

Anthony O'Brien

Partner - Class Actions

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Anthony specializes in prosecuting complex class actions, with a focus on securities class actions on behalf of retail and institutional investors.

Education

University of Melbourne, Australia, LL.B. (Hons), B. Comm
Canadian Securities Course (Hons)

Called to the Bar in British Columbia, 2022; Ontario 2008;
Admitted to Practice in Victoria, Australia, 2006

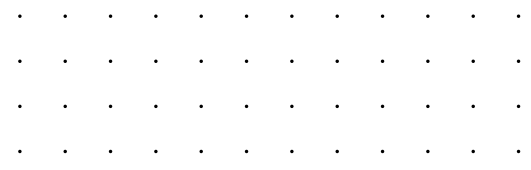
About

Anthony's practice focuses on representing retail and institutional investors in securities class actions and other shareholder rights litigation. He has been counsel to the class in a number of domestic and cross-border securities class actions alleging misrepresentations in prospectuses, continuous disclosure and merger transaction documents, and other misconduct.

Anthony has been involved in numerous securities class actions that have resulted in settlements for the benefit of the class, including *SNC-Lavalin Group* (\$110 million), *Agnico-Eagle Mines* (\$17 million), *Smart Technologies* (US\$15.25 million), *Tahoe Resources* (US\$13.5 million), *Canadian Solar* (US\$13 million), *Baffinland Iron Mines Corporation* (\$6.5 million) and *Donnybrook Energy/Donnycreek Energy* (\$5.5 million).

Anthony is passionate about his practice as a class action lawyer at Siskinds: "Since their introduction in Canada, class actions have been an enormously powerful tool in providing access to justice to Canadians. Class actions have resulted in compensation being paid to Canadians to rectify a wide range of harmful behaviour. I am extremely proud to be a part of the Siskinds team that has been at the vanguard of the development of this area."

He understands the value of securities class actions to his clients. "All Canadians have an interest in ensuring that our capital markets operate in a fair and transparent manner. The value of their investments held in trading accounts, retirement savings plans and pension funds are impacted when companies in which they have placed their trust and money engage in misconduct. Class actions are vital in providing compensation when that happens and in deterring other companies from engaging in



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similar behaviour.”

Anthony brings a unique international perspective to his class action practice, having previously worked with Australia’s pre-eminent plaintiff class action law firm. While there, he was involved in a securities class action that resulted in a settlement of A\$132.5 million for the class. Prior to joining Siskinds, he also worked in the corporate and securities department of one of Canada’s leading law firms. He is admitted to practice in Ontario and Australia.

Anthony is based in the Toronto office of Siskinds LLP.

Memberships and Associations

- Advocates’ Society, Member
- Ontario Bar Association, Member
- Canadian Bar Association, Member
- Vice-Chair, The Advocates’ Society, Securities Litigation Practice Group

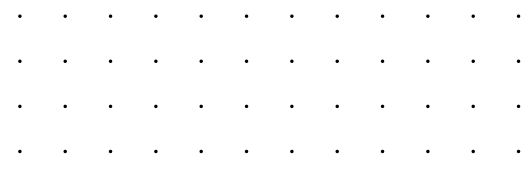
Awards and Recognition

Selected by his peers for inclusion in *The Best Lawyers™ in Canada* in 2024. August 2014, Siskinds LLP named again as the top-ranked Canadian firm in the “SCAS 50.” Siskinds ranked 16th overall in the a global ranking of the world’s 50 leading securities class action law firms, the highest ranking ever attained by a Canadian firm. It is compiled annually by Securities Class Action Services, a unit of Institutional Shareholder Services (ISS). Siskinds was the first Canadian firm to rank in the top 50 and has been the top Canadian firm each year since 2010.

Notable Work and Decisions

Recent representative matters include:

- Mutual fund trailing commissions class actions: Counsel to the class in ongoing class actions seeking recovery for investors against mutual fund managers and trustees relating to trailing commissions paid to online/discount brokers on mutual funds held by those investors.
- *Trustees v. SNC-Lavalin Group Inc.*: Counsel to the class in this secondary market securities class action against a TSX-listed global engineering and construction company, which resulted in a settlement of \$110 million for the class.
- *Abdula v. Canadian Solar Inc.*: Counsel to the class in this secondary market securities class action against a NASDAQ-listed solar company, which resulted in a settlement of US\$13 million for the class. It involved a precedent-setting decision of the Ontario Court of Appeal clarifying that issuers listed on



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stock exchanges outside Canada can be sued under the secondary market liability regime of the Ontario Securities Act.

- *Rooney v. ArcelorMittal S.A.*: Counsel to the class in this securities class action relating to the take-over of a TSX-listed mining company, which resulted in a settlement of \$6.5 million for the class.
- *AFA Livförsäkringsaktiebolag v. Agnico-Eagle Mines Ltd.*: Counsel to the class in this secondary market securities class action against a TSX-listed mining company, which resulted in a settlement of \$17 million for the class.
- *Tucci v. Smart Technologies Inc.*: Counsel to the class in this securities class action relating to the initial public offering of a technology company, which resulted in a settlement of US\$15.25 million for the class.

Publications and Speaking

Anthony has spoken at numerous conferences, and authored a number of articles, addressing class action and securities law issues. His publications include:

- "Class Action Counsel Fees: A Fair and Reasonable Approach", co-authored with Charles Wright and Professor Garry D. Watson, Q.C.
- "Third-Party Funding For Class Actions, and Control Over the Litigation", Canadian Business Law Journal (2014), co-authored with Charles Wright
- The Canadian chapter of the book Shareholder Claims 1st ed. (UK: Jordan Publishing Limited, 2012), co-authored with Dimitri Lascaris

In the News

August 6, 2014 /CNW/ - Siskinds LLP, one of Canada's leading class action law firms, is pleased to announce that it has been named again as the top-ranked Canadian firm in the "SCAS 50." Siskinds ranked 16th overall in the a global ranking of the world's 50 leading securities class action law firms, the highest ranking ever attained by a Canadian firm. It is compiled annually by Securities Class Action Services, a unit of Institutional Shareholder Services (ISS). Siskinds was the first Canadian firm to rank in the top 50 and has been the top Canadian firm each year since 2010.