



JOHN P. SULLIVAN*

John is the Co-Chair of our Commercial Litigation Group, and an active member of our Family and Insurance Law Groups. He is recognized as a leading BC commercial litigation lawyer by Best Lawyers® in Canada, Benchmark Canada® and Chambers Canada®.

JOHN P. SULLIVAN*

Partner
Harper Grey LLP
jsullivan@harpergrey.com
604.895.2859
*John P. Sullivan Law Corporation

ASSISTANT

Barbara Olson
bolson@harpergrey.com

EXPERTISE

Commercial Litigation
Directors & Officers Liability
Family Law
Insurance Law
Real Estate Law
Securities Regulation & Litigation
Indigenous Business Law

John has written and lectured on a variety of commercial litigation topics. He has been published in both Canada and the US in such journals as the Canadian Bar Review, The Washington Bar News, and the Oregon Creditor-Debtor Newsletter. He has been a guest lecturer for the Canadian Institute as well as the BC Continuing Legal Education Society.

John has a passion for challenging litigation, and has earned a reputation for tireless efforts in defence of his clients' rights.

EXPERIENCE

CONTRACTUAL/QUASI-CONTRACTUAL DISPUTES

- Representing an anchor tenant in a contested arbitration proceeding and BC Supreme Court proceeding over fair market rent in a large shopping mall. This case involved a significant real estate appraisal aspect.
- Acting as a plaintiff's counsel in a three-week trial seeking equitable recession and related relief. This case also involved a substantial element of tracing of funds.
- Defending a BC business in a three-week trial against allegations of breach of contract, unjust enrichment and misappropriation of funds.
- Defending a Crown Corporation in a seven-week trial against allegations that it had caused the failure of the plaintiff's initial public offering, allegedly leading to over \$30 million in damages.
- Defending a publicly traded company in proceedings in both Ontario and BC relating to alleged claims in excess of \$100 million.
- Representing a law firm in a four-week Legal Profession Act hearing before a Registrar relating to the enforcement of a significant contingency fee agreement. This case also involved the valuation of a substantial business. John also acted for the firm in the BC Court of Appeal in this matter.

CORPORATE/SHAREHOLDER DISPUTES

- Defending the CEO of a TSX-V listed mineral exploration company against allegations of oppression arising out of a proxy contest.
- Defending the CEO and founder of a large BC manufacturing company in a nine-week trial of an oppression/derivative action in BC Supreme Court in which the CEO

faced allegations of oppressive conduct and conflict of interest.

- Representing the plaintiff in a seven-week oppression trial regarding shares in a company that owned a successful taxi business as well as significant hotel assets. This case also involved a significant business valuation aspect.
- Representing the founder of a technology company in an oppression proceeding relating to the use of anti-dilution shares.
- Representing a minority shareholder in a large Lower Mainland marina in a four day hearing advancing claims under the oppression remedy.
- Acting for a large private company in litigation against its former directors and officers for misappropriation of funds. In this same dispute, John also represented the company in opposing an application for liquidation, as well as in contested proceedings to rectify its share register.
- Acting for the liquidator of a religious corporation in a dispute relating to the exigibility of its charitable assets to pay child abuse claims. This culminated in a five-week hearing in the BC Supreme Court, followed by a hearing in the BC Court of Appeal. The matter involved issues such as the nature of ecclesiastical corporations, the exigibility of charitable trust assets, and the division of powers between the federal insolvency power and the provincial power over property and civil rights.

FAMILY LAW

- Acted as counsel for a husband in the Court of Appeal regarding issues of division of corporate assets plus imputed income.
- Acting as co-counsel for the wife of a mining executive in a matrimonial trial involving significant corporate and trust assets. This matter settled part way through the trial.
- Acting in a variety of mediations involving division of family businesses and family trusts.
- Acting for individuals in S.91 FLA injunction applications.
- Acting for a variety of individuals and organizations in wills, estates and trust litigation.

