



## Gouvernance d'entreprise globale

DLA Piper's Global Governance and Compliance group has unparalleled experience helping clients with international operations meet the evolving – and sometimes conflicting – expectations of regulatory and enforcement agencies.

With compliance-focused lawyers in over 75 offices covering more than 35 countries and their capital cities, we have the global breadth, local knowledge and industry experience to guide clients in all aspects of designing, implementing and managing compliance programs, assessing and mitigating risk, remediating compliance issues and running internal investigations.

The best compliance program in the world is worthless if it cannot be implemented effectively. Importantly, our Compliance team includes former general counsels and in-house chief compliance counsel, as well as business leaders who ensure we provide practical and actionable advice.

Regulators recognize this and often investigate whether an organization's compliance program is truly integrated, or whether it is simply a paper program. But a compliance program is equally worthless if it does not also allow you to conduct business profitably and efficiently. We understand this balance and ensure that our compliance advice and recommendations can be implemented and eliminate or mitigate a company's greatest legal risks without disrupting lawful business goals and practices.

### CAPABILITES

Partnering with our clients, we focus on the following components:

- Tone at the top and building an ethical culture
- Awareness
- Structure and governance
- Budget
- Benchmarking
- Code of business conduct and ethics
- Policy review, reconciliation and awareness
- Training
- Complaint channels and ethics hotline

#### PERSONNES-RESSOURCES

##### **Sammy Fang**

Associé

Hong Kong

T: +852 2103 0649

[email protected]

##### **Stefanie Jill Fogel**

Associée

Boston

T: +1 617 406 6053

[email protected]

##### **Brett Ingerman**

Associé

Baltimore (Mount Washington)

T: +1 410 580 4177

[email protected]

- Reporting and Metrics
- Escalation protocols

## EXPERIENCE

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Our clients include:

- A \$130 billion financial services company for which we helped build a global compliance program from the ground up while under the scrutiny of a federal monitor
- Some of the largest-in-class pharmaceutical and consumer products companies for which we have re-designed, tested and remediated global compliance programs in the world's highest-risk countries
- International airlines with operations in four continents
- Energy companies of all stripes
- A wide range of sophisticated organizations requiring support in internal investigations, such as the investigation into the use of steroids in Major League Baseball and the monitoring of Penn State University as supervised by DLA Piper Chairman Emeritus Senator George Mitchell

## ACTUALITÉS

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### Publications

#### **Proposed amendments to Canada's anti-money laundering regulations aim to close loop holes**

15 APR 2019

Long-awaited amendments to Canada's anti-money laundering regulations are set to come into effect this coming fall. A number of deficiencies in the regulations had been previously identified in reports by inter-governmental agency, the Financial Action Task Force, and the US State Department.

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#### **Top of Mind: Litigation**

20 MAR 2019

In this issue, our coverage of 10 big topics businesses have been thinking about this quarter.

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#### **2019 Proxy Season Hot Topics: Part 3 – SEC hedging rules, auditor report, Form 10-K changes**

15 FEB 2019

#### **[2019 PROXY SEASON HOT TOPICS](#)**

New SEC hedging rules, changes to the auditor's report, changes to Form 10-K cover pages and exhibit hyperlinks.

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#### **Keeping watch on smartphone app payments in China**

7 FEB 2019

Now could be a good time to think about the level of transparency your company may have in connection with smartphone app payments by your employees.

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## Top of mind: Litigation

10 DEC 2018

Our coverage of big compliance, enforcement and litigation issues that businesses are thinking about this quarter.

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## Global Anticorruption Newsletter

5 DEC 2018

DLA Piper's *Global Anticorruption Newsletter* offers practical guidance on complying with international bribery laws.

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## Security breach notification and reporting requirements are now in force under Canada's *PIPEDA*

13 NOV 2018

PIPEDA's obligations are now in force, including detailed regulations relating to breach notification and reporting. *PIPEDA* may apply to US organizations when there is a "real and substantial connection" with Canada.

