

News from  
**ELLYN LAW LLP**  
*Business Litigation & Arbitration Lawyers*  
Toronto, Ontario Canada  
[www.ellynlaw.com](http://www.ellynlaw.com)  
(updated to December 2010)

In this section, we highlight developments in our firm. In addition to the matters listed here, our lawyers achieve regularly results for our clients. Subject to confidentiality and privacy law considerations, we refer to some of our successes in the [Recent Cases](#) section of our website.

**ELLYN LAW LLP**

**October 2010:** Ellyn Law LLP Business Litigation and Arbitration Lawyers is growing. We are pleased to announce that **Belinda Elisa Schubert** has joined our firm as an associate. Belinda is a graduate of Princeton University and the Faculty of Law of the University of British Columbia. She brings a broad range of business and human rights interests and experience to our firm which are ideally suited to the services Ellyn Law LLP's clients require. Ellyn Law LLP's litigation and arbitration team now includes Partners Igor Ellyn, QC, CS and Orié Niedzwiecki and Associates Evelyn Perez Youssoufian and Belinda Elisa Schubert. More information about Belinda Schubert and other lawyers of Ellyn Law LLP are available at [www.ellynlaw.com/lawyers\\_ellynlaw.htm](http://www.ellynlaw.com/lawyers_ellynlaw.htm).



**ELLYN LAW LLP**

**October 2010:** Ellyn Law LLP Business Litigation and Arbitration Lawyers, Toronto, Canada, posts articles and news events on [www.jdsupra.com](http://www.jdsupra.com). The JDSupra site provides an opportunity to inform other professionals and prospective clients about Canadian law and the services Ellyn Law LLP provides. With the development of the internet and social networking, business people and professionals rely increasingly on the internet to identify resources. Ellyn Law LLP's articles are intended to inform about our areas of expertise. And it works. Business clients and other lawyers in Canada, USA, Europe and around the globe have contacted us on business, shareholder, estate, judgment enforcement and internet defamation cases. Some of these contacts are shown on the interactive at [www.ellynlaw.com](http://www.ellynlaw.com). JDSupra is now affiliated with [www.linkedin.com](http://www.linkedin.com). Ellyn Law LLP lawyers are on LinkedIn.



**twitter**

**September 2010:** Igor Ellyn, Senior partner of Ellyn Law LLP Business Litigation and Arbitration Lawyers, Toronto, Canada, is now on [www.twitter.com](http://www.twitter.com). You can follow us @EllynLawLLP. Our posts touch on business litigation topics of current interest and sometimes on Toronto sports. Activities of EllynLawLLP are also mentioned.

**ELLYN LAW LLP**

**LAW SOCIETY  
Gazette**

**August 2010:** For the second year, Ellyn Law LLP Business Litigation and Arbitration Lawyers, Toronto, Canada, appears as one of four Canadian law firms listed in the international directory of the Law Society Gazette of England and Wales. Distributed to more than 117,000 solicitors and other professionals, the Law Society Gazette enables legal professionals in the United Kingdom to familiarize themselves with services offered by Ellyn Law LLP, including business litigation, foreign judgment enforcement, commercial arbitration, estate disputes and internet defamation. Senior Partner Igor Ellyn, QC, FCI Arb. Appeared as Queen's Counsel in the English High Court twice in 2009. He is a Fellow of the Chartered Institute of Arbitrators, based in London and a member of the Panel of International Commercial Arbitrators of the Canadian Chamber of Commerce. He has also been involved in a LCIA Arbitration.

**ELLYN LAW LLP**

An ALM Event  
**insIGHT**

**October 2010:** Igor Ellyn, QC, Senior Partner of Ellyn Law LLP Business Litigation and Arbitration Lawyers has been invited to speak at a conference sponsored by Insight Conferences entitled COMPLEX, MEGA and ADVANCED LITIGATION. He will present a seminar on written advocacy complex trials and hearings. Mr. Ellyn's colleague, J. Gardner Hodder of Hodder Barristers, will also present at the seminar. Effective written advocacy is a critical element of the persuasion arsenal of good counsel. Ellyn Law LLP emphasizes effective written communications as part of its services to clients. The presentation takes place in Toronto in March 2011.

**ELLYN LAW LLP**



**October 2010:** Igor Ellyn, QC, CS, FCI Arb., Senior Partner of Ellyn Law LLP Business Litigation and Arbitration Lawyers, has been appointed to the Panel of International Commercial Arbitrators of the Canadian Chamber of Commerce ([www.chamber.ca](http://www.chamber.ca)).