Private International Law

- Acting as counsel for a US trustee in bankruptcy in a four day contested hearing seeking recognition of a judgment from the U.S. District Court relating to a Ponzi schemes under the reciprocal enforcement of judgements provisions of B.C.'s Court Order Enforcement Act.
- Enforcing American and other judgments in BC under the *Court Order Enforcement Act*, as well as the *Morguard* principle.
- Enforcing American letters rogatory in the BC Supreme Court.
- Defending BC businesses and individuals against foreign judgments.

SECURITIES/INVESTMENT ADVISOR LITIGATION

- Representing an individual before the BC Securities Commission in the first hearing relating to S.164.04 of the *Securities Act*.
- Representing an investment advisor in a two-week trial in which she faced allegations of having improperly taken confidential documents when she moved from one brokerage firm to another.
- Representing an investment advisor against her former brokerage in bankruptcy proceedings in which the brokerage sought leave to pursue a fraud action against her with respect to significant deficiencies in two client accounts.
- Representing the former CEO of a TSX-V listed junior mineral exploration company against allegations that he had engaged in insider trading with respect to the shares of that company.

BANKRUPTCY AND INSOLVENCY DISPUTES

- Acting in the BC Court of Appeal for a debtor company appealing a decision of the BC Supreme Court that rejected the debtor's proposal to creditors. This case remains the leading authority for the proposition that an appeal of a trustee's valuation of a claim is a true appeal, and not a trial *de novo*.
- Acting in the BC Supreme Court for an insolvent construction company seeking to have its proposal to creditors approved, and to avoid personal liability for its directors and officers. This case remains a leading authority on the types of claims against directors and officers that can be compromised through the proposal process.
- Acting in the BC Court of Appeal for a personal debtor facing fraudulent conveyance allegations. This case remains a leading authority on the interpretation of s.38 of the *Bankruptcy and Insolvency Act*.

ADMINISTRATIVE LAW/PUBLIC LAW

- Advising a First Nation Chief and Band Council with respect to proceedings before the Specific Claims Tribunal.
- Acting in the BC Supreme Court and BC Court of Appeal for a local student association seeking to disassociate itself from a national student association. This case involved questions of democratic rights.
- John has appeared before a variety of administrative tribunals and has acted as counsel for the Appeals Board of a major BC professional disciplinary body.

CREDENTIALS

EDUCATION

- University of British Columbia, LL.B., 1995

BAR ADMISSION

- British Columbia, 1996

LEADERSHIP

- Co-Chair, Harper Grey Commercial Litigation Group
- Co-Chair, TAGLaw International Litigation & ADR Specialty Group
- Mentor, Harper Grey Mentoring Program

MEMBERSHIP

- Member, The Law Society of British Columbia
- Member, Canadian Bar Association, BC Branch

RECOGNITION

Named as a "Leader in His Field" in the area of General Commercial Litigation (British Columbia) by Chambers Canada®, 2016 - 2021

Recognized as a "Leading Lawyer" in the area of Corporate and Commercial Litigation by Best Lawyers® in Canada, 2015 - 2021

Recognized as a "Local Litigation Star" in British Columbia in the area of General Commercial Law by Benchmark Canada®, 2014 - 2020

COMMENTARIES

"His clients assert 'He is so smart and professional. A super hard worker with strong work ethics'."

— *Chambers Canada@ 2020*

"One client enthuses: 'He is very serious about what he does. He is extremely hard-working and attentive,' adding: 'He is passionate, very diligent, thoughtful and strategic'."

— *Chambers Canada@ 2018*

"John Sullivan attracts praise from market commentators for his 'diligent and knowledgeable' approach to a wide range of commercial matters."

— *Chambers Canada@ 2017*

"One source enthused: 'His service to the client was exceptional'."

— *Chambers Canada@ 2017*

"There was insight and nuance in how he handled the case. He did it masterfully."