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## CFIUS pilot program mandates declarations for certain non-controlling investments in critical technologies

17 OCT 2018

The pilot program covers critical technologies in 27 industries.

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## Four tips for an effective eDiscovery plan in China

19 SEP 2018

A timely and well-documented eDiscovery plan, comprehensively addressing compliance with local laws, can also go a long way to address potential post-collection inquiries.

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## The Second Circuit rules against DOJ's aggressive assertion of extraterritorial FCPA jurisdiction over foreign accessories

29 AUG 2018

The ruling stands to limit DOJ's ability to bring FCPA charges against foreign nationals who do not travel to the US.

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## The GDPR's impact on internal investigations

10 JUL 2018

The impact of the European Union's General Data Protection Regulation on corporate internal investigations and criminal and civil litigation – both within the EU and abroad – has received little attention. Here, we take a look at the GDPR's privacy requirements through the lens of internal investigations and litigation.

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## **International HR and employee discipline issues in FCPA matters**

10 JUL 2018

Local laws, practices and cultural differences mean that the differences between investigations from one country to another, and the consequences of failing to understand them, can be significant. Here are some of the key considerations for multinational employers when they are conducting cross-border investigations.

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## **Super-apps complicate corporate compliance, pose heightened risks under FCPA Corporate Enforcement Policy**

10 JUL 2018

Super-apps allow seamless interaction between colleagues, customers, suppliers and other business parties. In some jurisdictions, local employees communicate exclusively via such apps – but this conduct presents grave legal, compliance and risk-management challenges.

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## **Declinations for self-reporting on the rise under FCPA Pilot Program and Corporate Enforcement Policy**

10 JUL 2018

The DOJ appears to be following through on its pledge to increase declinations in exchange for self-reporting potential FCPA violations.

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## **Crypto industry sweep: ICOs and token offerings under increasing scrutiny by US regulators**

18 APR 2018

Recent enforcement developments targeting the cryptocurrency community, and the opportunities and challenges that lie ahead.

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## **Smartphone apps pose heightened compliance risks under new US FCPA Corporate Enforcement Policy**

7 FEB 2018

Smartphone users in China and many other emerging economies increasingly rely on so-called super-apps, which integrate features otherwise accessible through multiple applications under a single user interface and account.

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## **While you are celebrating: 4 simple holiday season cyber-readiness steps for Asian businesses**

12 DEC 2017

Attacks are more likely to happen during the holiday seasons when a company's key decision makers are on leave and its resources are stretched.

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## **Facilitation payments no longer permissible under Canadian anti-corruption law**

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16 NOV 2017

Widening the rift between the US, which permits facilitation payments, and the majority of other countries, which prohibit them.

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### **China gets tough on commercial bribery, IP and commercial secrets infringements with significant fines under revised law: 5 key changes**

16 NOV 2017

China's revised Anti-Unfair Competition Law expands the scope of commercial bribery offenses and introduces offenses for IP, bribery, commercial secrets and other market conduct-related violations.

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### **Paths to social risk reform for the Hong Kong financial markets**

25 JUL 2017

Why the Hong Kong investment community should prioritize social risk reform and what we can do today.

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### **WannaCry ransomware attack was just the tip of the iceberg**

5 JUN 2017

The WannaCry ransomware attack took the world by storm on Friday, May 12, 2017. By some accounts, the attack infected more than 200,000 computers in over 150 countries **in a span of 24 hours**. Law firms and cybersecurity experts have been teaming up for years to deal with the increasing number of cybersecurity threats by both proactively defending against cyberthreats through strengthened cybersecurity compliance as well as reactively pursuing cyber criminals around the world, working closely with law enforcement, courts, banks, and cyber experts to help stop the loss of corporate funds and valuable data, and prosecute offenders. Cyberattacks are not going away anytime soon.