As the Canadian National Committee to the ICC International Court of Arbitration, the Canadian Chamber's Arbitration Committee maintains an extensive panel of Canada's leading practitioners of international arbitration. Mr. Ellyn, a Fellow of the Chartered Institute of Arbitrators since 2002, is experienced in many aspects of international business law, including agency, distributorship, software, pharmaceuticals and some aspects of European Union law. He conducts arbitrations in English and French and is also conversant in German and Romanian. Igor Ellyn's bio is available at <http://tiny.cc/viwps>.



**September 2010:** Ellyn Law LLP Business Litigation and Arbitration Lawyers is a member of TCAS, the Toronto Commercial Arbitration Society. Founded by senior commercial arbitrators and counsel in Toronto, TCAS's mission is to promote a world centre for arbitration excellence in Toronto to resolve international and domestic disputes.

TCAS promotes by providing a forum for leading practitioners of commercial arbitration. Igor Ellyn participated in a seminar to discuss the latest trends in December 2010.

**February 2010:** Ellyn Law LLP Business Litigation and Arbitration Lawyers launched an innovative interactive map on the firm's website. An extension of the firm's motto, "Thinking Globally. Acting Locally.", the interactive map, found at [www.ellynlaw.com/Ellyn\\_Law\\_map.html](http://www.ellynlaw.com/Ellyn_Law_map.html) enables visitors to



the website to view locations around the globe with which the firm has had connections involving clients, professional development or business contacts. Developed by [www.maps.com](http://www.maps.com), the interactive map enables clients and other professionals to appreciate the global reach of Ellyn Law LLP. Ellyn Law LLP is a boutique law firm based in Toronto, Canada and a proud member of the International Network of Boutique Law Firms, [www.inblf.com](http://www.inblf.com). Its senior partner, Igor Ellyn, QC, CS, FCI Arb., is a member of the Panel of International Commercial Arbitrators of the Canadian Chamber of Commerce ([www.chamber.ca](http://www.chamber.ca)).

**October 2009:** Igor Ellyn, QC, senior partner of Ellyn Law LLP Business Litigation and Arbitration Lawyers, Toronto, Canada, appeared as Queen's Counsel in a case in the English High Court of Justice at the Royal Courts, The Strand, London. The case, argued before the Hon. Mr Justice



Tugendhat, considered important issues of Canadian, English and European Union law relating to the compensation of commercial agents. The English Court's decision followed a lengthy arbitration in Canada under the UNCITRAL Arbitration Rules. The decision, which has been widely reported internationally also focuses on the tensions applicable to selection of forum and choice of law where mandatory statutes may be affected.

**July 2009:** Ellyn Law LLP has been recognized as the developer of a practice innovation by the Lawyers Professional Indemnity Company, the insurance program which covers all Ontario lawyers against errors and omissions. In its July 2009 Magazine, "Changing Directions", LawPro author Karen Bell writes: "Igor Ellyn, QC of Ellyn Law LLP in Toronto is a

senior litigation and arbitration counsel whose firm is developing new ways to deliver preventive law services to small and medium-sized businesses. Over the course of his 30-year career as a litigator, Ellyn concluded that many business litigation problems could have been eased, settled sooner or completely avoided by better preventive planning: better contracting drafting, better strategy and greater client awareness of and preparation for litigation. The result: Canadian Business Legal Checkup (BLC) – a diagnostic audit of various aspects of the business to determine if they are compliant with the law and practice and which need attention. The true value of the BLC developed by Ellyn's firm is that it will provide input of experts from various aspect of business law at a pre-determined cost. The BLC requires the business owner to answer a series of questions that touch on all aspects of the undertaking. When the BLC is completed, the business owner receives a report red-flagging matters which need correction, improvement or further legal advice. Clients can then take corrective action on their own or with further guidance of counsel, to ensure that the business is better situated to operate effectively and minimize risk in the future – risk of litigation as well as the significant and sometimes crushing costs that litigation generates. For more information about Business Legal Check-up, go to [www.ellynlaw.com](http://www.ellynlaw.com)." The full article is available online at [www.lawpro.ca/magazinearchives](http://www.lawpro.ca/magazinearchives).



**July 2009:** Ellyn Law LLP Business Litigation & Arbitration Lawyers has emphasized **“Thinking Globally. Acting Locally.”** in its approach client service around the world. During the second quarter of 2009, the Toronto boutique law firm has been active in international and cross-border litigation.

