



# Erin Chesney

## Associate

Toronto

[echesney@mccarthy.ca](mailto:echesney@mccarthy.ca)

t. +1 416-601-8215

## Bar Admission

Ontario 2017

## Law School

University of Windsor

## Practices

Litigation and Dispute Resolution  
Corporate Commercial Litigation  
Professional Liability  
Appellate Litigation  
Securities Litigation

## Industries

Health Industry  
Banking & Financial Services  
Technology

Erin Chesney is an associate in our Litigation group in Toronto. She is a passionate advocate known for her creativity in constructing legal arguments and getting desired results for her clients.

Erin maintains a broad civil litigation practice with an emphasis on commercial litigation. Her commercial litigation practice includes acting for financial institutions on a range of issues, including breach of contract and negligence disputes. Erin has also developed expertise in the areas of access to information proceedings, acting for several clients before the Information and Privacy Commissioner of Ontario and at the Divisional Court, as well as advising companies across the country on a variety of access to information related matters. Erin is also involved in medical defence work on behalf of the Canadian Medical Protective Association in civil, administrative and regulatory contexts.

Published cases in which Erin has acted as counsel include:

- Successfully defended The Toronto-Dominion Bank in a \$5.5 billion action arising from the collapse of Stanford International Bank (*McDonald and Dickson v TD Bank*, [2021 ONSC 3872](#) affirmed by [2022 ONCA 788](#)).
- Represented National Bank of Canada in securing an order for security for costs (*JoBro Film Finance Ltd v National Bank of Canada*, [2020 ONSC 975](#)).
- Obtained a summary judgment for a physician who was defamed on the internet, which was upheld by the Court of Appeal (*Zoutman v Graham*, [2019 ONSC 2834](#) affirmed by [2020 ONCA 767](#)).
- Lead counsel representing a physician in successfully responding to an appeal of a consent and capacity board decision (*Islam v Ulic*, [2019 ONSC 5481](#)).

Erin has appeared before all levels of court in Ontario, including the Ontario Superior Court of Justice, Ontario Court of Justice, Divisional Court of Ontario and Ontario Court of Appeal and regularly appears at the Commercial List in Toronto on complex commercial disputes. She has also successfully defended against a leave application to the Supreme Court of Canada through her written advocacy. Erin has also appeared before the

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Court of Queen's Bench of Alberta, the Court of Appeal of Alberta, the Discipline Committee of the College of Physicians and Surgeons of Ontario, the Human Rights Tribunal of Ontario, the Consent and Capacity Board and the Health Professions Review Appeal Board.

Erin was called to the Ontario bar in 2017. She is a member of the Law Society of Upper Canada, the Ontario Bar Association and The Advocates' Society.

## Recent Experience

- **Supreme Court of Canada allows appeal in Yatar v. TD Insurance Meloche Monnex and sends matter back to the Licence Appeal Tribunal for reconsideration**

November 15, 2023

## Recent Insights

- **No statutory appeal, no problem — Supreme Court of Canada rules that judicial review is available alongside a limited statutory appeal**

April 23, 2024

- **Ontario Court of Appeal Dismisses \$5B Negligence Claim Relating to Stanford Ponzi Scheme**

November 18, 2022

- **Adequate Arguments for Appealing on the Basis of Inadequacy of Reasons**

April 25, 2022