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### **DLA Piper's 2016 Compliance & Risk Report: What CCOs need to know**

19 APR 2016

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### **Mexico's new National Anticorruption System: 7 key points**

20 JUL 2015

Constitutional reform regarding the creation of the National Anticorruption System

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### **Third parties: 4 FCPA takeaways for working with distributors**

24 SEP 2014

Four key challenges and related "cures"

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## Événements

### Upcoming

#### 2019 Annual Assembly

30-31 MAY 2019

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## ACTUALITÉS

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#### DLA Piper announces launch of Artificial Intelligence practice

14 MAY 2019

DLA Piper announced today the launch of its Artificial Intelligence practice, which will focus on assisting companies as they navigate the legal landscape of emerging and disruptive technologies, while helping them understand the legal and compliance risks arising from the creation and deployment of AI systems.

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#### DLA Piper (Canada) LLP ranked in 2019 *Canadian Legal Lexpert Directory*

3 MAY 2019

DLA Piper (Canada) LLP is pleased to announce that thirty-eight of the firm's lawyers have been recognized as leading practitioners in the 2019 edition of the *Canadian Legal Lexpert Directory*.

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#### Bretton Woods Avocats Canada se joint au bureau de DLA Piper (Canada) s.e.n.c.r.l. à Montréal

1 MAY 2019

DLA Piper (Canada) s.e.n.c.r.l. a le plaisir d'annoncer qu'une entente a été conclue avec Bretton Woods Avocats Canada (« Bretton Woods Canada »). À compter du 1er mai 2019, l'équipe de quatre avocats et d'une stagiaire de Bretton Woods Canada se joindra au bureau de DLA Piper Canada à Montréal. L'équipe apporte un agencement unique de capacité et d'expérience renforçant ainsi le bureau de Montréal et augmentant notre offre de service nationale dans le marché croissant de la conformité aux normes internationales, de la gestion du risqué et des enquêtes visant des sociétés.

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#### DLA Piper announces partnership promotions for 2019

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

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#### DLA Piper announces launch of Blockchain and Digital Assets practice

26 FEB 2019

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DLA Piper announced today the launch of its Blockchain and Digital Assets practice, which will offer strategic advice on a global basis to address the needs of companies implementing blockchain technology solutions and creating and deploying digital assets.

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### **DLA Piper (Canada) s.e.n.c.r.l. accueille une nouvelle avocate conseil Katrina Edgerton-McGhan**

11 FEB 2019

DLA Piper (Canada) s.e.n.c.r.l. a le plaisir d'accueillir Katrina Edgerton-McGhan à titre d'avocate conseil au sein du groupe litiges, arbitrages et enquêtes du bureau de Calgary.

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### **Kate Brown de Vejar joins DLA Piper as global co-chair of International Arbitration**

22 JAN 2019

DLA Piper announced today that Kate Brown de Vejar has joined the firm's Litigation practice as a partner in Mexico City and New York.

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### **DLA Piper (Canada) s.e.n.c.r.l. est reconnue par le Legal 500 Canada en 2019**

7 DEC 2018

DLA Piper (Canada) s.e.n.c.r.l. a le plaisir d'annoncer que 42 avocats dans 17 domaines de pratique ont été recommandés dans la dernière édition du *Legal 500 Canada*.

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### **2018 Compliance & Risk Report: Compliance Settles In, Personal Liability Concerns Persist and Technology Emerges as the Next Frontier**

15 NOV 2018

Although corporate compliance officers (CCOs) received greater support for their programs, concerns about personal liability increased over the past year, according to a new survey released by DLA Piper.

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### **DLA Piper and IKM Advocates secure victory for the Republic of Kenya defeating a US\$2 billion ICSID claim**

24 OCT 2018

In a decisive victory for the Republic of Kenya, DLA Piper and DLA Piper Africa member firm, IKM Advocates, have successfully defeated the claim estimated to be worth US\$2 billion in arbitration proceedings brought by a mining investor, Cortec Mining Kenya Limited. The claim was brought under the bilateral investment treaty (BIT) between the UK and Kenya dated 13 September 1999. The arbitration took place under the auspices of the World Bank's International Centre for Settlement of Investment Disputes (ICSID), with the hearing taking place in Dubai in January 2018. The Tribunal issued its award on 22 October 2018.

