



Jake Cabott

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[Commercial Litigation](#)
[Class Actions](#)
[Commercial Arbitration](#)
[Appellate Advocacy](#)
[Contract Disputes](#)
[Defamation & Media Law](#)
[Securities Disputes](#)
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[Sports & Gaming Law](#)

Jake is a litigation lawyer with a focus on business disputes. He represents companies and individuals in complex commercial litigation and arbitration matters.

Jake defends class actions and acts in contract and property disputes, shareholder and company disputes (including commercial fraud and oppression claims), life sciences and other intellectual property disputes, partnership disputes, defamation claims, and product liability actions. He has appeared as counsel at all levels of court in British Columbia, the Saskatchewan Court of Queen's Bench, the Supreme Court of Yukon, and the Supreme Court of Canada. He also regularly acts as counsel in commercial arbitrations.

Jake is a strategic, mindful, and persuasive advocate. He recognizes the importance of understanding and achieving a client's business objectives.

Jake regularly writes and presents on legal subjects, including class actions, injunctions, exclusion of liability, sport law and advocacy.

Prior to studying law, Jake played volleyball for five seasons with the UBC Thunderbirds and four seasons professionally in Europe and Southeast Asia. He remains active in the sport community. He represents athletes and associations in sport arbitrations, advises sport organizations on governance issues, volunteers on boards and coaches.

Jake grew up in Whitehorse and is proudly licensed to practice law in the Yukon in addition to British Columbia.

Experience

- Successfully opposed application to stay oppression proceeding: *Leifso v BevCanna Enterprises Inc.*, 2023 BCSC 579
- Lead counsel for BC Hydro's wholly owned testing and research laboratory, Powertech Labs, in successfully opposing an application for a sweeping gag order enjoining Powertech and its CEO from discussing facts giving rise to certain litigation.
- Successful on appeal of an application to dismiss an action pursuant the *Protection of Public Participation Act*: *Christman v. Lee-Sheriff*, 2023 BCCA 363
- Successful on appeal of an application to amend pleadings by adding claims that a company 'taking sides' in a true shareholders dispute was oppressive.
- Acting for a mining company and an executive in a defamation action against the Government of Yukon and its Chief Mine Engineer. The plaintiffs allege they were publicly slandered during an industry conference. Successfully opposed an application to dismiss the action pursuant the *Protection of Public Participation Act*: [*Lee-Sheriff v Christman*, 2022 BCSC 1914](#)
- Successfully acted for a client in obtaining an arbitration award in a contract dispute. Commercial Arbitration, August 2022.
- Successfully acted for Shoppers Drug Mart Inc. in an action to recover amounts owed by a former Associate in connection with the termination of a franchise agreement: [*Shoppers Drug Mart Inc. v Mang.*, 2022 BCSC 199](#)
- Defended Tangerine Bank in a defamation action. Successfully brought an application to dismiss the action: [*Martin v Tangerine Bank*, 2021 BCSC 2545](#)
- Successfully opposed an injunction application on behalf of a liquor agent in an agency dispute: [*Brown-Forman Corporation v Charton-Hobbs Inc.*, 2021 BCSC 2610](#)
- Acting for Loblaw Companies Limited (and related corporate entities) in proposed class actions involving price-fixing allegations in respect of wholesale and retail sales of fresh commercial bread.
- Acting for defendants in proposed class actions involving price-fixing allegations in respect of sales of auto parts.
- Acting for a leading pharma manufacturer in a proposed class action brought by the government of British Columbia against manufacturers, distributors and retailers of opioid pain medications.
- Successfully acted for BLG's client, PCL Construction Management Inc., on an application for partial summary judgment. *Pavement Scientific International Inc. v Saskatoon (City)*, [2019 SKQB 254](#).
- Successfully acted for a client in obtaining an arbitration award in a contract dispute. Commercial Arbitration, August 2019.
- Successfully acted for BLG's client, Kumon Canada Inc., in obtaining a dismissal of an action launched by a former franchisee at summary trial.
- Successfully obtained an injunction for a preservation order over disputed partnership funds. [*Neural Capital GP, LLC v 1156062 BC Ltd.*, 2019 BCSC 478](#), leave to appeal refused [2019 BCCA 258](#).
- Successfully obtained an order on a summary judgment application permitting BLG's client, Copytrack Pte Ltd., to trace and recover cryptocurrency it mistakenly transferred to an individual in British Columbia. *Copytrack Pte Ltd. v Wall*, [2018 BCSC 1709](#).
- Successfully acted for a commercial helicopter operator in an injunction application involving a dispute over rights to certain facilities at the Whistler Municipal Heliport. *Spearhead Aviation Ltd. v Whistler Heliport Society*, [2018 BCSC 1762](#).
- Successfully obtained an injunction to evict a tenant from a commercial strata unit.