ELLYN LAW LLP

In June 2009, we represented a Canadian manufacturer of large scale equipment in an international dispute. The case was headed to a multi-million dollar arbitration through an international arbitration court. After intensive document preparation, strategic analysis and advocacy, followed by extensive negotiations with counsel for opposing parties, a settlement was worked out to the satisfaction of all parties.

In May 2009, Ellyn Law LLP represented business people based in New Zealand and Thailand in shareholder litigation in Canada. Presently, our firm represents corporations and their shareholders in Europe, Asia, the United States and in various parts of Canada in business and shareholder disputes. Among our cases is a shareholder dispute involving reinsurance brokerages with parties in Australia, Thailand and Canada. Other examples of the firm’s international practice appear on this news page and on other pages of [www.ellynlaw.com](http://www.ellynlaw.com).



**July 2009:** Igor Ellyn and Orié Niedzviecki, partners of Ellyn Law LLP Business Litigation and Arbitration Lawyers, have written an article which explains to business people the ins and outs of resolving shareholder disputes in private corporations, which was published in the online newsletter of the Better Business Bureau of Central and Midwestern Ontario and sent its members. Under the title “Resolving Shareholders Disputes in Canada: What you can reasonably expect”, the article discusses the position of minority and majority shareholders of Ontario corporation and what happens when as a shareholder is treated unfairly. The article provides useful information about the oppression remedy, breach of fiduciary duty, shareholder meetings, derivative actions and other important aspects of shareholder disputes.

[A copy of the article may be downloaded in the Articles Section of www.ellynlaw.com.](http://www.ellynlaw.com)

ELLYN LAW LLP



**July 2009:** The International Network of Boutique Law Firms (“INBLF”) is an organization of highly credentialed single-discipline (boutique) law firms, each of which, after a great deal of research, has been identified and hand-selected as prominent in each firm’s respective field of practice. Ellyn Law LLP is the Toronto INBLF law firm in the fields of Shareholder Disputes and International Commercial Arbitration. An article entitled “Resolving Shareholders Disputes in Canada” written by Igor Ellyn and Orié Niedzviecki has been published on the INBLF website.



**May 2009:** Igor Ellyn, QC was winning counsel (together with Jonathan Wood of Clyde & Co. and Barrister Peter de Verneuil Smith) in a case decided by the United Kingdom High Court of Justice, Queen’s Bench Division on May 27, 2009. Ellyn Law LLP’s Canadian client was sued in England for relief which was previously refused by an Arbitration Tribunal in Toronto. The opposing party argued that certain issues of European law were exclusively within the jurisdiction of the U.K. High Court. The English Court agreed with Mr. Ellyn (and our legal team) that the case had already been fully decided in the Canadian arbitration and granted a stay of proceedings. Mr. Ellyn will appear as counsel in the Queen’s

Bench Division of the UK Court of Justice in October 2009.



**April 2009:** Senior Partner Igor Ellyn, QC has been temporarily admitted as a Barrister in the United Kingdom and a member of the Honourable Society of Lincoln’s Inn. Mr. Ellyn will appear in the United Kingdom High Court of Justice as counsel on behalf of a Canadian corporation involved in complex litigation in England. His call to English Bar will continue until the case is finished. Mr. Ellyn’s appearance in British Court is in keeping with Ellyn Law LLP’s focus on international business litigation and expands the firm’s motto “Thinking Globally. Acting Locally.”



**March 2009:** Senior Partner Igor Ellyn, QC and Associate Evelyn Perez Youssoufian of Ellyn Law LLP were winning counsel in an international arbitration held in Toronto under the Arbitration Rules of the United Nations Commission on International Trade Law (UNCITRAL). The case, which concerned the rights of enterprises under an international high-tech distribution agreement, was conducted before three world-class arbitrators over 10-day period and involved issues of Canada, British and European Union law.



**March 2009:** Ellyn Law LLP hosted a luncheon meeting of the prestigious NGO, [The International Association of Jewish Lawyers and Jurists](http://www.iajlj.org), an organization formed in 1969 to advance human rights, including the prevention of war crimes, the punishment of war criminals, the prohibition of weapons of mass destruction, and international co-operation based on the rule of law and the fair implementation of international covenants and conventions. In a speech given by IAJLJ Deputy President Irit Kohn, the aims of

the Association to combat racism, xenophobia, anti-Semitism, Holocaust denial and negation of the State of Israel were re-iterated. Adv. Kohn also discussed the topic of universal jurisdiction and the status of Gilad Shalit, the IDF soldier who was kidnapped by Hamas nearly three years ago.