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### **DLA Piper Canada s.e.n.c.r.l. reconnue dans l'édition 2019 de *Chambers Canada***

27 SEP 2018

DLA Piper (Canada) s.e.n.c.r.l. est heureuse d'être reconnue en tant que leader de l'industrie dans l'édition 2019 de *Chambers Canada*. Avec 34 avocats qui se sont distingués dans plus de 20 champs de pratique de droit, il s'agit de la meilleure

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performance de DLA Piper Canada à ce jour.

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### **Soixante-douze avocats de DLA Piper (Canada) s.e.n.c.r.l. sont reconnus dans l'édition 2019 de Best Lawyers in Canada**

22 AUG 2018

DLA Piper (Canada) s.e.n.c.r.l. est heureuse d'avoir augmenté encore une fois ses classements dans l'édition 2019 de *Best Lawyers*, avec près du tiers des avocats du cabinet qui se distinguent à titre de praticiens de premier plan au Canada dans plusieurs domaines de pratique clés.

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### **DLA Piper (Canada) s.e.n.c.r.l. accueille une nouvelle avocate, Ashley Boyes**

7 AUG 2018

DLA Piper (Canada) s.e.n.c.r.l. est heureuse d'accueillir Ashley Boyes à titre d'avocate au sein du groupe litiges, arbitrages et enquêtes du bureau de Toronto.

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### **DLA Piper (Canada) s.e.n.c.r.l. accueille un nouvel avocat de litige, Stephen Kroeger**

25 JUN 2018

DLA Piper (Canada) s.e.n.c.r.l. est heureuse d'accueillir Stephen Kroeger à titre d'avocat au sein du groupe litiges, arbitrages et enquêtes du bureau d'Edmonton.

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### **DLA Piper (Canada) s.e.n.c.r.l. accueille une nouvelle avocate de litige Michelle Thomar**

28 MAY 2018

DLA Piper (Canada) s.e.n.c.r.l. est heureuse d'accueillir Michelle Thomar à titre d'avocate au sein du groupe de litiges, arbitrage et enquêtes du bureau de Toronto.

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### **DLA Piper (Canada) s.e.n.c.r.l. obtient ses meilleurs résultats à ce jour dans l'édition 2018 *Canadian Legal Lexpert Directory***

2 MAY 2018

DLA Piper (Canada) s.e.n.c.r.l. est heureuse d'annoncer que 43 des avocats du cabinet ont été reconnus en tant que leaders dans l'édition 2018 du *Canadian Legal Lexpert Directory*. Le cabinet s'est également démarqué dans onze domaines de pratique différents.

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### **DLA Piper (Canada) s.e.n.c.r.l. accueille un nouvel avocat, Titus Totan**

23 APR 2018

DLA Piper (Canada) s.e.n.c.r.l. est heureuse d'accueillir Titus Totan au sein du groupe du droit de l'emploi et du travail à son bureau de Toronto.

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### **DLA Piper (Canada) s.e.n.c.r.l. accueille une nouvelle avocate, Jessica Sullivan**



9 APR 2018

DLA Piper (Canada) s.e.n.c.r.l. est heureuse d'accueillir Jessica Sullivan à son bureau de Vancouver à titre d'avocate au sein du groupe fiducies, testaments et planification successorale.

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### **DLA Piper announces partnership promotions for 2018**

3 APR 2018

DLA Piper is proud to announce that 62 lawyers have been promoted to its partnership. The promotions are effective as of 1 April 2018 in the United States and 1 May 2018 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 42 different offices throughout 20 countries.

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### **DLA Piper (Canada) s.e.n.c.r.l. accueille une nouvelle avocate de litige, Nivi Ramaswamy**

2 APR 2018

DLA Piper (Canada) s.e.n.c.r.l. est heureuse d'accueillir Nivedhya (Nivi) Ramaswamy à titre d'avocate au sein du groupe litiges, arbitrages et enquêtes du bureau de Toronto.

