

## Daniel Z. Naymark

Daniel has experience in a broad range of commercial and civil disputes and regulatory matters, including contract and shareholder disputes, securities matters, insolvency, administrative law, employment law and general civil litigation. He has appeared before all levels of court in Ontario.

In 2015, Daniel started Naymark Law after practicing for over five years at Lax O'Sullivan Lissus Gottlieb LLP, a Bay Street litigation boutique frequently ranked among Canada's top litigation practices. Prior to that, Daniel clerked for the judges of the Ontario Superior Court of Justice in Toronto and practiced at a large, full-service Bay Street firm.

Having worked with the best of the bench and the bar, Daniel realized a long-time personal ambition by establishing his own practice. In doing so, he follows an entrepreneurial path charted by many of the country's great advocates.

Daniel approaches the practice of law as a time-honoured profession, requiring of its members the ideals of integrity, service, skill and community engagement. He is the immediate past Chair of the Young Advocates' Standing Committee, a division



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of The Advocates' Society, a not-for-profit professional association for trial and appellate lawyers with over 5,500 members. He is duty counsel at the Law Society Tribunal, and volunteers regularly through Pro Bono Law Ontario, providing free advice and short-term representation through offices at Toronto courthouses. He also serves as a mentor for law students at the University of Toronto and acts as *pro bono* counsel to prominent advocacy groups in matters of public interest.

Daniel holds a J.D. (2008) from the University of Toronto, Faculty of Law, where he served on the student government body and volunteered at the student-run Legal Aid clinic, and a B.A. (2004) in economics and philosophy from Huron College at Western University, where he was honoured for his contributions to the student community.

# DANIEL NAYMARK

Naymark Law

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## PROFESSIONAL EXPERIENCE

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- Sept. 2015–  
Present
- NAYMARK LAW**, Toronto, ON  
*Principal*
- Founder and principal of a litigation practice with a broad focus on civil and commercial litigation and regulatory matters. See representative matters below.
  - Co-author of Lexis Practice Advisor’s Injunctions against Ex-Employees module
- May 2010–  
Aug. 2015
- LAX O’SULLIVAN LISUS GOTTLIEB LLP**, Toronto, ON  
*Associate*
- Litigation practice focusing on commercial and civil litigation and regulatory disputes at a leading litigation boutique
- Sept. 2009–  
May 2010
- CASELS BROCK & BLACKWELL LLP**, Toronto, ON  
*Associate, Advocacy Practice Group*
- Practiced commercial, securities and general civil litigation at a large, full-service firm
- Aug. 2008–  
July 2009
- SUPERIOR COURT OF JUSTICE, OFFICE OF THE CHIEF JUSTICE**, Toronto, ON  
*Judicial Law Clerk*
- Supported judges in preparing for hearings, rendering decisions in all areas of law including civil, criminal and administrative, and including Superior Court motions and trials and judicial reviews before the Divisional Court
  - Assisted judges with academic writing and public presentations
- May 2007–  
Jan. 2008
- UNIVERSITY OF TORONTO, FACULTY OF LAW**, Toronto, ON  
*Research Assistant (Prof. Michael Trebilcock)*
- Researched and analyzed the intersection of international trade and economic development for a world-renowned law and economics scholar
- May 2006–  
Aug. 2006
- MINISTRY OF THE ATTORNEY GENERAL**, Toronto, ON  
*Summer Intern (Ontario Victim Services Secretariat)*
- Supported a committee of community leaders in writing a report on hate crime, including cross-jurisdictional research on statutory frameworks and jurisprudence

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## EDUCATION

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- 2008
- UNIVERSITY OF TORONTO, FACULTY OF LAW**, Toronto, ON  
*Juris Doctor*
- Student Caucus Representative on Students’ Law Society (elected student government)
  - Exchange program participant, University of Amsterdam (Fall 2007)
- 2004
- WESTERN UNIVERSITY, HURON UNIVERSITY COLLEGE**, London, ON  
*Honours Bachelor of Arts (with Distinction), Economics and Philosophy*
- Awarded Huron ‘H’ Award for outstanding contribution to the university community

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**APPOINTMENTS AND VOLUNTEER POSITIONS**