— *Chambers Canada@ 2016*

SELECT ARTICLES + PUBLICATIONS

"Enforcing Money Judgments Across the United States-Canada Border" Article

Published In: Oregon State Bar Newsletter - Creditor-Debtor Section - Spring 2014

Written by: John P. Sullivan*, Sean T. Foote

"Enforcing Money Judgments Across the United States-Canada Border" Article

Published In: Washington State Bar Association - Creditor-Debtor Rights Newsletter - Sep.14

Written by: John P. Sullivan*, Sean T. Foote

John Sullivan presents "This Oughtta be Thrown Outta Court! Motions to Strike in the BC Supreme Court" at CLEBC Course

Written by: John P. Sullivan*

SELECT EVENTS + PRESENTATIONS

John Sullivan recently presented on COVID-19 and the doctrine of force majeure

Event date: 14.May.20

Presented by: John P. Sullivan*

John Sullivan presents at TAGLaw International Conference on "Enforcing Judgments Across International Borders: US, Canada and England"

Presentation date: 24.Oct.18

Presented by: John P. Sullivan*

Harper Grey lawyers celebrate entrepreneurship at the 2018 EY Entrepreneur of the Year Gala

Event date: 25.Sept.18

Presented by: Steven G. Lukas*, John P. Sullivan*, Roselle P. Wu, Michael J. Hewitt*, Salman Y. Bhura*, Scott J. Marcinkow*

John Sullivan to present on "Enforcing Contracts In The Digital Age" at upcoming TAGLAW International Conference

Presentation Date: 26.Oct.16

Presented by: John P. Sullivan*

John Sullivan to present at CLE session “Motions To Strike 2014”

Presentation Date: 25.Apr.14

Presented by: John P. Sullivan*

SELECT NEWS

Chambers Canada 2021 Recognizes Harper Grey as a Leading Firm in the area of General Commercial Litigation

Related to: John P. Sullivan*, Michael J. Hewitt*, Christopher M. Rusnak, QC* - 10.Sep.20

Chambers Canada 2021 Recognizes Eight Harper Grey Lawyers as Leaders in Their Field

Related to: Guy P. Brown, QC*, Richard E. Bereti*, Kimberly J. Jakeman*, William S. Clark*, Christopher M. Rusnak, QC*, John P. Sullivan*, Michael J. Hewitt*, H. Roderick Anderson* - 10.Sep.20

Harper Grey receives 51 rankings from Best Lawyers® in Canada 2021

Related to: Steven Abramson*, Owais Ahmed*, H. Roderick Anderson*, Bryan G. Baynham, QC, Richard E. Bereti*, Salman Y. Bhura*, Guy P. Brown, QC*, William S. Clark*, Prentice Durbin*, Cameron B. Elder*, Michael J. Hewitt*, Kimberly J. Jakeman*, Steven G. Lukas*, Maureen L.A. Lundell, QC, William D. MacRae*, Derek Mah*, Jonathan D. Meadows*, David W. Pilley, Una Radoja*, Christopher M. Rusnak, QC*, Raj Samtani*, John P. Sullivan*, W. Sean Taylor, Michael G. Thomas*, Nigel L. Trevethan*, Abigail C.F. Turner*, Adam R. Way, Jennifer R. Woznesensky, Lara C. Zee - 27.Aug.20

Harper Grey Lawyers Recognized as Litigation Stars by Benchmark Canada® 2020

Related to: H. Roderick Anderson*, Richard E. Bereti*, Salman Y. Bhura*, Guy P. Brown, QC*, William S. Clark*, Michael J. Hewitt*, Kimberly J. Jakeman*, Rose Keith, QC*, Jonathan D. Meadows*, David W. Pilley, Una Radoja*, Christopher M. Rusnak, QC*, Raj Samtani*, John P. Sullivan*, Michael G. Thomas*, Nigel L. Trevethan*, Abigail C.F. Turner*, Jennifer R. Woznesensky, Steven Abramson*, Scott J. Marcinkow*, Joel A. Morris*, Roselle P. Wu, Kim J. Yee - 14.Apr.20