- Successfully represented defendant in obtaining dismissal of an action involving a dispute over a failed real estate transaction involving 1,350 acres of recreational development property. *Canadian Star Development Corp. v 0712276 B.C. Ltd.*, [2018 BCSC 871](#).
- Successfully represented defendants in an appeal involving allegations of reviewable transactions under s. 100 of the *Bankruptcy and Insolvency Act* (now repealed). *Randen v. HPCB-Online Ltd.*, [2018 BCCA 123](#).
- Successfully represented defendant in obtaining dismissal of an action involving a financing dispute. *Kovacevic Consult Inc. v. Coastal Contacts Inc.*, [2017 BCSC 321](#).
- Counsel to a defendant in contesting certification of a class action brought on behalf of temporary foreign workers.
- Counsel to a defendant in contesting certification of a product liability class action involving allegations related to the manufacturing and marketing of gas fireplaces.
- Successfully resisted pre-certification document production. *Cantlie v. Canadian Heating Products Inc.*, [2014 BCSC 228](#).
- Successfully represented client in obtaining an arbitration award in a \$16 million contract dispute. Domestic Commercial Arbitration, December 2015.
- Successfully defended client against claims of breach of privacy, negligence, and breach of contract. *Albayate v. Bank of Montreal*, [2015 BCSC 695](#).
- Counsel to a defendant in successfully defeating a consumer class action against Canada's largest cellular telephone companies. *Ileman v. TELUS Communications Inc. and others*, [2014 BCSC 1002](#), affirmed [2015 BCCA 260](#).
- Counsel on successful application for consolidation of nine defamation actions. *Funk v. Harder*, [2015 BCSC 2152](#).
- Successful defence of a commercial strata petition proceeding. *Legend Holding Group Ltd. v. Chen*, [2014 BCSC 1064](#).
- Counsel to the plaintiff in successfully dismissing a jurisdictional application for an order staying the proceeding pursuant to the doctrine of forum non conveniens. *Wang v. Sun*, [2014 BCSC 87](#).

Insights & Events

- Top 10 commercial decisions of 2023: What Canadian businesses need to know, BLG Video, April 2024
- Author, "Examining the rules of the game by jurisdiction: Slide tackle injury decision upheld in B.C. Court of Appeal", BLG Article, February 2024
- Quoted, ["Appellant who denies making slanderous statement has anti-SLAPP case dismissed by BCCA."](#) Canadian Lawyer Magazine, October 2023
- Author, "Hansman v. Neufeld – SCC decision confirms that certain “counter-speech” is deserving of protection", BLG Article, May 2023
- Author, "SLAPP-back: Full indemnity costs awarded under B.C.'s anti-SLAPP legislation", BLG Article, April 2023
- Author, "Unsportsmanlike conduct: The different standards of care between athletes in Canada", BLG Article, March 2023
- Presenter, "Chambers Advocacy," The Advocates' Society, January 2023
- Author, "The legal treatment of cryptocurrency in Canada: recent developments", BLG Article, November 2022
- Author, "Ownership of athlete biometric data in Canadian sports", BLG Article, September 2022
- Author, "The Rule of 40: What elected officials in Alberta need to know about the Recall Act", BLG Article, February 2022

- Author, "BC Court of Appeal: Certification applications need not come first in class proceedings", BLG Article, August 2021
- Author, "A question for another day: Wastech, Vavilov, and arbitration awards", BLG Article, February 2021
- Author, "Ontario and BC Courts confirm class counsel owe "certain duties" to proposed class members", BLG Article, October 2020
- Author, "Game On: Reopening sports and recreation during COVID-19", BLG Article, June 2020
- Author, "COVID-19, sports and waivers: How to limit the risk of legal liability in the "new normal"", BLG Article, May 2020
- Contributor, Injunctions - British Columbia Law and Practice
- Author, "Injunctions and Preservation Orders (Chapter 4)," British Columbia Creditors' Remedies: An Annotated Guide
- Author, "BC Court of Appeal Declines to Include Ontario Residents in Settlement Class", BLG Article, January 2020
- Author, "Settlement and Fee Approval Trends and Developments," CLE BC in relation to the Western Canada Class Actions Conference in Vancouver, October 2018
- Author, "Cryptocurrency and Blockchain — Charting Recent News and Developments", BLG Article, September 2018
- Co-author, "B.C. Court of Appeal upholds refusal of consumer class action – the word "fee" is not deceptive", June 2015
- Speaker, "Developments in Class Actions" BLG U, May 2018.
- Author, "Summary Judgment Can Be An Effective Tool in Defending Negligent Misrepresentation Cases", BLG Article, May 2018
- Presenter, "Year in Review," CLE BC Class Action Section, April 2018

Beyond Our Walls

Professional Involvement

- Member, Law Society of British Columbia
- Member, Law Society of Yukon
- Member, Canadian Bar Association
- Member, The Advocates' Society
- Member, Vancouver Bar Association

Community Involvement

- Volunteer, Access Pro Bono Court of Appeal Program
- Volunteer, Pro Bono representation of athletes involved in sport arbitration
- Board Member, Volleyball BC
- Ad hoc instructor, Law Society of British Columbia's Professional Legal Training Course (PLTC)

Awards & Recognitions

- Recognized in the 2025 edition of *The Best Lawyers in Canada*™ (Corporate and Commercial Litigation)
- Recognized in the 2024 edition of *The Canadian Legal Lexpert Directory* (Litigation - Corporate Commercial)

Bar Admission & Education

- Yukon Territory, 2019
- British Columbia, 2013
- JD, University of British Columbia, 2012
- BA (Philosophy), University of British Columbia, 2005

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As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 725 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

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