



Kate Genest

Partner | Toronto

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Biography

Kate Genest is a commercial and civil litigator recognized by her clients for her sincere and empathetic advocacy and for her practical and cost-effective approach.

Kate maintains a broad practice, serving diverse clients in multiple industries, including school boards, municipalities, insurers, private and public corporations, and individuals. Kate's areas of expertise include complex contractual disputes, debt recovery, professional liability, fraud, defamation, cybersecurity and privacy.

RELATED SERVICES

Commercial Debt Recovery
Commercial Litigation
Condominium & Strata
Construction Litigation
Estates and Trusts Litigation
Restructuring & Insolvency

RELATED INDUSTRIES

Construction and Infrastructure

Professional achievements & leadership

- 2013 John Willis Award for Leadership, University of Toronto
- 2013 Gina Caldarelli Memorial Prize for School Spirit, University of Toronto

Notable matters

- Doria v. Warner Bros. Entertainment Canada Inc. et al., 2022 ONSC 4454 (successful motion to strike a claim as an abuse of process, because it sought to re-litigate damages that had previously been decided in a binding arbitration)
- 6520910 Canada Corporation v. Burtol Cleaners (Stratford) Limited, 2021 ONSC 5431 (successful motion for security for costs. Plaintiff was ordered to post \$170,000 as security for our clients' costs of the litigation)
- Inzola Group Limited v. Brampton (City), 2019 ONSC 7632, 2021 ONCA 143 (successfully defended the City of Brampton against a 28 million dollar claim with a three million dollar cost award in favour of the City of Brampton. The matter was upheld on appeal)
- 1951584 Ontario Inc. (Maxium Financial Services Inc.) v. Altavision Plus Inc., 2019 ONCA 943, 2019 ONSC 1237 (a successful motion for summary judgement with significant cost award which exceeded the amount of the judgement. The matter was upheld on appeal)
- Sutherland v. Messengers International, 2018 ONSC 2703
- De Matteis v. York Catholic District School Board, 2017 ONSC 4936
- York Condominium Corp No 163 v Robinson, 2017 ONSC 2419
- Hadani v Toronto Standard Condominium Corporation No. 2095,

2016 CanLII 51830

- 2122157 Ontario Inc. v. Tarion Warranty Corporation, 2016 ONSC 851
- Lambrou v. Voudouris et al., 2015 ONSC 998
- Sickinger v. Krek, 2015 ONSC 637

Thought leadership

- Co-Author, "Court of Appeal Recommends Change to Rules of Civil Procedure: The Right to File a Reply Factum on Appeal," January 11, 2022
- "The Latest on Rule 49 Offers to Settle," *MT Litigation Blog*, June 2015
- "Ontario Announces E-Filing for Small Claims Court," *MT Litigation Blog*, April 2015
- "Expert Evidence and the Judge as Gatekeeper," *MT Litigation Blog*, January 2015
- "Mediation and Justice: A Contemporary Approach to a Classic Conception," Ontario Bar Association, Alternative Dispute Resolution, March 2014
- "The Long-Term Risks of a Carelessly Prepared Tax Return: *Krenbrink Estate v. The Queen*," *Taxes and Wealth Management*, Issue 7-1, February 2014

Community involvement

- Member, Inclusion and Diversity Committee, Miller Thomson LLP (2021 - present)
- Associate Co-Chair, United Way Campaign, Miller Thomson LLP (2014, 2015, 2016)
- Mentor, Alumni-Student Mentorship Program, University of Toronto Faculty of Law (2014 – present)
- Member, Organizing Committee, Miller Thomson "Proud to Celebrate Pride" (2016 - present)
- Volunteer, Ryerson Pro Bono Clinic (2014 – present)
- Volunteer, Pro Bono Ontario, Legal Advice Hotline and Duty Counsel (2016 – present)
- Miller Thomson Team Captain, Dodging for Dollars Fundraiser for Sick Kids (2016)
- Miller Thomson Team Captain, Sporting Life 10k for Camp Ooch (2016 - 2018)
- Volunteer, Federal Election Campaign, Toronto-Danforth Riding (2015)

Professional memberships

- Law Society of Ontario
- Canadian Bar Association
- Ontario Bar Association
- The Advocates' Society

Languages spoken

- English
- French

Bar admissions & education

- Ontario, 2014
- Osgoode Certificate in Privacy and Cybersecurity Law, 2022
- J.D., University of Toronto, 2013
- B.A. (philosophy, honours), University of Ottawa, 2010

