



JUDY A.  
**ROST\***  
PARTNER

\* Professional Law Corporation

## BIOGRAPHY

Judy Rost is a senior litigator practising in civil litigation with an emphasis on business and franchise disputes, and estate matters. Judy is the group leader of the firm's Business Disputes and Franchise Practices and a member of the Intellectual Property + Technology and Wills, Estates + Trusts Practice Groups. She has acted for plaintiffs and defendants in all types of business disputes including shareholder, partnership, real estate, and franchise matters.

Judy has been recognized in legal publications for her expertise in commercial litigation and franchise disputes. Often clients seek her out to enforce their intellectual property rights or to get an injunction to preserve assets. She also handles complex trust and estate matters. Judy often deals with estates that involve a family business or commercial assets. Judy has successfully built her practice by being responsive to her clients' needs and finding creative solutions to resolve their disputes.

## ON A PERSONAL NOTE

Judy enjoys all the advantages of living on the North Shore including skiing, hiking, biking and boating with her family.

## RECOGNITION

- 2021 - 2022 Best Lawyers® in Canada Corporate + Commercial Litigation and Franchise Law

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## EDUCATION

- 1991 LL.B. [University of Victoria](#)
- 1987 B.Comm. [University of Alberta](#)

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## BAR ADMISSIONS

- 1992 Admitted to the British Columbia Bar

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## PRACTICE AREAS

### BUSINESS

- Business Disputes
- Franchise
- Intellectual Property + Technology
- Succession Planning

### PERSONAL

- Intellectual Property + Technology
- Wills, Estates + Trusts

- 2015 – 2021 Canadian Legal Lexpert® Directory repeatedly recommended in the area of Franchise Law
- 2006 – 2020 Martindale-Hubbell® Commercial Litigation, Franchise, Insolvency + Restructuring, Intellectual Property + Technology, Real Estate and Corporate / Commercial Distinguished® with high ethical standing
- 2015 – 2021 Who's Who Legal in both its International Who's Who Legal Franchise and Who's Who Legal Canada for Franchise Law

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## INDUSTRIES

- Hospitality
  - Real Estate
  - Retail + Wholesale
  - Franchise
  - Technology
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## REPRESENTATIVE EXPERIENCE

- Has represented many clients involved in shareholder or partnership disputes
- Was counsel for the petitioner in one of the leading cases on partnership dissolution
- Has obtained injunctions to prevent the distribution of counterfeit products
- Conducted numerous cases involving the sale of large commercial and apartment buildings, with complex issues such as equitable mortgages, secret commissions, agency law and disclosure issues
- Has represented both beneficiaries and trustees in matters involving large commercial and residential properties and businesses
- Has represented landlords, tenants and indemnitors in a variety of commercial lease disputes
- Has represented creditors in bankruptcy, foreclosure and CCAA proceedings
- Has acted in cases involving the interpretation and enforcement of franchise agreements, including non-competition clauses
- Has successfully obtained worldwide Mareva injunctions in cases involving the fraudulent transfer of funds
- Has obtained Anton Piller orders including an order implemented by attending a warehouse and gathering evidence in relation to a missing film library worth in excess of U.S. \$30 million
- Has represented clients at both the British Columbia Supreme Court and Federal Court regarding intellectual property matters involving trademark and copyright infringement as well as passing off
- Has represented brokers, brokerage firms and investors in relation to



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investments in various securities including private placements and publicly traded stocks

- Has obtained oppression remedies for minor and 50% shareholders

## PUBLICATIONS

- November 4, 2020, “Franchises Update 2020”, *Continuing Legal Education Society of BC*, Speaker
- January 22, 2020, “Franchising – A House Full of Traps”, *Canadian Bar Association*, Speaker
- April 7, 2019, “Essential Legal Update”, *Canadian Franchise Association*, National Convention, Panelist
- March 13, 2019, “Preliminary Injunctions in Canada”, *Juris*, Author
- March 5, 2019, “Tips & Traps – Prepare Well to Avoid Litigation”, *Women’s Franchise Network* (Vancouver Chapter), Panelist
- November 2018, “What Are You Going to do When I’m Gone? The Benefits of Having Shareholders Agreements in the Event of a Death”, *Business in Vancouver*, Author
- August 2018, “Where There’s a Will, There’s a Way”, *BC Business*, Co-author
- November 2017, “Show me the Money: Enforcement Options for Franchise Litigation”, *Ontario Bar Association*, Franchise Law Conference, Speaker and Co-author
- October 2017, “Fundamentals of Franchising – Canada”, *American Bar Association*, Forum on Franchising, Speaker and Co-author
- September 2017, Launched [bcbusinessdisputes.ca](http://bcbusinessdisputes.ca) website, Author
- 2017, “Trademark and Other Intellectual Property Issues”, *Fundamentals of Franchising*, 2<sup>nd</sup> Edition, Co-author
- May 2015, “Best Practices for Handling Defaults and Terminations”, *International Franchise Association*, Legal Symposium, Co-author/Moderator
- May 23, 2012, “News from Around the World: Recent Developments in Canadian Franchising Law”, *IBA/IFA Annual Joint Conference*, Speaker
- 2012, “ABA Covenants against Competition in Franchise Agreement”, *American Bar Association*, 3<sup>rd</sup> Edition, Author



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- December/January 2012, “What’s yours may be mine. Encroachments in British Columbia”, *Canadian Property Management*, Co-author
- Winter 2011, “Comparative International Perspectives of Arbitration in the Franchising Context”, *American Bar Association Franchise Law Journal*, Vol. 31, Number 3, Co-author
- October 28, 2011, “Seeking the Rewards of Arbitration over Litigation? It’s all in the Drafting!”, *ADR Institute of Canada, Inc.*, Co-author
- April/May 2010, “Assignment of Leases”, *Canadian Property Management*, Co-author
- April 2009, “Recovery of Unpaid Rent: The Rent Distress Option”, *Canadian Property Management*, Co-Author
- “Discovery of Electronic Documents”, *Lorman Education Services*, Speaker

## PROFESSIONAL & COMMUNITY AFFILIATIONS

- [Law Society of British Columbia](#), Member
- [Canadian Bar Association](#) (Wills, Estates and Trusts subsection), Member
- [Vancouver Bar Association](#), Member
- [American Bar Association](#), (Forum on Franchising), Member
- [International Franchise Association](#), Member
- [Canadian Franchise Association](#), Member
- Patent and Trademark Association of British Columbia, Member



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