

**Michael J.P. O'Brien***Associate***Tel**

+1 416 617 0533

Email

mobrien@tyrllp.com

Office180 John Street
Toronto, Ontario
M5T 1X5**Bar Admissions**

Ontario, 2013

ExpertiseArbitration & Mediation
Class Actions
Commercial Litigation
Dispute Resolution
Lobbying & Conflicts of
Interest Investigation
Securities Litigation*Michael takes a practical and strategic approach to solving complex problems.*

Michael O'Brien is an associate at Tyr LLP. Prior to joining Tyr LLP in October 2019, Michael carried on a general commercial and civil litigation practice at McCarthy Tétrault LLP.

Michael is a trusted advisor to publicly traded and privately held companies, public institutions, investors and high-profile individuals. He has experience assisting clients in a broad range of industries, in all manner of disputes, including civil, commercial and regulatory proceedings. An experienced advocate, he has represented clients as first and second chair at motions, hearings, trials and appeals before various courts and administrative tribunals in Ontario. Businesses and individuals also consult Michael on their obligations in the political sector, including ethical compliance, conflicts of interest and lobbying law.

In addition to his diverse trial practice, Michael is the Vice-Chair of the American Bar Association's Business Law Section subcommittee on Class Actions, which he has held since 2016. He contributes to and edits the Class Actions chapter in the ABA's annually updated Recent Developments in Business and Corporate Litigation.

Michael J.P. O'Brien

Associate

Tel

+1 416 617 0533

Email

mobrien@tyrllp.com

Office

180 John Street
Toronto, Ontario
M5T 1X5

REPRESENTATIVE WORK

- Successfully obtained injunctive relief for a major financial institution to compel a software service provider to end the improper shut down of a vital software service in breach of the contract between the parties.
- Assisted auditor in shareholder misrepresentation class action involving allegations of misrepresentations made in public disclosure documents.
- Represented the master distributor in a chemical supply chain successfully prosecute a multi-million dollar claim for numerous breaches of a master distributor agreement. The dispute was resolved in favour of the master distributor in advance of private arbitration.
- Representation of energy companies in various proceedings relating to wind power projects in Ontario.
- Representation of an energy company, defending allegations of abuse of dominance made by the Commissioner in the Competition Tribunal.
- Through an internal investigation for a major financial institution, ensured that key personnel were appropriately prepared for anticipated inquiries from various government committees and commissions.
- Advise a variety of clients on obligations, risks and procedures associated with responding to various government commissioners.
- Assisted large financial institution take prompt action to ensure the containment of stolen confidential data.
- Successfully exonerated the target of an OSC investigation for insider trading following an investigation into the target's trading patterns, publicly available information, and the cross-examination of the OSC's investigator.
- Successfully appealed a professional licensing body's decision to deny Certificate of Registration to a professional, including obtaining the extraordinary order requiring the licensing body to issue the professional a Certificate of Registration.
- Represented numerous professionals before their regulatory body, including at the investigative stage before their Discipline Committee, as well as on appeal from various administrative tribunals.

Michael J.P. O'Brien

Associate

Tel

+1 416 617 0533

Email

mobrien@tyrllp.com

Office

180 John Street
Toronto, Ontario
M5T 1X5

ABOUT

RECOGNITIONS

Gowlings Prize for first place in Civil Trial Advocacy

2012 J.W. Whiteside Award Recipient for outstanding services to the Faculty of Law, the legal community and the community of Windsor

2012 Gale Cup Moot Finalist

COMMUNITY INVOLVEMENT

Co-Founder & Co-Chair, The Charter Project, a public awareness and education initiative regarding the Canadian Charter of Rights and Freedoms

Chair, Board of Directors, Camp Ekon, 2015 – 2019

Member, Board of Directors, Camp Ekon, 2013 – 2015

PUBLICATIONS

"Cross-Border & Multijurisdiction Class Actions—A Canadian Perspective" in the American Bar Association's annually updated volume, Recent Developments in Business and Corporate Litigation (2014, 2015, 2017, 2018, 2019) (Co-author and Co-editor).

"Cross-Border & Multijurisdiction Class Actions—A Canadian Perspective" in Recent Developments in Business and Corporate Litigation: Class Action Law, 2016 Edition, published by the American Bar Association in July 2016 (Co-author and Co-editor).

"Multijurisdictional Issues" in Defending Class Actions: A Guide for Defendants, 4th Edition, published by LexisNexis in December 2015.

PROFESSIONAL AFFILIATIONS

The Advocates' Society

Canadian Bar Association

Ontario Bar Association

American Bar Association

Vice-Chair, sub-committee on Class Actions, Business and Corporate Litigation Committee, Business Law Section

EDUCATION

University of Windsor, J.D., 2012

University of Waterloo, M.A., English, 2010

University of Waterloo, B.A.H., English Language and Literature, 2007