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**March 2009:** Senior Partner Igor Ellyn's expertise in the enforcement of foreign judgments has been recognized on the global stage. Mr. Ellyn was invited by international law publisher Juris Publishing of Huntington, New York to re-write the Canada chapter of the text [Enforcement of Money Judgments](#) which includes submissions from leading business litigation experts in 95 countries. With the assistance of Associate Evelyn Perez Youssoufian, Mr. Ellyn authored a 92-page, completely revamped chapter on money judgment enforcement law in Canada, which including the significant changes and case law in Canada over the last decade. For assistance with the law of the province of Quebec, Mr. Ellyn turned to Jean-Pierre Sheppard, a senior partner in the Montreal law firm of [Robinson Sheppard Shapiro S.E.N.C.R.L. LLP](#), who was assisted by Jennifer Hansen and Jonathan Feingold. The Ellyn-Sheppard manuscript was submitted in March 2009 and will be published in Summer 2009. An excerpt of the common law aspects of the chapter will appear in the Recent Articles section of [www.ellynlaw.com](http://www.ellynlaw.com) after publication.

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**April 2009:** An article written by Senior Partner Igor Ellyn, QC entitled "Parties battle over the scope of arbitration clauses" was published in the Focus on Alternative Dispute Resolution Section of [The Lawyers Weekly](#), a national Canadian legal newspaper. The article which reviews recent cases on the judicial approach to mandatory arbitration agreements in Ontario courts is available for download in the Articles section of [www.ellynlaw.com](http://www.ellynlaw.com).

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**February 2009:** Senior Partner Igor Ellyn, QC and Associate Evelyn Perez Youssoufian have co-authored an article entitled The Standard of Appellate Review: High Hurdles to Right Wrongs which will be published in the Spring issue of The Litigator, the journal of the Ontario Trial Lawyers Association. The Spring issue will be devoted to appellate law and will feature articles by leading Ontario experts on the law and practice relating to appeals in Ontario. The article, which will be available for download in the Articles section of [www.ellynlaw.com](http://www.ellynlaw.com) after publication, relies in part on Mr. Ellyn's long experience in appellate advocacy.

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**October 2008:** Igor Ellyn and Orié Niedzwiecki's article "[The Business Legal Checkup: Preventive advice for the legal health of your Business](#)" was published on the front page of in the October 2008 Newsletter of the Better Business Bureau of Central and Mid-western Ontario. The article is available in the Articles section of this website.

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**October 2008:** Ellyn Law LLP has developed a new legal service which will provide an audit of legal matters affecting small and medium sized businesses. Canadian Business Legal CheckupJ is a diagnostic tool small and medium size businesses could use to verify if legal aspects of their operation comply with the law and also, to minimize risk, litigation and expense. When the Business Legal Checkup is completed, the business owner receives a lawyer's report red-flagging matters which need correction, improvement or further legal advice. Please see our recent article on this topic in the Articles section of our website, entitled "[The Business Legal Checkup: Preventive advice for the legal health of your Business](#)". Canadian Business Legal Checkup and Business Legal Checkup are registered trademarks.

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**October 2008:** Ellyn Law LLP is a member of the International Network of Boutique Law Firms (INBLF), an association of more than 250 law firms in North American and globally, which provided specialized expertise. Firms are selected for membership based on their expertise and experience. Senior Partner Igor Ellyn attended the INBLF's annual conference in Atlanta, Georgia, where he expanded Ellyn Law LLP's North American and global contacts in the areas of international commercial arbitration, litigation, and shareholder disputes.

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**July 2008:** The Better Business Bureau of Central and Mid-western Ontario has announced that Ellyn Law LLP will provide Legal Line Services to Accredited Businesses in the GTA. BBB's Legal Line is a service for BBB Accredited Businesses to receive initial legal advice on a business problem. Ellyn Law LLP is the first GTA firm appointed by BBB of Central and Mid-western Ontario to provide this service. BBB has more than 5,000 Accredited Businesses as members.

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**July 2008:** Partners Ori Niedzwiecki and Igor Ellyn contributed a legal column to the BBB's July 2008 e-Newsletter *entitled "So your business has a legal problem. . . Eight useful tips on getting legal advice and what to expect from your lawyer"*. The e-newsletter is distributed to BBB Accredited Businesses. A copy of the article is available in the Articles section of this website.



