



Kosta Kalogiros

Partner

Toronto

kkalogiros@mccarthy.ca

t. +1 416-601-7861

Bar Admission

Ontario 2011

Law School

Osgoode Hall Law School

Practices

Leasing
Real Property Development
Litigation and Dispute Resolution
Corporate Commercial Litigation
Professional Liability
Public Law
Transportation and Logistics
Alternative Dispute Resolution
Estates and Trusts

Industries

Automotive

With a keen interest in disruption, Kosta always looks for the most innovative solutions to clients' problems.

Kosta is a partner in our Litigation Group in Toronto. He maintains a broad litigation practice, assisting public and privately held corporations (or their directors, senior management, or shareholders) with all manner of complex corporate/commercial disputes.. He also has experience representing clients in disputes relating to professional negligence, regulatory oversight, product liability, false or deceptive advertising, real property investment, development and/or co-ownership, and estates.

As a leader in the firm's Automotive Industry Group, he also has extensive expertise advising clients (within and outside of the dispute process) on all things automotive, including: motor vehicle safety compliance, motor vehicle importing, safety recalls, dealer/consumer regulations, manufacturing, supply-chain, and cutting-edge autonomous and AI technologies.

Over the course of his career, Kosta has represented many clients in high-stakes matters before all levels of the Ontario courts and a multitude of administrative bodies (including the License Appeal Tribunal). He has also represented clients in fast-paced domestic and international arbitrations. While trial-tested, he understands that clients frequently face unique challenge, several of which call for solutions outside of the courtroom. As such, he routinely provides strategic and pragmatic advice to clients before, after, and outside of the litigation context altogether; all with a view to achieving the client's objective in a timely and cost-effective manner.

Some of his recent notable work includes:

Dispute Resolution

- represented Cineworld in a significant M&A litigation concerning termination of \$2.8B+ transaction for breaches of ordinary course covenant (Canadian Law Awards' 2022 Commercial Litigation Case of the Year);
- represented Tesla in successfully appealing a cease and desist order alleging false, misleading or deceptive advertising;

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- counsel in a multi-million-dollar private arbitration between telecommunication service providers;
- counsel in a multi-million-dollar real property development contractual dispute ;
- counsel on multiple professional negligence matters ranging from physicians to investment dealers;
- counsel on behalf of minority shareholders in various oppression and contractual disputes, including in a \$5-million arbitration resolved favourably at pre-hearing mediation;
- counsel for multiple institutional clients in relation to managing commercial leasing disputes;
- counsel for energy and construction companies dealing with NIMBY disputes;
- advising and providing legal guidance to a large Canadian institutional investor in respect of breach of reps/warranties claim;
- acting for multiple companies in departing employee disputes (i.e., enforcing non-compete/non-solicit);
- assisting auto manufacturers in challenging government policy change re electric vehicle rebates;
- assisting auto dealers in disputes with OMVIC;
- successfully resisting multiple reviews/appeals to the Health Profession Appeal and Review Board;
- *Cineplex v. Cineworld*;
- *Tesla v. Registrar, Motor Vehicle Dealers Act*;
- *Hacopian-Armen Estate v. Mahmoud*;
- *Fram Elgin Mills 90 Inc. v. Romandale Farms Limited*;
- *Abbott v. Kolenda*;
- *Fikry v. College of Physicians and Surgeons of Ontario*;
- *Van Sluytman v. Muskoka (District Municipality)*;

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- *Goodings v. Lubin*;
- *Kara v. Arnold*;
- *2156384 Ontario Inc. v. C&K Property Management Inc.*;
- *Allen v. Aspen Group Resources Corporation*;

Regulatory

- assisting automotive manufacturers with recalls;
- advising international autonomous vehicle (AV) developer on Canadian regulatory environment and deployment of AVs in various provinces;
- assisting global automaker in navigating/responding to Transport Canada safety compliance audit;
- providing legal guidance to OEMs and auto-parts manufacturer on import and safety regulations/obligations;
- working with renewable energy project developers in navigating regulatory approval process with the Ministry of the Environment (including bringing judicial review proceedings);
- assisting auto dealers in navigating/challenging the Ontario dealership licensing requirements;
- advising on consumer protection law and other relevant regulations in the context of merger and acquisition transactions;
- presenting to, and with, the federal and provincial government on AVs and auto safety;

Transactional/Corporate

- advising Brookfield Assessment Management Inc. in its \$8.4-billion acquisition of Genesee & Wyoming;
- advising Brookfield Infrastructure Partners L.P. in its \$4.3-billion acquisition of Enercare Inc.; and
- advising a major Canadian bank in relation to collateralization of a potential \$90-million loan.

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Kosta received his JD from Osgoode Hall Law School in 2010.

He is also actively involved in the Hellenic legal and professional community, serving as the Vice President – Governance, Board & Membership Development and Chair – Next Generation Committee of the Hellenic Heritage Foundation, and having previously served as President of the Hellenic Canadian Lawyers' Association. He is conversationally proficient in Greek.

Awards & Rankings

The Canadian Legal Lexpert Directory

Leading Lawyer: Litigation - Corporate Commercial; Professional Liability

Lexpert Special Edition: Litigation

Leading Lawyer

Benchmark Litigation Canada

Future Star

Recent Experience

- **First Nations achieve C\$8B class action settlement agreement with Canadian Government over drinking water advisories**

July 30, 2021

Recent Insights

- **Appellate Quarterly 01/18/2024 – Key Takeaways**

January 31, 2024

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- **Doing Business in Canada: Updated edition now available**

November 9, 2023

- **Appellate Quarterly 07/26/2023 – Key Takeaways**

August 4, 2023

Events

- **Appellate Quarterly**

January 18, 2024

- **Appellate Quarterly**

July 26, 2023