Blaney McMurtry LLP

# Chad Kopach

## Partner

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CALLED TO THE BAR OF ONTARIO, 2003

## EDUCATION

- LL.B.,University of New Brunswick, 2002
- B.B.A.,University of New Brunswick, 2000

## PRACTICE AREAS

- Information Technology
- Commercial Litigation
- Restructuring & Insolvency
- Construction Law
- Government Procurement & Litigation
- Fraud Investigation Recovery and Enforcement

For two decades, clients have relied on Chad Kopach to help them achieve practical and timely litigation solutions. Chad is Certified as a Specialist in Construction Law by the Law Society of Ontario, and is a Certified Adjudicator under Ontario's *Construction Act*. Chad's strategic thinking helps his clients navigate the pitfalls of construction dispute, and leverage the special lien, trust and prompt payment remedies available to the construction industry. His clients appreciate the attention he gives to their claims.

Chad represents all levels of the construction pyramid, from owners to material suppliers. He also represents secured lenders in priority disputes. Chad has experience in negotiating and drafting construction contracts, and his clients rely on his experience to properly structure their agreements.

Chad is certified as an Adjudicator by ODACC (the Ontario Dispute Adjudication for Construction Contracts), the authorized nominating authority under the *Construction Act*. As an Adjudicator, Chad is tasked with establishing the procedure for Claimants and Respondents to submit their dispute to adjudication, carefully considering the parties' positions, and coming to a timely determination that is ultimately enforceable by the courts. Chad is highly sought after and is frequently recommended by parties to act

as Adjudicator for their construction dispute matters.

Chad's litigation experience extends to mortgage remedies, contract and shareholder disputes, and litigation under the *Bankruptcy and Insolvency Act* and the *Companies' Creditors Arrangement Act*. He has appeared at all levels of court in Ontario helping his clients obtain and retain what is theirs. Chad reacts quickly, and has acted on injunctions and other applications to stop the misuse of confidential intellectual property, to freeze fraudsters' assets, and to set aside transfers of real property pursuant to the *Fraudulent Conveyances Act*.

## EXPERIENCE

- *Toronto-Dominion Bank v. Hagey*, 2016 CarswellOnt 2864, 2016 ONSC 1100 Motion to rectify mortgage security to effect compliance with Planning Act
- *Roopchand v. Chau*, 2015 CarswellOnt 14888, 2015 ONSC 6007, 258 A.C.W.S. (3d) 604 Trial to enforce a shareholders' agreement
- *Re Pantziris*, 2014 CarswellOnt 9149, 2014 ONSC 4057, 241 A.C.W.S. (3d) 778 Representation of Trustee in Bankruptcy regarding obligation to prosecute pre-filing claims
- *Re Comstock Canada Ltd.*, 2013 CarswellOnt 18611, 2014 ONSC 493, 236 A.C.W.S. (3d) 818 Negotiation of impact of CCAA Sale Approval Order (clear of restrictions) on exposure to pre-filing litigation costs
- *Byfield v. Toronto Dominion Bank*, 2012 CarswellOnt 814, 2012 ONCA 49, 17 C.L.R. (4th) 173, 214 A.C.W.S. (3d) 114 Resisted appeal of motion for summary judgment involving a construction finance contract
- *Doucette v. Marin*, 2008 CarswellOnt 7625, 173 A.C.W.S. (3d) 439 Motion to strike a claim against a real estate lawyer regarding a representation regarding urea formaldehyde foam (UFFI) insulation
- *Toronto Dominion Bank v. Gionfriddo*, 2008 CanLII 27185, 2008 CarswellOnt 3288, 168 A.C.W.S. (3d) 28 Application pursuant to the Fraudulent Conveyances Act to set aside an improper asset transfer
- Acting as Receiver's counsel in negotiation and disposal of lien claims following insolvency of golf course and condominium development
- Negotiating on behalf of lien claimant for recovery in full on landfill construction project
- Enforcing union arbitration award resulting in payment of full amount of claim
- Representing Monitor in CCAA proceeding requiring appointment of representative counsel to advise employees on payout of claims

## RECOGNITION

- Recognized by *Best Lawyers® in Canada* 2026 in the area of Construction Law
- Certified by the Law Society of Ontario as a specialist in Construction Law
- Certified as an Adjudicator by the Ontario Dispute Adjudication for Construction Contracts
- Recognized by *Best Lawyers® in Canada* 2025 in the area of Construction Law
- Rated by *Lexpert® Canadian Legal Directory* 2025 as a Leading Practitioner (repeatedly recommended) in Construction Law
- Ranked in Lexpert Canada's Leading Lawyers, Special Edition: Infrastructure 2023

## MEMBERSHIPS

- Law Society of Ontario
- Ontario Bar Association
- The Advocates' Society
- Toronto Construction Association
- ADR Institute of Ontario

## RELATED SPEAKING ENGAGEMENTS

- June 23, 2023
  Speaker, 2023 Canadian Institute of Quantity Surveyors Congress
- May 05, 2023
  Speaker, 2023 Electrical Industry Conference
- April 20, 2023
  Speaker, Construction Adjudication Prompt Payment Symposium Alberta
- November 02, 2022
  Speaker, Construction Law Advocacy
- March 01, 2022
  Speaker, Construction Law North & South: Prompt Payment: A Discussion of Practice Tips for Lawyers Based on Experience from Ontario
- November 25, 2021
  Speaker, Adjudication Under the *Construction Act*

## RELATED PUBLICATIONS

- November 07, 2022
  New Guidance on Jurisdiction Arguments for Adjudications
- July 21, 2022
  Author, Enforcing an Adjudicator's Order

## IN THE MEDIA

- May 08, 2023
  Blaneys' Construction Law Partner and ODACC-Certified Construction Adjudicator, Chad Kopach was recently interviewed by Construction Law Letter for a special issue on delay experts
- April 07, 2022
  Legal Notes: Analyzing the slower-than-expected adoption of adjudication