



**Pickleball Canada 2023 Annual General Meeting**  
**June 28, 2022**  
**Election of Directors - Nominee Information Package**

**Nominee Name:** Jason Mohrbutter

**Nominee Letter of Intent:**

I am writing this letter of intent to express my interest in sitting on the Board of Directors for Pickleball Canada. Please also find attached my curriculum vitae (CV). While I am a beginner with no real experience playing pickleball, I have been practicing law for over 20 years and have extensive experience in commercial litigation and have also been actively involved in various non-profit organizations.

My experience in law and non-profit governance has taught me the importance of effective communication, collaboration, and strategic planning. I believe these skills will be valuable assets to the Pickleball Canada Board of Directors.

I am excited about the opportunity to contribute to the growth and development of pickleball in Canada and to work collaboratively with the Board of Directors to achieve its goals. Thank you for considering my application.

Sincerely,  
Jason Mohrbutter

**Nominee Resume:**

**Partner, MLT Aikins**

Class Actions | Commercial Litigation | Insurance | Litigation | Privacy, Data Protection & Cybersecurity | Franchising | Agriculture & Food

**REPRESENTATIVE WORK**

- Kane v FCA USA LLC & FCA Canada Inc., 2022 SKQB 69 – successfully opposing certification of a proposed class action involving numerous vehicle recall notices.
- CIC Asset Management et. al. v QHR Technologies, 2020 SKQB 327, affirmed 2022 SKCA 85 – successfully defending \$7 million claim for breach of representations and warranties and enforcing payment terms of a share purchase agreement involving an electronic medical records software company.
- Numerous Class Action settlement approvals including Fiddler v Janssen Inc., 2023 SKKB 29, Carruthers v Purdue Pharma 2022 SKKB 214, Macmillan v Merck Frosst Canada & Co., 2016 SKQB 325, Bray v Merck Frosst Canada Ltd. (Vioxx settlement, unreported 2012-07-24)
- University of Regina v HTC Pureenergy Inc., 2019 SKQB 126 and 2017 SKQB 310 – summary dismissal of fraudulent misrepresentation allegations and other causes of action, resulting in an enhanced costs award, in an action involving a license of carbon capture technology.
- T & C Arndt Minerals Ltd. v Silver Spur Resources Ltd., 2018 SKQB 337, obtaining partial summary judgment dismissing the majority of claims by a group of investor participants in an oil and gas joint venture.
- Chatfield v Bell Mobility Inc., 2016 SKQB 364, striking out a pleading on the basis of abuse of process and other grounds in a class action involving system access fees charged by telecommunications companies across Canada.

- Consumers' Co-operative Refineries v. The City of Regina and Ministry of Environment 2016 SKQB 335, two successful de novo appeals under The Freedom of Information and Protection of Privacy Act and The Local Authority Freedom of Information and Protection of Privacy Act maintaining the confidentiality of two risk assessment reports.
- Deren and Lacasse v. SaskPower, 2015 SKQB 366, affirmed 2017 SKCA 104, successfully obtaining summary judgment dismissing a multi-million dollar flooding claim.
- Geosys-Intl, Inc. v. Echelon Ag Inc. (Feb. 18, 2014), Brite Vision PC v. Robert and Jolie Wasylenko (Oct. 10, 2014), obtaining two preservation orders under the Enforcement of Money Judgments Act restraining the defendants from dissipating or dealing with property and assets in the context of two actions involving breach of contract and fraudulent misrepresentation (Geosys), and breach of fiduciary obligation (Brite Vision).
- Klassen Bros. v. Cargill, 2013 SKQB 431, successfully defending a claim for catastrophic loss and damage to a dairy operation arising from an allegedly defective feed source.
- McKinnon v Red Lily Wind Energy Corp., (unreported July 31, 2014), 2013 SKQB 316, (unreported December 12, 2013), 2012 SKQB 58, 2011 SKQB 313, overturning an ex parte injunction halting construction of a wind turbine facility, successfully defending subsequent injunction proceedings, enforcing undertaking as to damages and obtaining dismissal of the proposed class action.
- Bear v. Merck Frosst Canada Ltd., 2010 SKQB 284; Rybchinski v. Merck Frosst Canada Ltd., 2011 SKCA 152, striking two proposed class actions as an abuse of process.
- Merck Frosst Canada Ltd. v. Wuttunee, 2009 SKCA 43, successfully opposing a grant of certification involving the prescription drug Vioxx; leave to appeal to Supreme Court of Canada denied 22 October 2009.
- Horner v. Saskatchewan, 2009 SKQB 270, successfully opposing certification of a class action seeking retroactive and prospective benefits under Saskatchewan's Workers' Compensation Act.
- Hoffman et al. v. Monsanto Canada Inc. and Bayer CropScience Inc., 2007 SKCA 47, successfully opposing certification of a class action arising from the introduction of genetically modified canola.
- Collins v. BCE Inc. et al., 2010 SKQB 74, obtaining a stay of a proposed class action as an abuse of process of the court.