Harper Grey recognized as a Leading Law Firm in the area of General Commercial Litigation by Chambers Canada 2020

Related to: Michael J. Hewitt*, John P. Sullivan*, Christopher M. Rusnak, QC* - 19.Sep.19

Eight Harper Grey Lawyers Ranked as Top Litigators in Their Field by Chambers Canada 2020

Related to: H. Roderick Anderson*, William S. Clark*, Richard E. Bereti*, Guy P. Brown, QC*, Kimberly J. Jakeman*, Michael J. Hewitt*, John P. Sullivan*, Christopher M. Rusnak, QC* - 19.Sep.19

Harper Grey receives 48 rankings from Best Lawyers® in Canada 2020

Related to: Sandra Abley, JD, CFP®, TEP, Steven Abramson*, Owais Ahmed*, Bryan G. Baynham, QC, Richard E. Bereti*, Salman Y. Bhura*, Guy P. Brown, QC*, William S. Clark*, Prentice Durbin*, Michael J. Hewitt*, Kimberly J. Jakeman*, Steven G. Lukas*, Maureen L.A. Lundell, QC, William D. MacRae*, Derek Mah*, Jonathan D. Meadows*, David W. Pilley, Una Radoja*, Christopher M. Rusnak, QC*, Raj Samtani*, John P. Sullivan*, W. Sean Taylor, Michael G. Thomas*, Nigel L. Trevethan*, Abigail C.F. Turner*, Henning W. Wiebach*, Jennifer R. Woznesensky, Lara C. Zee - 21.Aug.19

John Sullivan, Maureen Lundell, and Steven Lukas to attend the TAG Alliances Spring 2019 International Conference

Related to: John P. Sullivan*, Maureen L.A. Lundell, QC, Steven G. Lukas* - 15.Apr.19

Six Harper Grey lawyers recognized by Chambers Canada 2019

Related to: Richard E. Bereti*, Guy P. Brown, QC*, Kimberly J. Jakeman*, Michael J. Hewitt*, John P. Sullivan*, Christopher M. Rusnak, QC* - 21.Sep.18

30 Harper Grey Lawyers recognized by Best Lawyers® in Canada 2019

Related to: Steven Abramson*, Owais Ahmed*, H. Roderick Anderson*, Bryan G. Baynham, QC, Richard E. Bereti*, Salman Y. Bhura*, Guy P. Brown, QC*, William S. Clark*, Prentice Durbin*, Michael J. Hewitt*, Kimberly J. Jakeman*, James M. Lepp, QC, Steven G. Lukas*, Maureen L.A. Lundell, QC, Derek Mah*, Jonathan D. Meadows*, David W. Pilley, Una Radoja*, Christopher M. Rusnak, QC*, Raj Samtani*, John P. Sullivan*, W. Sean Taylor, Michael G. Thomas*, Nigel L. Trevethan*, Abigail C.F. Turner*, Henning W. Wiebach*, Jennifer R. Woznesensky, Lara C. Zee - 21.Aug.18

Harper Grey lawyers to attend TAG Alliances 2018 Fall International Conference in Atlanta

Related to: John P. Sullivan*, Prentice Durbin*, Steven G. Lukas* - 20.Aug.18

19 Harper Grey Lawyers recognized for litigation expertise by Benchmark Canada® 2018

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Harper Grey lawyers attend TAG Alliances Fall 2017 International Conference

Related to: John P. Sullivan*, Maureen L.A. Lundell, QC, Barbara J. Norell, QC, Steven G. Lukas* - 17.Oct.17

Harper Grey lawyers support and celebrate entrepreneurial spirit at 2017 EY Entrepreneur of the Year Gala

Related to: Steven G. Lukas*, Prentice Durbin*, John P. Sullivan*, Scott J. Marcinkow*, Roselle P. Wu - 02.Oct.17

