IAN BRENEMAN

PARTNER

BIOGRAPHY

Ian is a member of the firm's Business Disputes, Transportation and Logistics, and Maritime Practice Groups.

Ian is a commercial litigator and transportation lawyer. He takes a principled but pragmatic and business-focused approach to solving his clients' legal issues and disputes.

Ian acts as counsel in litigation and arbitrations involving cargo, warehousing, casualty, construction, and contract claims relating to maritime and all other modes of transportation. He also assists shippers, intermediaries, and carriers with drafting and negotiating transportation-related contracts and standard form documents. Ian also advises on compliance with regulatory requirements, as well as customs and tariff-related issues.

In addition, Ian defends manufacturers and distributors in numerous product liability matters. He advises manufacturers and distributors with reporting defects, adverse reactions, and incidents to regulatory authorities and helps navigate clients through recall processes and any related litigation.

Ian also has ample experience in the energy sector, including representing midstream, energy, and oilfield services companies in commercial and construction-related disputes.

In the course of his varied commercial litigation practice, Ian regularly represents clients in business disputes and insolvency proceedings. In that context, Ian has experience in a variety of areas and industries, such as banking and securities, construction, municipal, and administrative law.

Ian has appeared before all levels of the Ontario, Alberta, Nova Scotia, and

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EDUCATION

- LL.B. 2009, Dalhousie University

BAR ADMISSIONS

- 2021 Admitted to the Ontario Bar
- 2015 Admitted to the Alberta Bar
- 2010 Admitted to the Nova Scotia Bar

PRACTICE AREAS

BUSINESS

- Administrative + Public Law
- Appeals Practice
- Business Disputes
- Construction + Engineering
- Corporate Finance + Securities
- Maritime
- Insolvency + Restructuring

PERSONAL

- Appeals Practice

Federal Courts, and has litigated in all Canadian common law provinces.

Before joining Alexander Holburn, Ian practiced in Calgary, Alberta, at one of Canada's leading business law firms, where he primarily practiced energy, insolvency, and transportation law. Prior to that, he practiced at a major regional firm in Halifax, Nova Scotia, where his transportation practice included several years as a protection and indemnity club correspondent. He articled at that firm and then clerked at the Federal Court of Canada with one of the Court's justices who hears maritime cases.

Ian volunteers with Pro Bono Ontario and sits on the board of directors of a registered charity. He has also acted as pro bono counsel for refugee claimants before the Immigration and Refugee Board and the Federal Court, and he has volunteered with Pro Bono Law Alberta's Civil Claims Duty Counsel and Queen's Bench Amicus programs.

ON A PERSONAL NOTE

In addition to spending time with his young family, Ian loves to run on the trails and get out on the water near his home in Peterborough, Ontario.

RECOGNITION

- 2022-2025 Best Lawyers® in Canada– Ones to Watch (Corporate and Commercial Litigation)
- 2021 The Legal 500 Canada (Dispute Resolution – Rising Star)

REPRESENTATIVE EXPERIENCE

- *Transportation & Trade*
  - Acting for a refined products terminal owner whose dock was damaged in an allision
  - Representing a cargo owner in Federal Court against a marine carrier to recover damages for misdelivery of cargo to the wrong destinations in the Canadian arctic
  - Arresting vessels and pursuing claims on behalf of port authorities and maritime lien claimants
  - Representing major railways in a variety of regulatory matters and disputes, including derailments, cargo claims, crossing disputes, property damage, and personal injury matters

INSURANCE

- Appeals Practice
- Construction + Engineering
- Maritime
- Professional Liability

INDUSTRIES

- Banking + Finance
- Construction
- Technology
- Transportation + Logistics

- Representing a major agricultural products manufacturer and shipper in an arbitration against a marine carrier for voyages wrongfully cancelled on the basis of *force majeure*
- Advising an investment company on the validity and enforcement of its marine mortgage over specialized ships and related security
- Updating standard charter parties for a major petroleum producer and shipper
- Acting for a local logistics company against a multinational logistics company in a dispute regarding unpaid invoices for transportation services and demurrage charges
- Defending a global transport and logistics company in a lawsuit involving theft of high value cargo from a warehouse
- Representing a major petroleum producer in litigation against a midstream company for the delivery of off-specification refined petroleum products
- Acting for a multinational oilfield services company against a global transport and logistics company regarding the late delivery and damage to large components delivered for the construction of facilities in the oil sands
- Representing a midstream company in a lawsuit against a valve manufacturer and project engineer following a leak from a sour gas pipeline
- Representing municipalities in arbitration and referee proceedings regarding the construction of light rail infrastructure
- Advising a regional railway on interswitching regulations and negotiations with other railways
- Acting as counsel for refinery and pipeline owners in disputes regarding refinery outages, capacity issues, and contractual disputes
- Preparing standard form transportation contracts and bills of lading for a startup intermediary company
- Advising a regional logistics company and international airline on the reporting requirements of the *Fighting Against Forced Labour and Child Labour in Supply Chains Act*
- Advising a Canadian importer on the applicability and amount of surtaxes and tariffs
- Defending dock and marina owners in disputes involving damage to ships