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### **DLA Piper advises Timor-Leste on historic maritime treaty**

6 MAR 2018

DLA Piper has been advising the Government of Timor-Leste, for more than four years, on its historic maritime treaty with the Australian Government, signed today at the United Nations Headquarters in New York, following the successful outcome of a compulsory conciliation process.

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### **DLA Piper (Canada) s.e.n.c.r.l. accueille une nouvelle avocate de litige, Wendy Sun**

5 MAR 2018

DLA Piper (Canada) s.e.n.c.r.l. est heureuse d'accueillir Wendy Sun à titre d'avocate au sein du groupe litiges, arbitrages et enquêtes du bureau de Toronto.

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### **Businesses still not fully aware of Data Protection issues**

31 JAN 2018

DLA Piper has released its second Data Privacy Snapshot report, finding that once again, company global privacy programs have gaps in meeting increasingly demanding global privacy principles. Significantly, it appears that many companies are falling short of data protection obligations under the General Data Protection Regulation (GDPR), which will start to apply from 25 May 2018.

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### **Stephen Matthews joins DLA Piper's Litigation practice in New Jersey**

17 JAN 2018

DLA Piper announced today that Stephen Matthews has joined the firm's Litigation practice as a partner in the Short Hills, New Jersey, office.

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### **DLA Piper (Canada) LLP welcomes six new partners**

8 JAN 2018

DLA Piper (Canada) LLP is delighted to welcome six new additions to the partnership, effective January 1, 2018.

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### **DLA Piper (Canada) s.e.n.c.r.l. accueille des membres importants au groupe de Restructuration**

31 DEC 2017

DLA Piper (Canada) s.e.n.c.r.l. est heureuse d'accueillir Edmond Lamek comme Associé et Danny Nunes comme Collaborateur à notre groupe national de Restructuration. Edmond et Danny vont tous les deux se joindre au bureau de Toronto.

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### **DLA Piper welcomes new litigation associate Maxim Kaploun**

11 DEC 2017

DLA Piper (Canada) is pleased to welcome Maxim Kaploun as a litigation associate in the firm's Toronto office.

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### **DLA Piper (Canada) s.e.n.c.r.l. accroît le nombre de ses classements dans le *Legal 500 Canada***

1 DEC 2017

DLA Piper (Canada) s.e.n.c.r.l. est heureuse d'avoir obtenu à ce jour, ses meilleurs résultats dans l'édition 2018 du *Legal 500 Canada* avec onze (11) avocats supplémentaires s'étant classés.

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### **DLA Piper (Canada) s.e.n.c.r.l. accueille Susy M. Trace au sein de son groupe de restructuration**

10 OCT 2017

Susy Trace a assisté des clients issus de plusieurs secteurs dans des dossiers ayant trait à la *Loi sur les arrangements avec les créanciers des compagnies*, aux faillites, mises sous séquestre, saisies, recouvrement, fraude, bris de contrat et litige en droit immobilier.

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### **DLA Piper (Canada) s.e.n.c.r.l. augmente ses classements dans *Chambers Canada 2018***

29 SEP 2017

DLA Piper (Canada) s.e.n.c.r.l. est heureuse d'être reconnue pour son leadership dans le marché de l'édition 2018 de *Chambers Canada*, obtenant son plus grand nombre de classements à ce jour.

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### **DLA Piper (Canada) LLP secures victory for international airlines as BC Court of Appeal upholds dismissal of class action certification applications**

15 SEP 2017

The decision has important implications for unjust enrichment and consumer protection claims in British Columbia and has garnered international attention.

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**DLA Piper (Canada) LLP welcomes Katelyn Ellins and Sydney Kert to its Toronto office**

5 JUN 2017

DLA Piper (Canada) LLP is pleased to welcome two new associates to its expanding Toronto office.

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