Four Harper Grey lawyers recognized by Chambers Canada 2018

Related to: Richard E. Bereti*, Christopher M. Rusnak, QC*, John P. Sullivan*, H. Roderick Anderson* - 28.Sep.17

Harper Grey sponsors TAG Alliances Fall 2017 International Conference

Related to: John P. Sullivan*, Barbara J. Norell, QC, Maureen L.A. Lundell, QC, Steven G. Lukas* - 28.Sep.17

Best Lawyers® in Canada 2018 recognizes 27 Harper Grey Lawyers

Related to: Bryan G. Baynham, QC, Richard E. Bereti*, Salman Y. Bhura*, Guy P. Brown, QC*, William S. Clark*, Prentice Durbin*, Kimberly J. Jakeman*, James M. Lepp, QC, Steven G. Lukas*, Maureen L.A. Lundell, QC, Derek Mah*, L. Neil Matheson, QC*, Jonathan D. Meadows*, Barbara J. Norell, QC, David W. Pilley, Christopher M. Rusnak, QC*, Raj Samtani*, John P. Sullivan*, W. Sean Taylor, Michael G. Thomas*, Nigel L. Trevethan*, Abigail C.F. Turner*, Henning W. Wiebach*, Jennifer R. Woznesensky, Lara C. Zee - 22.Aug.17

Harper Grey recognized for 15 years of outstanding service in TAGLaw Alliance

Related to: John P. Sullivan* - 11.May.17

16 Harper Grey lawyers recognized for litigation expertise by Benchmark Canada® 2017

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Harper Grey lawyers attend TAGLaw Spring International Conference

Related to: John P. Sullivan*, Prentice Durbin* - 10.May.17

Harper Grey lawyers join 2016 TAG Alliances Fall International Conference

Related to: Barbara J. Norell, QC, John P. Sullivan*, Maureen L.A. Lundell, QC, Steven G. Lukas* - 28.Oct.16

Best Lawyers® in Canada 2017 recognizes 24 Harper Grey Lawyers

Related to: Abigail C.F. Turner*, Barbara J. Norell, QC, Bryan G. Baynham, QC, Christopher M. Rusnak, QC*, David W. Pilley, Guy P. Brown, QC*, James M. Lepp, QC, Jennifer R. Woznesensky, John P. Sullivan*, Jonathan D. Meadows*, Kimberly J. Jakeman*, Maureen L.A. Lundell, QC, Michael G. Thomas*, Nigel L. Trevethan*, Prentice Durbin*, Raj Samtani*, Richard E. Bereti*, Salman Y. Bhura*, Steven G. Lukas*, Terrence L. Robertson, QC, William S. Clark*, H. Roderick Anderson*, L. Neil Matheson, QC*, W. Sean Taylor - 10.Aug.16

Harper Grey recognized in Chambers Canada 2017 Guide

Related to: Christopher M. Rusnak, QC*, John P. Sullivan*, Richard E. Bereti* - 10.Jun.16

15 Harper Grey lawyers recognized for litigation expertise by Benchmark Canada 2016

Related to: Abigail C.F. Turner*, Bryan G. Baynham, QC, Christopher M. Rusnak, QC*, Guy P. Brown, QC*, James M. Lepp, QC, John P. Sullivan*, Jonathan D. Meadows*, Karen F. Douglas*, Kimberly J. Jakeman*, Michael G. Thomas*, Nigel L. Trevethan*, Salman Y. Bhura*, Terrence L. Robertson, QC, H. Roderick Anderson* - 20.May.16

Harper Grey representatives attend TAG Alliances Spring 2016 International Conference

Related to: Barbara J. Norell, QC, John P. Sullivan*, Prentice Durbin* - 02.May.16

Harper Grey representatives attend TAGLaw Western North America Regional Meeting

Related to: John P. Sullivan*, Michael Brown, Prentice Durbin*, Steven G. Lukas* - 04.Mar.16

