, 2016
- > Call to Bar: British Columbia, 1981
- > University of British Columbia, Bachelor of Laws, 1980

External Presentations

- > Moderator, CBA Alternative Dispute Resolution Symposium, Canadian Bar Association, April 21, 2023
- > "Commercial Leasing (Webinar)", Greater Vancouver Board of Trade, April 14, 2020
- > Co-author, "The Annotated Guide to the Court Order Enforcement Act of British Columbia", 2003 Canada Law Book, a division of Thomson Reuters Canada Ltd. (updated annually)

External Publications

- > Author, "A Mediator's Top 10 Tips for Counsel", BarTalk Magazine, August 2021
- > CBC The National (4:26) (April 24, 2020)
- > "Rent relief welcomed by Vancouver businesses but will everyone get it?", CBC (April 24, 2020)
- > "Deferring Rent Not Sustainable Over the Long Term for Small Businesses Hit Hard by COVID-19", CBC (April 1, 2020)
- > "5 Tips for Handling Commercial Leases and Contracts During COVID-19 and Beyond", BCBusiness (co-author) (April 1, 2020)
- > "CBC The National (24:33)", March 31, 2020)
- > "When the Squamish Business is Shut, but the Rent is Due During COVID-19", Pique News Magazine (March 30, 2020)
- > "When the Squamish Business is Shut, but the Rent is Due During COVID-19", The Squamish Chief (March 30, 2020)
- > "BC Businesses Closed by Coronavirus Crisis Say Government Needs to Help with Rent", CBC (March 30, 2020)

Additional Work Highlights

Personal injury claim mediation

- > Acted as mediator in resolving a personal injury claim of \$7-million with complex loss of income issues

Contamination of property mediation

- > Successfully mediated a multiple party contamination of property claim of \$1-million

Venture capital and private equity investor

- > Multiple appearances in the Court of Appeal successfully resulting in a rare guillotine order forcing a multinational oil and gas corporation to post security of over \$3 million dollars, leading to a dismissal of the corporation's appeal and execution on the client's trial judgment

Staburn Group

- > Won judgment from the Court of Appeal in respect of the payment of real property taxes by two anchor tenants of a large commercial centre in Kelowna, BC

Henderson Development (Canada) Ltd.

- > Lead counsel on the effective defence and resolution of a multiple Plaintiff action for \$10 million dollars brought by tenants in a large Vancouver shopping centre

Major Vancouver Real Estate Developer

- > Developed and implemented litigation strategies resulting in the successful cancellation of numerous tenancies to permit a \$275 million dollar mixed use development to proceed

Private developer

- > Lead counsel in several Court actions concerning the development of an apartment complex by Osoyoos Lake and the cancellation of a related long term lease of lakeshore property. Numerous appearances in the Supreme Court and Court of Appeal ultimately resulting in a successful declaration as to the leasehold interest

University

- > Obtained judgment of over \$850,000 dollars against a fraudulent university employee followed by the successful collection of all stolen monies through the use of injunctive relief and execution proceedings in both BC and Quebec