



**Dana Schindelka**

**Partner**

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Dana Schindelka is a partner in the firm's Calgary office and a former member of the Canadian firm's Executive Committee. Dana has specialized in the areas of litigation and dispute resolution for over 25 years.

Dana provides strategic counsel in the areas of Commercial, Employment, Professional Liability, Energy, Insurance, Franchise, Administrative, Products Liability, and Personal Injury Litigation.

Dana provides advice to clients in the Energy, Agriculture, Manufacturing, Transportation, Franchise, Education, Insurance, Industrial, Financial and Real Estate Development sectors.

Dana often provides advice to boards and C-level executives on complex liability issues and litigation. In addition, he represents professionals such as lawyers, physicians, pharmacists, accountants, dentists, denturists, psychologists, registered nurses, social workers, and engineers.

His practice has taken him to the Supreme Court of Canada and to all levels of court in Alberta and Saskatchewan.

He has also represented clients before numerous administrative tribunals including those related to the Law Society of Alberta, the College of Physicians and Surgeons of Alberta, the Institute of Chartered Accountants of Alberta, the College of Alberta Psychologists, the Alberta College of Social Workers, the Saskatchewan College of Pharmacy Professionals, and the Municipal Government Board of Alberta, as well as at arbitrations, in mediation and at other negotiations.

Dana's achievements have been recognized by Best Lawyers in Canada, Martindale-Hubbell, and Lexpert.

**LANGUAGES SPOKEN**

- English

- Indigenous Law
- Employment
- Environment
- Food and Beverage
- Human Rights
- Litigation, Arbitration and Investigations
- Product Liability, Mass Torts and Product Stewardship
- Regulatory and Administrative Law
- Professional Governance and Regulation
- Municipal Law
- Personal Injury
  
- Insurance
- Energy and Natural Resources

English

**PRECEDENT-SETTING LITIGATION**

- Member of a counsel team that intervened at the Supreme Court of Canada in the case which established the Canadian test for vicarious liability for intentional torts.

## COMMERCIAL LITIGATION

- Dana has acted in many cases addressing business conflicts including breaches of contract, business dissolution, interference with business relationships, disputes over non-solicitation and non-compete clauses, breach of fiduciary duty, oil and gas issues, shareholder disputes, partnership issues, lease disputes, landlord-tenant issues, fraud and debt collection.

## PROFESSIONAL LIABILITY LITIGATION

- Defended lawyers in Law Society of Alberta proceedings, as well as the Court of Queen's Bench and Court of Appeal, with respect to various citations.
- Defended physicians in Alberta College of Physicians and Surgeons' proceedings, as well as the Court of Queen's Bench and Court of Appeal, with respect to numerous allegations.
- Defended accountants in discipline hearings with the Institute of Chartered Accountants of Alberta.
- Defended dentists with respect to malpractice claims and in discipline proceedings with the Alberta Dental Association & College.
- Defended pharmacists in discipline hearings with the Saskatchewan College of Pharmacy Professionals.
- Defended real estate agents regarding negligence and breach of contract claims.
- Defended psychologists in College of Alberta Psychologists' disciplinary proceedings and at the Court of Queen's Bench.
- Defended engineers in Association of Professional Engineers and Geoscientists' disciplinary proceedings.
- Defended social workers in Alberta College of Social Workers disciplinary proceedings.

## EMPLOYMENT LITIGATION

- Dana has represented clients with respect to recruiting, hiring and terminating employees. He has provided advice with respect to group terminations and business closures, defending wrongful dismissal claims and human rights complaints, and the preparation of employment, consulting and independent contractor agreements, including advising with regard to the enforceability of non-solicitation, non-competition and confidentiality agreements. Dana also regularly advises employers on matters such as employment standards, arbitrations, and insurance matters.

## FRANCHISE LITIGATION

- Represented numerous franchisors in disputes with franchisees, suppliers, landlords and others.
- Represented franchisees in disputes with franchisors.

## INSURANCE LITIGATION

- Represented various insurance corporations with respect to claims involving property loss, life insurance, professional malpractice, investments, and personal injury.

## INVESTIGATIONS

- Dana has conducted independent investigations on various matters and has also advised numerous clients with respect to responding to investigations.

## EXTRAORDINARY REMEDIES AND APPLICATIONS

- **Letters Rogatory** – Enforced requests from foreign courts to take evidence from witnesses residing in Canadian jurisdictions and remitted to the court making the request.
- **Anton Piller Orders** – Acted as both as applicant's counsel and Court appointed counsel with regard to Anton Piller Orders, which are designed to secure entry to businesses, residences and other locations to preserve evidence when there is a risk that it may be destroyed.
- **Mareva Injunctions** – Obtained Mareva injunctions in order to ensure that assets within the jurisdiction of the court are not taken out of the province or destroyed.
- **Judicial Review** – Brought numerous judicial review applications concerning decisions made by administrative bodies.

## PERSONAL INJURY LITIGATION

- Represented hundreds of adults who were childhood victims of sexual abuse with respect to claims against various churches, the federal government, and individual perpetrators.
- Represented individuals in Alberta and British Columbia personal injury claims where motor vehicle accidents caused serious injuries.

## CREDENTIALS

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### Admissions

- Alberta, 2003
- Saskatchewan, 1997

### Recognitions

- *Best Lawyers in Canada* (Corporate and Commercial Litigation), 2016-2022
- Martindale-Hubbell, Distinguished<sup>®</sup> Peer Review Rated
- Canadian Bar Association Wellness Forum 2017 Award of Excellence for Outstanding Contribution to Assistance Programs for Lawyers and Judges
- Lexpert<sup>®</sup> Rising Star: Leading Lawyers Under 40, 2007
- Profiled as "Emerging Leader" in Alberta's business community, Alberta Venture Magazine, 2008
- Litigator to Watch, Lexpert Guide to the Leading U.S./Canada Cross-Border Litigation Lawyers in Canada, 2008
- First Recipient, Volunteer Recognition Award, Canadian Bar Association Alberta Branch, 2006

### Education

- LL.B., Dalhousie Law School, 1996
- B.A., University of Regina, 1992
- Athol Murray College of Notre Dame, 1988

### Memberships

- Director and former Chair, Alberta Lawyer's Assistance Society
- Former Chair, Canadian Bar Association, Wellness Forum

## NEWS

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### **DLA Piper (Canada) LLP recognized in the 2022 *Best Lawyers in Canada* guide**

26 August 2021

DLA Piper (Canada) LLP is thrilled to see 84 of our lawyers across 35 practice areas recognized in the 2022 Best Lawyers in Canada guide.

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### **DLA Piper Canada increases rankings in 2021 edition of *Best Lawyers in Canada***

28 AUG 2020

DLA Piper (Canada) LLP is pleased to see 79 of our lawyers across 35 practice areas recognized in the 2021 *Best Lawyers in Canada* guide, resulting in our best showing with the guide since its inception.

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## MEDIA MENTIONS

- Quoted, "Lawyer wellness top priority for firms," *Law Times*, April 25, 2016
- Quoted, "Shining a light in dark places", *The Lawyers Weekly*, November, 2015