



## Carlos Sayao

Partner

### Tel

+1 416 294 7800

### Email

csayao@tyrllp.com

### Expertise

Arbitration & Mediation

Commercial Litigation

Class Actions

Sports Litigation

### Bar Admissions

Ontario, 2015

*Carlos is a practical and results-oriented litigator who advocates on behalf of a diverse range of clients.*

With his calm demeanour, he effectively navigates high-pressure situations with unflappable composure. Carlos was formerly an associate at Davies Ward Phillips & Vineberg LLP, where he developed a broad commercial and class actions litigation practice.

As a former competitive swimmer who represented Canada at the World Championships and Commonwealth Games, Carlos brings to bear his passion for elite sport in representing athletes and sport organisations in complex disputes. He has appeared before the Court of Arbitration for Sport on multiple occasions, including representing South African Olympic champion Caster Semenya in a landmark case challenging a regulation that requires certain women to lower their naturally occurring testosterone levels as a condition of participation in women's sport.

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Toronto, Ontario  
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## REPRESENTATIVE WORK

### Commercial and Class Actions

#### **Vale Canada Limited**

Acted for Vale Canada Limited and its affiliates in defending contractual claims before the Supreme Court of Newfoundland and Labrador pertaining to the Voisey's Bay Nickel Project. This case was settled in September 2018, at the end of the first week of a four month trial that would have involved dozens of lay and expert witnesses. This was the first "hybrid trial" and first electronic trial ever conducted in the Province of Newfoundland and Labrador.

#### **Detour Gold Corporation**

Acted for Detour Gold Corporation in a securities class action involving alleged breaches of the public disclosure requirements of the Securities Act (Ontario) in relation to the company's production and cost guidance during the ramp-up of the Detour Lake Mine, and to details of one of the company's credit agreements.

#### **Rogers Communications Inc.**

Acted for Rogers Communications Inc. in connection with numerous multi-billion dollar class action proceedings across Canada to recover "system access fees" charged to consumers by wireless service providers in Canada in the period since 1987.

### Sports Litigation

#### **World Anti-Doping Agency**

Acting for the World Anti-Doping Agency in defence of a civil action filed in the Ontario Superior Court of Justice by three Russian cyclists who were denied entry to the 2016 Olympic Games in Rio de Janeiro.

#### **Caster Semenya**

Representing South African Olympic Champion Caster Semenya in international proceedings seeking to invalidate a regulation that requires certain women to lower their naturally occurring testosterone levels as a condition of participation in women's track and field.

#### **Dutee Chand**

Successfully represented Dutee Chand, an Indian-born sprinter, in a landmark international sports ruling suspending the operation of the International Association Athletic Federation's Hyperandrogenism Regulation, which screens female athletes on the basis of their natural testosterone levels.

#### **International Paralympic Committee (IPC)**

Successfully represented the International Paralympic Committee (IPC) before the Court of Arbitration for Sport in upholding the decision of the IPC to exclude the Russian Paralympic Committee from the 2016 Paralympic Games in Rio.

#### **Chris Moiser**

Represented Chris Moiser, a transgender athlete, in challenging an international regulation that impacted his ability to compete in the male category.

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## RECOGNITIONS

*Benchmark Canada Impact Case of the Year Award (2019) – Recipient*

### EDUCATION

McGill University, BCL/LLB, 2013

University of Oxford, MSc (Environmental Management) (with Distinction), 2007

University of Michigan, BSc (Civil & Environmental Engineering) (Summa Cum Laude), 2006

### BOARD MEMBERSHIPS

Swim Ontario

Young Canadian Arbitration Practitioners (YCAP)