



Karen Phung

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Biography

Karen Phung's broad commercial litigation practice has given her the depth and breadth of experience to take on a variety of cases—from small claims court actions to multi-million dollar claims. Karen has advocated for her clients before the Ontario Superior Court of Justice, the Divisional Court, the Federal Court, and the Ontario Court of Appeal. Her practice is focused on commercial contract disputes, debt recovery and real estate litigation. As a passionate litigator, Karen has extensive experience representing clients at contested motions and trials.

Karen regularly incorporates Legal Project Management (LPM) in her practice, which allows her to deliver cost-effective legal solutions while keeping her clients informed and engaged in all steps of the litigation and budgeting process.

Karen received her Juris Doctorate from Queen's University in 2012. While in law school, she served as the Co-Editor-in-Chief of the *Queen's Law Journal*. Today, Karen enjoys giving back to the community as a dedicated member of the Community Outreach Committee of the Federation of Asian Canadian Lawyers, and as a mentor with the Women's Law Association of Ontario and Stepstones for Youth.

Prior to attending law school, Karen obtained an Honours Bachelor of Science with a double major in biology and English from the University of Toronto. In her spare time, she enjoys travelling and trying new restaurants with her husband.

Notable matters

- *Riar v. Khudal*, 2020 ONSC 6238 – Acted as counsel to over 200 clients to successfully obtain a Mareva injunction and \$175,000 cost award against several defendants in a mortgage and securities fraud claim, where the total loss is approximately \$40M.
- *Gupta v. Lindal Cedar Homes Ltd.*, 2020 ONSC 6333 – Successfully obtained an Order permanently staying an Ontario action in favour of arbitration for a U.S. based client.
- *Gupta v. Lindal Cedar Homes Ltd.*, 2020 ONSC 7524 – Successfully defended a motion for reconsideration of a judge's reasons for decision, which granted a stay in our client's favour.
- *Norton McMullen Consulting Inc. v. Boreham*, 2015 ONSC 6742, aff'd 2016 ONCA 778 (successfully obtained judgment and costs, totaling over \$3 million, against the respondents on a motion for summary judgment, in which the respondents also brought a constitutional challenge of Rule 20, the summary judgment rule.)
- *Tarko v. Metropolitan Toronto Condominium Corporation No. 626 et. al* (2015), 124 O.R. (3d) 360 (Div. Ct.) (successfully defended appeal of small claims trial victory on the basis of a limitation period defence)
- *Metropolitan Toronto Condominium Corporation No. 659 v. Truman*, [2015] O.J. No. 4500 (successfully represented plaintiff condominium corporation in small claims court action against unit owner for excessive water usage; maximum costs allowable under the small claims court rules were awarded)

Thought leadership

Publications

- Lexis Practice Advisor Canada, Litigation & Dispute Resolution Module, “Undertakings and Refusals Motions”, September 2017
- “Commercial Litigation and Arbitration”, *Business Laws of Canada*, Carswell 2017 ed.
- “Legal Project Management – Taking Control of the Uncontrollable”, *Taxes and Wealth Management*, July 2017
- “Court sides with Miller Thomson—Marijuana-growing unit owner must pay for excessive and disproportionate water usage,” *MTCondoLaw—Ontario*, November 2015
- “The Need for Speed—Court Dispenses with “Perfect” Disclosure and Sends Case to Trial”, *Taxes and Wealth Management*, March 2015
- “Senior Living in Condominiums: 7 Things that Condo Corporations Need to Know Right Now,” *MTCondoLaw—Ontario*, July 2014

Professional memberships

- Law Society of Ontario
- Ontario Bar Association
- Advocates’ Society

Bar admissions & education

- Ontario Bar, 2013
- J.D., Queen’s University, 2012
- B.Sc. (honours), University of Toronto, 2009