



Peter Ruby

Partner

Tel: 416.597.4184

Email: pruby@goodmans.ca

Education

Osgoode Hall Law School, LL.M., 2000

Osgoode Hall Law School, J.D., 1994

Professional Affiliations

Law Society of Ontario

Former President, International Technology Law Association (ITechLaw)

Arbitrator/Mediator, Arbitration Place

International Centre for Dispute Resolution (ICDR) International Panel of Arbitrators and Mediators, and roster member of ICDR Canada

Chartered Institute of Arbitrators, Fellow

Co-Lead of North America Committee, Silicon Valley Arbitration & Mediation Center

Former Director and Member, Canadian Technology Law Association

Member, The Advocates' Society

Member, Canadian Bar Association

Peter Ruby acts as a sole and panel-member arbitrator and mediator with a focus on the technology and energy sectors, as well as corporate/commercial domestic and international disputes. He has adjudicated and mediated disputes between a wide variety of contracting parties in these sectors. In his over 28-year counsel practice, Peter has been balanced between representing multinational and entrepreneurial vendors of technology and services, and many end-users of information technology. He is a former President of the International Technology Law Association. With respect to energy, Peter has represented in disputes developers and operators of renewable power projects, electricity utilities, investors, resource companies, industry associations and provincial government bodies. He is a Fellow of the Chartered Institute of Arbitrators, on the International Centre for Dispute Resolution (ICDR) International Panel of Arbitrators and Mediators, on the roster of the Vancouver International Arbitration Centre (VanIAC) and co-leads the North America committee of the Silicon Valley Arbitration & Mediation Center.

His technology dispute resolution work includes software, cloud services, hardware, artificial intelligence, quantum computing, telecommunications, cryptocurrency, film, television, privacy and data protection, intellectual property, ecommerce and internet litigation, and Canadian and cross-border arbitration and mediation. Peter has a balanced practice, representing multinational and entrepreneurial vendors of technology and services, along with many end-users of information technology.

Peter handles disputes and regulatory matters relating to the energy industry, has acted as counsel for Electricity Canada, the Electricity Distributors Association, electricity utilities, developers and operators of renewable power projects, resource companies and provincial government bodies. He has appeared at the Ontario Energy Board with respect to generation, transmission, mergers and acquisitions, real estate development and distribution issues, and before other provincial energy regulators. Bringing together his expertise about energy and technology, he acted as a co-arbitrator with respect to a failed green energy project.

With respect to privacy and data protection, Peter has litigated business-related privacy cases and has considerable experience assisting clients with contentious data breach incidents and cybersecurity. He also assists organizations to deal with privacy inquiries and investigations by privacy commissioners and conduct privacy risk assessments.

Peter also represents clients with respect to a variety of corporate, commercial and restructuring disputes, including shareholder matters, contract interpretation and application issues and acquisition-related disputes.

He has appeared at all levels of the courts of Ontario and the Supreme Court of Canada, as well as at many arbitration proceedings. In honour of Peter's advocacy and professionalism in dispute resolution, in 2021 one of his clients endowed a Dispute Resolution Award in his name at Osgoode Hall Law School.

Year of Call

1996 Ontario

Peter is recognized as a leading litigator and arbitration counsel in *Chambers Canada* and *Chambers Global*, *The Legal 500 Canada*, *The Canadian Legal Lexpert Directory*, the *Lexpert Special Edition: Technology and Health Sciences*, *Euromoney's Guide to The World's Leading Information Technology Lawyers*, *Best Lawyers in Canada*, *Benchmark Litigation Canada* and *Who's Who Legal*, with peer reviews such as "brilliant IT litigator" and "vast experience resolving complex IT disputes".

FEATURED WORK

Peter's representative work includes acting for:

Technology

- the Monitor of Nortel Networks in an unprecedented cross-border dispute over the allocation of the insolvent Nortel's assets and advising on IT, IP, business law and valuation issues
- Oracle in several litigations involving customers, business partners and implementers
- SAP in litigation and arbitration proceedings involving customers, business partners and implementers
- the Business Development Bank of Canada in software fraud litigation concerning a failed technology acquisition
- Trader Corp. in mass on-line copyright infringement litigation and arbitration proceedings
- Bell Media in a Reference to the Supreme Court of Canada opposite Canada's largest cable companies
- Bell Media and Rogers Media in arbitration proceedings
- Software AG in litigation and arbitration with respect to disputes with Canadian corporate and government customers
- CBS Television in internet identity theft litigation
- AXA Asia in obtaining an injunction to prevent a software provider from shutting down an insurer's operations
- NBCUniversal in copyright litigation with respect to the film *Charlie Wilson's War*, and other matters

Energy

- 19 power companies in a landmark case in the Supreme Court of Canada against Canada's cable television companies
- Electricity Canada about an appeal concerning access by wireless companies to public lands
- a renewable energy developer in an arbitration over compensation owing to it by other participants in the project
- an appeal related to the use of municipal and provincial infrastructure by wireless telecommunications companies
- the majority owner of a wind-power project in arbitration regarding a shareholder dispute
- a dispute with respect to a gas development project
- Atlantic Power in regulatory and arbitration proceedings
- Several provincial government bodies with respect to commercial and corporate issues

- Various power companies, including Hydro Quebec, B.C. Hydro, New Brunswick Power, ENMAX Corporation, Manitoba Hydro and Greater Sudbury Hydro, in connection with novel matters arising in each of their provinces

Commercial, Corporate and Restructuring

- several litigations and arbitrations for the Liquor Control Board of Ontario (LCBO)
- litigation concerning the restructuring of Stelco
- lease and guarantee litigation concerning a contract dispute arising from the insolvency of Nortel
- the restructuring of Cirque du Soleil
- litigation concerning the insolvency of Crystallex
- litigation for the Financial Services Regulatory Authority of Ontario
- arbitration about the breach of representations related to a corporate acquisition
- a dispute about the ownership of music rights upon the insolvency of a publisher
- appellate litigation with respect to arbitral jurisdiction
- arbitrations concerning breaches of representations in share purchase agreements
- arbitration concerning a purchase price adjustment under an asset purchase agreement
- many litigation and arbitration proceedings turning on the interpretation of contracts

PROFESSIONAL INVOLVEMENT

Peter was a law clerk to the Federal Court of Canada and for over a dozen years was a Professor of Law (adj.) at the University of Toronto and Osgoode Hall Law School teaching internet law.