



Stephen Mulrain

Associé | Calgary

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Biographie

(Disponible en anglais seulement)

Stephen Mulrain is a versatile litigator with experience in all areas of civil litigation. He has represented clients at all levels of court in Alberta as well as before the courts in British Columbia, the Federal Court, the Tax Court of Canada, various administrative tribunals and at arbitration. Stephen has successfully appeared as lead counsel on motions, at trial and on appeal.

Stephen employs a results and options oriented approach to legal problems in order to obtain the best possible outcome for his client. He zealously advocates for his clients in disputed matters and seeks creative solutions to client problems through the legal process.

Stephen believes that pragmatic and economically sound advice is the key to resolving disputes and litigation successfully. He has successfully resolved matters through various forms of alternative dispute resolution, including judicial and private mediation, arbitration and direct negotiation.

Stephen has particular expertise in the following areas:

- **Shareholder Disputes:** including advice and litigation related to statutory relief for shareholders, oppression and derivative actions, corporate governance issues, disputes arising from unanimous shareholder agreements, matters related to the issuance of securities by private and public companies and related corporate disputes.
- **Commercial Litigation:** prosecuting and defending claims arising from breach of contract, negligence, fraud, construction claims, defamation and other disputes.
- **Estate and Trust Matters:** including litigation and dispute resolution of matters such as capacity, undue influence, accounting for trustees and executors, fraudulent conveyances, trust validity and matrimonial claims against trust property.

Stephen was previously an infantry officer in the Canadian Armed Forces Reserve and served in Afghanistan in 2008. Stephen is presently a legal officer in the Canadian Armed Forces Reserve.

SERVICES CONNEXES

Litige | Construction

Litige commercial

Successions et fiducies

Réalisations professionnelles et leadership

- *Benchmark Canada*, Future Star, 2023 - 2024

Mandats importants

Estate and Trust Matters

- Appealed and reversed a trial court ruling granting authority to a disgruntled beneficiary to pursue a claim contrary to the decision of the executor of the estate – *McLelland v McLelland*, 2020 ABCA 12.
- Acted for a beneficiary of a large estate in opposition to a claim against the estate by an alleged Adult Interdependent Partner, which was successfully resolved through alternative dispute resolution.
- Successfully resolved a family trust dispute with issues including fraud by an employee, intellectual property disputes and tax concerns.
- Successfully represented several family members in an application for an accounting against their father's attorney and in negotiating the disposition of a family vacation property that had been improperly transferred to that attorney.

Shareholder Disputes

- Successfully obtained an injunction to prevent changes to a unanimous shareholder agreement following a dispute over a shotgun offer.
- Successfully resolved a shareholder dispute in a closely held company through shotgun offers under a unanimous shareholder agreement, multiple court actions and interest based negotiation.

Commercial Litigation

- Obtained a ruling validating a contractor's lien claim against a condominium project clarifying the law of builder's liens against such developments in Alberta - *Avli BRC Developments Inc v BMP Construction Management Ltd.*, 2021 ABQB 412.
- Successfully defended a major oil and gas service company at trial in a claim arising from injuries sustained on their property.
- Successfully defended a company and its principal at trial in a claim of conversion, breach of bailment and negligence by a former employee.
- Successfully defended a company and its principal in a claim for breach of contract, conversion of intellectual property and oppression by a former director, officer and shareholder.
- Successfully defended an individual against a claim of defamation related to her role as a respite foster care provider.

Associations professionnelles

- Canadian Bar Association, Wills, Estates and Trusts Section
- Alberta Civil Trial Lawyers Association
- Calgary Bar Association

Formation et admission au barreau

- Alberta, 2013
- J.D., University of British Columbia, 2012
- B.A., University of Calgary, 2006