- *Product Liability & Regulatory Matters*
  - Defending a Canadian distributor of plumbing products in several claims in various Canadian jurisdictions against allegations of product defect, breach of warranty, and breach of the duty to warn
  - Defending an automotive parts manufacturer against a series of product liability claims and lawsuits regarding related recalls
  - Representing the manufacturer of a relay switch used in a streetlight against an Ontario regional municipality alleging a product defect
  - Defending a foreign manufacturer and major Canadian retailer against allegations that a faulty product caused a fire in an industrial park
  - Advising a promotional products company on a dispute with its customer and the product manufacturer regarding the recall of promotional items
  - Defending the manufacturer of a transformer in a lawsuit involving a power outage at an office tower in Toronto's financial district
  - Advising a natural health product distributor on regulatory requirements and with reporting adverse reactions to Health Canada
  - Providing notices of potential consumer incidents to Health Canada on behalf of Canadian distributors of food processing equipment and small appliances
  - Advising and representing toy manufacturers and distributors regarding Health Canada investigations and voluntary recalls

- *Commercial Litigation & Insolvency*
  - Defending a global software company against a breach of contract and negligence claim regarding an escrow services agreement
  - Defending a Canadian software company against a breach of contract claim regarding mortgage and lending software
  - Representing a midstream company in an arbitration involving the breach of a take-or-pay pipeline contract
  - Pursuing claim on behalf of a foreign software company to enforce a share sale agreement
  - Defending a medical diagnostic services company against a claim by its former landlord over an alleged breach of a commercial lease

agreement

- Representing a global transport and logistics company to enforce its set-off and lien rights in *Bankruptcy and Insolvency Act* receivership proceedings
- Pursuing a furniture company's secured claim relating to work done in the United States in a *Companies' Creditors Arrangement Act* proceeding
- Advising an industrial equipment distributor on the enforceability of a purchase money security interest when its customer entered into a receivership
- Representing a financial institution in a motion to lift a *Bankruptcy and Insolvency Act* stay to pursue a claim of fraudulent misrepresentation
- Representing a regional financial institution as a secured creditor in several insolvency proceedings
- Representing clients in the financial and energy sectors against former employees in matters involving fraud and other serious misconduct
- Representing foreign litigants in applications to enforce letters rogatory
- Obtaining default judgment and pursuing debtors for payment on behalf of creditors

- ***Administrative Law***
  - Acting as co-counsel in the *Clyde River v Attorney General of Canada* Supreme Court of Canada appeal regarding the duty to consult Indigenous peoples
  - Advising a major petroleum shipper in judicial review proceedings
  - Representing a remotely operated vehicles services company in its successful appeal of a tariff classification to the Canadian International Trade Tribunal
  - Representing a farmer in its successful judicial review application regarding the Nova Scotia Minister of Agriculture unlawful seizure of livestock
  - Representing a non-profit learning institute in its successful judicial review application based on a reasonable apprehension of bias of the Nova Scotia Registrar of Joint Stocks Companies

PUBLICATIONS

- June 2026: “The Ethics of AI in Legal Practice”, *Canadian Maritime Law Association Seminar,* Moderator
- December 2025: “The Eight-Minute Trade and Transportation Lawyer 2025”, *Law Society of Ontario,* Presenter
- June 2025: “Everything you Need to Know About Submarine Cables”, *Canadian Maritime Law Associate Annual Conference*, Co-Presenter
- April 2025, “Enforcing Arbitration Clauses on Land and Sea”, *The Transportation Lawyer Journal*, Co-Author
- December 2023, “Is it Wise to Use a Smart Contract?: Benefits and Risks of Smart Contracts in Transportation and Logistics“, *The Transportation Lawyer Journal,* Co-Author
- April 2023, “The Criteria to Disclose an On-Board Recording in Litigation No Longer in a Black Box”, *The Transportation Lawyer Journal,* Co-Author
- May 2022, “Ian Breneman discusses how businesses can mitigate the impact of fuel price volatility“, *Canadian Lawyer Magazine,* Quoted
- July 2022, “Vaccination Requirements for Transportation Workers in International Commerce“, *The Canadian Lawyer* | Vol. 24 No. 1, Co-Author
- October 22, 2021, “Hottest Ticket in Town: M&A Events in the Rail Industry Today“, *Canadian Transport Lawyers Association (CTLA)* – 2021 Annual General Meeting & Educational Conference, Speaker
- May 26, 2020, “The New Normal of Commercial Litigation: Moving Forward Effectively and Cost-Efficiently” webinar, Panelist
- September 27, 2017, “The Role of Regulatory Tribunals in Aboriginal Consultation: Decisions of the Supreme Court of Canada in Clyde River (Hamlet) v. Petroleum Geo Services Inc. and Chippewas of the Thames First Nation”, Administrative Law Section Meeting, Canadian Bar Association, Co-Presenter
- 2015, “An Unfinished Dance: The Steps Needed to Complete the Summary Judgment Culture Shift”, *Annual Review of Civil Litigation*, Co-Author
- 2015, “Canadian Maritime Law Update: 2015”, *Canadian Journal of Maritime Law and Commerce*, Co-Author
- 2013, “Canadian Maritime Law Update: 2013”, *Canadian Journal of Maritime Law and Commerce*, Co-Author

PROFESSIONAL & COMMUNITY AFFILIATIONS

- Canadian Maritime Law Association, Director, and Member of the Arctic Issues, Federal Court Act and Rules, and Limitation of Liabilities Committees
- Canadian Transportation Lawyers Association, Member
- Transportation Lawyers Association, Member
- Toronto Transportation Club, Member
- The Cure Starts Now Canada, Director and Corporate Secretary
- Peterborough Law Association, Member
- The Advocates' Society, Member, former 10+ Committee, Anti-Racism Working Group, Inclusive Pronouns Working Group, and co-producer of the Friends Who Argue podcast