



# Avichay Sharon

## Litigation Associate

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Avichay Sharon is a litigation associate with Branch MacMaster LLP. He joined our firm in September 2017. Before joining Branch MacMaster LLP, Avichay served as a judicial law clerk for 6 justices of the Supreme Court of British Columbia. Before and during law school Avichay worked for several Israeli and Canadian NGOs as an advocate and researcher in the areas of international law as well as human rights law. In that capacity Avichay has been involved in several large scale civil, criminal and administrative trials in both Israel and Canada before all levels of court, including the Israeli High Court of Justice. During law school Avichay volunteered at the 'Center For Research-Action On Race Relations' in Montreal and was involved in Charter litigation in matters brought before courts and administrative tribunals in Quebec. Avichay has special interest in Constitutional law and human rights law. His main practice is in the firm's class action department.

He spends his spare time reading, listening to good music, bicycling and enjoying the outdoors with his family.

### Areas of Practice

- Class Actions
- Insurance law
- General Civil Litigation

### Education

- B.C.L./LL.B. studies at the Faculty of Law at McGill University, Montreal. Graduated in December 2015
- Recipient of the 2015 J.S.D. Tory Writing Award for an essay entitled "The Future of Legal Education: Imagining a Transdisciplinary Law Faculty"
- Research assistant at the Centre for Intellectual Property Policy
- B.A. studies at the Hebrew University in Philosophy, Jerusalem

### Professional Membership and Activities

- Called to the Ontario Bar, 2017
- Called to the British Columbia Bar, 2017



- Member, Law Society of British Columbia
- Member, Law Society of Upper Canada
- Member, Canadian Bar Association

#### **Counsel Work**

- *Jiang v. Peoples Trust Company*, 2018 BCSC 299: certification of class action on behalf of consumers against issuers of pre-paid credit cards for allegedly breaching British Columbia's Consumer Protection Act.
- 9085-4886 Québec inc. c. Bank of Montreal, 2018 QCCS 3730: certification of class action on behalf of Canadian merchants against the 5 largest Canadian banks who issue Visa and Mastercard credit cards for engaging in anti-competitive behavior.
- *Coburn and Watson's Metropolitan Home v BMO Financial Group*, 2018 BCSC 1183: approval of settlement in class action on behalf of Canadian merchants against Visa, Mastercard and National Bank relating to claims of anti-competitive behavior.
- *Jing Li v. Her Majesty The Queen In Right of The Province of British Columbia*, VLC-S-S-S-168644: Proposed class action challenging the constitutionality of a 15% additional tax imposed by the Province of British Columbia on foreign buyers of residential real estate in the Greater Vancouver area. Action is ongoing.
- *Keatley Surveying Ltd. v. Teranet, S.C.C. File No. 37863*: Class action on behalf of Ontario surveyors alleging copyright infringement by Teranet. SCC has granted surveyors leave to appeal the Ontario Court of Appeal's judgment dismissal of action and finding that Province of Ontario obtained Crown copyright upon deposit of plans of survey. Appeal is ongoing.

#### **Publications**

- Avichay Sharon, "The Legislative Framework of Organized Crime", National Judicial Institute, Ottawa 2017.
- Avichay Sharon, "Glossary of Common Criminal Terms and Cases", National Judicial Institute, Ottawa 2017.
- Avichay Sharon (2017): "'Benefit at no cost'—should squatters pay rent? A comparative analysis of gain-based awards for trespass in the Common Law and customary Talmudic Law", *Transnational Legal Theory*, Vol. 8, 2017- Issue 2.
- 'The Settlers Secret Slush Fund' (in Hebrew- 'Hakupa Hasodit Shel Hayemin Hamitnachali'), Molad, Jerusalem 2014, p.100, (co-authored with Liat Schlesinger and Yonatan Levi).
- *Our Harsh Logic: Israeli Soldiers' Testimonies from the Occupied Territories, 2000-2010*, Metropolitan Books, New York 2012, p. 400. (Originally published in Hebrew in 2010 under the title 'Kibush HaShtachim', by *Breaking the Silence*, Jerusalem). (Mikahel Manekin, Avichay Sharon, Yanay Israeli, Oded Naaman and Levi Spectre, eds.).