



Jim Schmidt

Partner

Business Litigation

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Profile

Acting primarily for clients who find themselves in business-to-business disputes, Jim forges strong relationships with the people and organizations he advises.

Work Highlights

Boale Wood & Co.

- > Represented bankruptcy trustee in the prosecution of claims against net winners in a Ponzi scheme, resulting in recovery of \$1.8 million after the commencement of trial

Directors of Miller Springs Ltd.

- > Obtained the dismissal of a request for a court injunction in oppression litigation that, if successful, would have threatened the viability of a Canadian bottled water producer

Procon Mining & Tunnelling Ltd.

- > Represented client in a trial of claims against a senior executive for taking bribes or secret commissions, resulting in a judgment of over \$2 million

[Additional work highlights below](#)

Jim's strength is oral and written advocacy before courts and other decision-makers.

Services

- > Fraud and asset recovery, including extraordinary court relief such as freezing and discovery orders and the execution and supervision of Anton Piller orders
- > Negligence, contract and fiduciary duty claims
- > Shareholder disputes
- > Real estate disputes
- > Litigation arising from bankruptcy and insolvency proceedings
- > Contaminated property litigation
- > Regulatory and judicial review proceedings
- > Arbitrations and mediations
- > Customs and trade cases

Jim draws on his considerable experience as counsel in contentious disputes in diverse and emerging business areas to protect our clients' key interests.

Credentials

Industry Involvement

- > University of British Columbia, Faculty of Law, Past Adjunct Professor
- > International Law Subsection, BC Branch, Canadian Bar Association, Past Co-Chair
- > Canadian Bar Association
- > The Advocates' Society
- > American Bar Association, Associate Member

Education & Call to Bar

- > Call to Bar: British Columbia, 1997
- > LL.B., University of British Columbia, 1996

Additional Work Highlights

National Bank Financial Ltd.

- > Lead counsel on a trial of claims, including for breach of non-solicitation covenants, against an investment advisor

Shaw Communications Inc.

- > Secured dismissal of economic tort claims based on allegations of competition/anti-trust violations that arose in the context of two Internet service advertising campaigns

Canadian financial institution

- > Obtained judgment in excess of \$400,000 against personal guarantor in litigation arising from an alleged cross-border cheque-kiting scheme

Ontario limited partnership

- > Lead trial counsel on a successful claim for a commission originally owed to a subsequently-deceased agent on a transaction involving the Burns Bog lands in British Columbia

International property restoration contractor

- > Defended claims against property restoration contractor for toxic mould contamination, obtaining dismissal at trial on basis of no evidence motion against plaintiffs

Marine transportation company

- > Represented commercial importer in successful valuation proceedings before the Canadian International Trade Tribunal

Confidential client

- > Obtained, following trial, dismissal of criminal proceedings brought against importer under the Customs Act