John Sullivan appointed TAGLaw International's Litigation & ADR Specialty Group Co-Chair

Related to: John P. Sullivan* - 28.Jan.16

Harper Grey representatives attend International TAGLaw Conference

Related to: John P. Sullivan*, Michael Drouillard, Salman Y. Bhura* - 28.Oct.15

20 Harper Grey Lawyers recognized by Best Lawyers

Related to: Abigail C.F. Turner*, Barbara J. Norell, QC, Bryan G. Baynham, QC, Christopher M. Rusnak, QC*, David W. Pilley, Guy P. Brown, QC*, James M. Lepp, QC, John P. Sullivan*, Jonathan D. Meadows*, Kimberly J. Jakeman*, Maureen L.A. Lundell, QC, Michael G. Thomas*, Nigel L. Trevethan*, Raj Samtani*, Richard E. Bereti*, Terrence L. Robertson, QC, William S. Clark*, H. Roderick Anderson*, L. Neil Matheson, QC*, W. Sean Taylor - 25.Aug.15

John Sullivan appointed Harper Grey's designated representative for TAGLaw International

Related to: John P. Sullivan* - 04.Aug.15

John Sullivan ranked by Chambers Canada 2016 as a "Leader In His Field"

Related to: John P. Sullivan* - 10.Jun.15

Richard Attisha, Barbara Norell and John Sullivan attend TAGLaw International Conference in Scotland

Related to: Barbara J. Norell, QC, John P. Sullivan* - 07.May.15

12 Harper Grey lawyers recognized for litigation expertise by Benchmark Canada 2015

Related to: Bryan G. Baynham, QC, Christopher M. Rusnak, QC*, Guy P. Brown, QC*, Henning W. Wiebach*, James M. Lepp, QC, Jennifer R. Woznesensky, John P. Sullivan*, Jonathan D. Meadows*, Kimberly J. Jakeman*, Nigel L. Trevethan*, Salman Y. Bhura*, Terrence L. Robertson, QC, H. Roderick Anderson* - 14.Mar.15

Harper Grey to host TAGLaw & TIAG Western North America 2015 Regional Meeting in Vancouver

Related to: John P. Sullivan* - 08.Mar.15

17 Harper Grey lawyers recognized by Best Lawyers® in Canada 2015

Related to: Abigail C.F. Turner*, Bryan G. Baynham, QC, Christopher M. Rusnak, QC*, Guy P. Brown, QC*, James M. Lepp, QC, John P. Sullivan*, Jonathan D. Meadows*, Maureen L.A. Lundell, QC, Nigel L. Trevethan*, Raj Samtani*, Richard E. Bereti*, Terrence L. Robertson, QC, William S. Clark*, H. Roderick Anderson*, L. Neil Matheson, QC*, W. Sean Taylor - 02.Sep.14

Richard Attisha and John Sullivan to attend TAGLaw's Western Regional Conference in Portland, Oregon

Related to: John P. Sullivan* - 14.Mar.14

Harper Grey receives high rankings from Benchmark Canada 2014

Related to: Bryan G. Baynham, QC, Christopher M. Rusnak, QC*, Guy P. Brown, QC*, Henning W. Wiebach*, James M. Lepp, QC, John P. Sullivan*, Kimberly J. Jakeman*, Nigel L. Trevethan*, Terrence L. Robertson, QC, H. Roderick Anderson* - 25.Feb.14

Richard Attisha and John Sullivan to attend TAGLaw's International Law Conference in Miami

Related to: John P. Sullivan* - 01.May.13

10 Harper Grey lawyers recognized for litigation expertise

Related to: Bryan G. Baynham, QC, Christopher M. Rusnak, QC*, Guy P. Brown, QC*, Henning W. Wiebach*, James M. Lepp, QC, John P. Sullivan*, Kimberly J. Jakeman*, Nigel L. Trevethan*, Terrence L. Robertson, QC, H. Roderick Anderson* - 27.Mar.13