**June 2008:** Ellyn Law LLP was one of three Canadian law firms listed in a directory of dispute resolution lawyers worldwide in the June 2008 of Corporate UK, the premier strategic finance magazine. As indicated in the Corporate UK directory, Dispute resolution is the core expertise of Ellyn Law LLP, including litigation and international commercial arbitration, including foreign judgment and award enforcement.



**March 2008:** Igor Ellyn was a speaker and panellist at an international conference held at the Bloomberg Center, New York in March 2008 entitled "Perspectives on International Labor and Employment Law", jointly sponsored by the New York State Bar Association and the Cornell University, ILR School, Labor and Employment Law Program. Mr. Ellyn made a presentation on the topic "The Tension between Choice of Law and Mandatory Rules in International Employment and Agency Arbitration". He participated in a panel with three other distinguished legal counsel, international mediators and arbitrators, Linda Gail Bartlett (New York), Richard DeWitt (Coral Gables, Florida) and Axel Heck (Berlin, Germany). Mr. Ellyn's presentation appears in the [Articles](#) section of this website.



**December 2007:** Partner Igor Ellyn, QC published a paper in 2005 entitled "Shareholders' Remedies in Canada". The paper was presented at a legal conference and was published on [www.hg.org](http://www.hg.org) and [www.lawyers.com](http://www.lawyers.com). In December 2007, The Canadian Institute of Chartered Business Valuators requested Mr. Ellyn's permission to include his paper in the mandatory syllabus for students preparing to become Chartered Business Valuators. A copy of the paper is available in the [Articles](#) section of this website.



The United Synagogue  
of Conservative Judaism

**October 2007:** Igor Ellyn participated in a Mediation Training Conference in New York, NY conducted by the United Synagogue of Conservative Judaism (USCJ) and the Rabbinic Assembly, where he was the only Canadian delegate. The Conference, which took place over two days at New York's Jewish Theological Seminary, was attended by senior legal counsel, arbitrators and mediators from across the United States and Mr. Ellyn from Canada. Its purpose was to establish a roster of dispute resolution to experienced dispute resolution professionals to mediate and arbitrate future disputes between Conservative synagogues and clergy. USCJ has 700 affiliated congregations across North America and globally. The Rabbinic Assembly is regulatory body for Conservative rabbis and has about 1500 members.



**September 2007:** Senior Partner Igor Ellyn, QC was the keynote speaker at the 17th Annual Operation Update program presented by Ontario Bar Association on September 21, 2007. Operation Update is a legal conference attended by hundreds of lawyers every year where experts in various fields of law explain developments in the law over the preceding year. Igor Ellyn presented a paper entitled "The Five Most Significant Decisions of the Courts in 2006-07", which was prepared with the assistance of Evelyn Perez Youssoufian, associate in the firm and former associate, Michelle Gordon. This will mark the fifth time Mr. Ellyn has delivered the keynote presentation at Operation Update. His paper appears in the [Articles](#) section of this website and has also been published on [www.bar-ex.com](http://www.bar-ex.com), [www.lawyers.com](http://www.lawyers.com) and [www.hg.org](http://www.hg.org).



**July 2007:** Senior Partner Igor Ellyn has been appointed Honourary Legal Counsel of Canadian Jewish Congress, Ontario Region for a two-year term. In this role, Mr. Ellyn will be active in human rights advocacy on behalf of the Jewish Community and the broader community in Canada and Ontario. Canadian Jewish Congress is the principal advocacy voice of the Jewish Community in Canada but also advocates on human rights issues generally. Mr. Ellyn has been active in Canadian Jewish Congress for many years. In addition to his role as Honourary Legal Counsel, Ontario Region, he is also a member of the Ontario Region Cabinet and of the CJC National Legal Affairs Committee and has held numerous portfolios for Canadian Jewish Congress.



**On March 22, 2007**, Igor Ellyn attended a ceremony at the United States Supreme Court for the presentation of the Pursuit of Justice Award to Justice Aharon Barak, former President of the Israel Supreme Court and one of the most influential scholars and jurists in the history of Israel. The awarded was presented by the Hon. Justice Antonin Scalia of the U.S. Supreme Court and the Hon. Irwin Cotler, former Justice Minister of Canada. On March 23, 2007, Igor Ellyn, accompanied by lawyers Howard Simmons (Brampton) and Theodore Goloff (Montreal) attended a meeting with the Hon. Michael Wilson, Canada's Ambassador to the United States.

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