

Stephen Mulrain

Partner

Calgary

OFFICE

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Industries & Expertise

INDUSTRIES

Condominium & Strata | Construction Contracts and Procurement | Oil and Gas | Government | Municipal, Planning & Land Development

EXPERTISE

Arbitration & Mediation | Appellate Law | Commercial Litigation | Construction Litigation | Estates and Trusts Litigation | Contractual Disputes | Shareholders Disputes | Corporate and Business Disputes

Biography

BAR ADMISSION

Alberta, 2013

EDUCATION

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

Stephen brings a wealth of experience in civil litigation, having represented clients in courts and tribunals across the country. Stephen works with clients to identify their key objectives and priorities, and helps clients attain their goals by thinking critically and creatively. Stephen is experienced in commercial litigation,

shareholder disputes and estate and trust litigation.

In addition to his dedication to the legal field, Stephen has served in the Canadian Armed Forces Reserve since 2005, including an operational deployment in Afghanistan. He is currently a legal officer in the Canadian Armed Forces Reserve.

Stephen is actively involved in legal associations such as the Canadian Bar Association and the Alberta Civil Trial Lawyers Association. He has been noted as a Future Star by Benchmark Canada for the years 2023-2024, showcasing his commitment to excellence in the field.

Industry involvement

Recognition

- *Benchmark Litigation Canada*, Future Star, 2023 – 2025

Notable Matters

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.

Memberships & affiliations

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