



Education

Queen's University (2013) JD
 University of Toronto (2010) MA
 (Psychology)
 University of Toronto (2007) BSc
 (Honours - Biology & Psychology)

Bar Admissions

Ontario (2014)

Practice Areas

Appeals
 Arbitration
 Commercial Litigation
 Construction and Infrastructure
 Employment
 Insurance
 Professional Liability and Regulation
 Public Law

Contact

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Andrea Wheeler

ANDREA WHEELER

is a partner at Lenczner Slaght.

"Andrea is a natural and gifted litigator. She is smart, incisive, and has both instinct and insight as to how to prosecute a case and question witnesses." — *Chambers Canada*

Andrea is a skilled trial lawyer known for her business acumen, outstanding client service and excellent judgement. Andrea represents clients in complex and high-profile commercial disputes, construction and infrastructure matters, professional liability hearings and medical malpractice trials.

Andrea provides real-time strategic advice to private and public sector clients and appears before all levels of court in Ontario, administrative tribunals and in private arbitrations.

Prior to joining Lenczner Slaght, Andrea was a federal Crown at the Department of Justice. Andrea also worked as a research psychologist and published numerous peer-reviewed articles in leading academic journals.

As a litigator, Andrea uses her diverse training to rigorously analyze her client's problems and relentlessly drive to solutions.

RECOGNITION

- Best Lawyers in Canada (2021-2024)
 Corporate & Commercial Litigation, Health Care Law
- Canadian Legal Lexpert® Directory (2022-2024)
 Litigation - Corporate Commercial, Medical Negligence, Professional Liability

SELECT CASES

- **Crosslinx v Metrolinx** – Counsel to Crosslinx Transit Solutions Constructors in an application against Metrolinx and Ontario Infrastructure (HMQE) in relation to HMQE's failure to declare an emergency as a result of the COVID-19 pandemic. Crosslinx is a design and construction consortium established to deliver and maintain the Eglinton Crosstown LRT, the second largest Canadian transit infrastructure project. We successfully resisted a motion to stay and succeeded entirely on the application to obtain contractual relief due to the pandemic. This is notable as it may have broader implications for other P3 Projects across the province of Ontario.
- **Town of Collingwood Judicial Inquiry** – Counsel to the Town of Collingwood in a Judicial Inquiry into the 50% share sale of Collingwood Utility Services Corporation to PowerStream Inc.
- **Confidential Arbitration** – Counsel to a general contractor in an arbitration

relating to the construction of a major Canadian transmission line.

- **HMQ (Canada) v Canadian Transit Company** – Counsel to the Government of Canada in relation to litigation relating to the Detroit/Windsor transportation corridor and the new DRIC Bridge.
- **Construction Arbitration** – Counsel to a general contractor in respect of a complex mediation/prospective arbitration process regarding a subway extension project.
- **1544656 v Independent Electricity System Operator** – Counsel for IESO in a dispute relating to the interpretation of a feed-in-tariff program contract.
- **Breton v Fairley** – Counsel to the defendant physician in a medical negligence trial relating to the performance of a laparoscopy and vaginal resection.
- **Thyssenkrupp Industrial Services Canada Inc v DBS Hearn Inc** – Counsel to employee defendants in an action alleging conspiracy and theft of confidential information.
- **Zulkoskey v Canada (Employment and Social Development)** – Counsel in a judicial review application relating to an allegation of discrimination regarding parental benefits for parents of twins. (Prior to joining...
- **Turmel v Canada** – Counsel in an appeal to the Federal Court of Appeal relating to challenges to medical marijuana legislation. (Prior to joining Lenczner Slaght)
- **United States of America v Latina** – Counsel in an extradition proceeding relating to an alleged sex offender. (*Prior to joining Lenczner Slaght*)
- **Ponessa v Bonenfant** – Counsel to a physician on a motion to determine the existence of a novel duty of care in the health care setting.

SELECT PUBLICATIONS AND PRESENTATIONS

- **Prepped for Practice: Medical-legal Essentials for Residents** – Andrea Wheeler shared her expertise at the CMPA's educational series titled "Prepped for Practice: Medical-legal Essentials for Residents". Andrea provided her expert insights on the Q&A portion of the following sessions:
 - **So You Got a Complaint – Now What?!** – Andrea Wheeler spoke at the Canadian Ophthalmological Society's webinar titled "So You Got a Complaint – Now What?!". Andrea presented on the do's and don'ts related to complaints, the experience of receiving a complaint and strategies to minimize your risk going forward.

SELECT NEWS ARTICLES

- **The 2024 Lexpert Directory Recognizes Lenczner Slaght's Litigation Excellence** – Lenczner Slaght's litigators continue to be recognized by their peers as the foremost practitioners in their fields.
- **Lenczner Slaght Litigators Recognized as Best Lawyers in Canada** – In the latest edition of *Best Lawyers in Canada*, 41 of our expert litigators are recognized for their expertise across 24 practice areas. The following lawyers have also been recognized as "Lawyer of the Year" for receiving the highest overall peer-feedback in their practice areas in Toronto.
- **Lenczner Slaght's Litigation Excellence Recognized in 2023 Lexpert Directory** – Following comprehensive peer review surveys and

interviews with senior members in the legal profession, the 2023 *Canadian Legal Expert Directory* has recognized 31 of the firm's expert litigators for their experience, knowledge, and precision, with 108 rankings spanning 17 practice areas.

- **Lenczner Slaght Litigators Recognized Among the Best Lawyers in Canada** – In the latest edition of *Best Lawyers in Canada*, 39 of our expert litigators are recognized by their peers for their expertise across 24 practice areas.
- **Shifting the Burden of Proof on Virtual v. In Person Legal Proceedings** – Now that courtrooms are reverting from virtual to in-person, or a hybrid of the two, Canadian Lawyer Magazine interviewed Andrea Wheeler on what to expect.
- **The 2022 Lexpert Directory Recognizes Lenczner Slaght's Litigation Excellence** – 31 of our expert litigators are recognized by their peers as the foremost practitioners across 18 fields.
- **Lenczner Slaght Litigators Ranked Among Best Lawyers in Canada** – In the latest edition of *Best Lawyers in Canada*, 37 of our expert litigators are recognized for their expertise across 25 practice areas.
- **Lenczner Slaght Welcomes Andrea Wheeler as a New Partner** – Canada's leading litigation firm is proud to welcome an exceptional and strong advocate to its Partnership.
- **Best Lawyers in Canada Recognizes Lenczner Slaght's Litigation Expertise** – Lenczner Slaght is proud to announce that 33 of our expert litigators are recognized in *Best Lawyers in Canada 2021*. Our lawyers received a total of 128 rankings, up from 100 in 2020.

PROFESSIONAL ACTIVITIES

- The Advocates' Society
- Ontario Bar Association