



## 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*

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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

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## **Credentials**

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### **Awards & Distinctions**

- > Best Lawyers in Canada, Corporate and Commercial Litigation, 2020-2022

### **Industry Involvement**

- > Member of the Civil Roster of MediateBC
- > Chair, National Alternative Dispute Resolution Section of the Canadian Bar Association
- > Canadian Bar Association Alternative Dispute Resolution (Vancouver) Subsection, Co-Chair
- > International Council of Shopping Centers State and Provincial Government Relations Advisory Group, Canadian Representative, 2010-2012
- > International Council of Shopping Centers, Governance Chair (BC), 2007-2010; 2016-Present
- > Law Court's Inn, Former Director
- > CBA National Alternative Dispute Resolution Section, Secretary, 2019-2020; Vice-Chair 2020 - 2021

### **Community Commitments**

- > Zone 5 Karate Association of BC, Past President, 2006-2015
- > Volunteer Karate Instructor and NCCP Certified Coach - Assistant Coach to BC Karate Team, 2011-2012
- > "A WOD to Remember", CrossFit Charitable Project Supporting Wounded Warriors Canada, Head Organizer, 2016-2019
- > Director, Okanagan Road Racing Association

### **Education & Call to Bar**

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

### **External Publications & Presentations**

- > CBC The National (4:26) (April 24, 2020)
- > "Rent relief welcomed by Vancouver businesses but will everyone get it?", CBC (April 24, 2020)
- > "Commercial Leasing GVBOT (WEBINAR)", (April 14, 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)
- > 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)

## **Additional Work Highlights**

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### **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