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- 2017–  
Present **LAW SOCIETY TRIBUNAL**, Toronto, ON  
*Duty Counsel*
- Provide advice and hearing representation to unrepresented lawyers subject to regulatory disciplinary proceedings
- 2015–  
Present **AKIN PROJECTS**, Toronto, ON  
*Director*
- Founding member of the board of an arts programming nonprofit established for the purpose of providing both creative and professional development opportunities to members of Toronto’s artistic and cultural community. Akin has offered services to almost 3,000 individuals since its inception in 2015, including workshops, monthly art critiques, gallery tours and open studio events.
- 2012–  
2017 **THE ADVOCATES’ SOCIETY**, Toronto, ON  
*Chair, Young Advocates’ Standing Committee*
- Led 30-member committee responsible for developing mentoring, networking and educational programs for advocates in first ten years of practice and advocating on issues of importance to them
  - Assisted with interventions in court cases of significance to advocates, including before the Supreme Court of Canada
- 2015–  
2017 **LAW SOCIETY OF ONTARIO, TREASURER’S EARLY CAREERS ROUNDTABLE**, ON  
*Member by Appointment*
- Advised two successive Treasurers of the Law Society of Upper Canada on issues of significance to lawyers in early practice
- 2010–  
2014 **DREAMCATCHER MENTORING**, Toronto, ON, Yukon and Nunavut  
*Volunteer Mentor*
- Participated in a correspondence-based matched mentorship program with high school students living in the far North interested in pursuing legal careers
- 2005-2007 **DOWNTOWN LEGAL SERVICES**, Toronto, ON  
*Student Caseworker*
- Represented clients at all stages of criminal, civil and administrative matters, from intake through trial
- 2005-2007 **JOURNAL OF INTERNATIONAL LAW AND INTERNATIONAL RELATIONS**, Toronto, ON  
*Production Editor* (Sep. 2006–Apr. 2007)  
*Associate Editor* (Sep. 2005–Apr. 2006)
- Prepared articles for publication and assisted with general administration of journal

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**REPRESENTATIVE MATTERS**

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- Lead counsel in a proceeding arising from the disappearance of \$15 million of cryptocurrency
- Co-counsel in the successful defence of a lawyer facing serious allegations of misconduct in two separate proceedings, including at a seven-week hearing before the Law Society Tribunal ([\*LSUC v. Kesben\*, 2017 ONLSTH 90](#), [\*Fontaine v. Canada\*, 2016 ONSC 5359](#))
- *Pro bono* counsel to disability rights advocacy group the AODA Alliance, in a successful challenge before the Information and Privacy Commissioner of Ontario, to the province's attempt to charge a prohibitive fee for the production of information about its enforcement of accessibility legislation ([\*Ministry of Economic Development, Employment and Infrastructure \(Re\)\*, IPC Order PO-3755](#))
- Co-counsel to suspects, witnesses and employers in several Ontario Securities Commission insider trading investigations
- Co-counsel to the CEO of a major financial institution in an investigation by an industry regulator
- Co-counsel to the Immigration and Refugee Board in successful defence of a civil claim by a former immigration detainee
- Lead counsel to a fraternity in a dispute over an old mansion whose value had appreciated materially in the 60 years since it was acquired as a frat house
- *Pro bono* co-counsel to the Criminal Lawyers' Association in its intervention in a case that led to the OPP publicly acknowledging the unconstitutionality of a detachment's search practices
- Counsel for court-appointed receivers in an exposed Ponzi scheme ([\*Boughner v. Greyhawk Equity Partners Limited Partnership \(Millenium\)\*, 2013 ONSC 163](#) and [\*2013 ONCA 26\*](#)) and an insolvent real estate development
- Counsel on multiple shareholder oppression and commercial contract claims
- Co-Counsel to a hedge fund in a 9-digit claim against a national bank (see [\*Silvercreek II Limited v. Royal Bank of Canada\*, 2014 ONSC 6751](#) for an interlocutory ruling outlining the nature of the claim)
- Counsel for both plaintiffs and defendants in civil fraud claims, including on Mareva injunctions
- Co-counsel to investors in a claim against an invoice factoring company, successful at trial and on appeal ([\*Edward C. Maeder et al v. Acorn Partners\*, 2011 ONSC 7109](#))
- Counsel on multiple professional negligence claims against financial advisors and lawyers
- Counsel on several injunctions and damages claims by businesses against former employees alleged to be competing unlawfully (e.g., [\*GDL v. Walker\*, 2012 ONSC 4378](#))
- Co-counsel to a lottery winner in a claim against a national bank that permitted her co-winner to abscond with the winnings ([\*Kovacs v. TD Financial Group et al\*, 2010 ONSC 6111](#))