## **BIOGRAPHY**

Jason is routinely retained by national and international clients, as well as law firms in other jurisdictions, to provide advice on class actions in Western Canada. He regularly advises defendants in actions commenced under Saskatchewan's Class Actions Act and has been extensively involved in this practice area since the Act came into force in 2002. He has appeared as counsel on several of Saskatchewan's leading class action cases including Hoffman v. Monsanto, Frey v. SaskTel and Wuttunee v. Merck & Co.

His extensive experience includes acting for national and international clients, as well as numerous statutory entities, in complex multi-party, representative and mass-complaint actions including claims related to general products and products liability matters such as pharmaceuticals and medical devices and biotechnology, as well as mass torts and commercial claims.

Jason's practice also focuses on commercial litigation including contractual disputes, shareholder and partnership disputes, insurance and agricultural claims. Jason is ranked and recognized by Chambers Canada in the practice area of commercial litigation in Saskatchewan.

## **LEADERSHIP**

- Director, REACH Regina (2022)
- Member, International Association of Defence Counsel (2018 – present)
- Volunteer, Law Reform Commission of Saskatchewan Working Group on Contributory Fault (2021)

- Volunteer, Planning Committee, The Litigator’s Seminar presented by the Law Society of Saskatchewan (2021)
- Volunteer, Planning Committee, Premier’s Charity Golf Ball (2017)
- Volunteer, Fundraising Committee, Kids Help Phone (2015-2016)
- Director, Regina Open Door Society (2009-2011)
- Director, Regina Bar Association (2009-2010)
- Director, Montessori School of Regina (2008-2009)
- Volunteer Presenter, Saskatchewan CPLED Program for Articling Students (2010, 2014-2016)
- Volunteer, Public Legal Education Association of Saskatchewan

## **PAPERS & PRESENTATIONS**

- Author and Presenter, “Class Actions & The Civil Rights of Prisoners and Detainees” presented by Destination Continuing Professional Development (Las Vegas, Nevada, May 4, 2023)
- Author, “Pitfalls of Post-closing Price Adjustments,” The Lawyer’s Daily (LexisNexis), (September 22, 2022)
- Author and Presenter, “COVID-19 Class Action Roundup,” at “Strength in Numbers: Fundamentals and Emerging Issues in Plaintiffs’ Class Actions” presented by the Trial Lawyers Association of British Columbia (Vancouver, May 2022)
- Co-presenter with Brandon Kain, “Cross Examination on Affidavits,” The Litigator’s Seminar presented by the Law Society of Saskatchewan (June 2021)
- Author, “Keeping the Faith – Five Years after Bhasin v Hrynew,” Commercial Litigation and Arbitration Review, Vol. 9, No. 1 (9 C.L.A.R.) (February 2020)
- Presenter, “Diving Deeper into Decisions and Trends in the Class Action Landscape,” Law Society Continuing Professional Development Webinar (February 2020)
- Panelist and Presenter, “Reality Check on Class Actions in Canada: Lighting Round on Opting In and Out, Costs, and Specialized Bench,” International Association of Defence Counsel Canadian Regional meeting (Toronto, June 2019)
- Presenter, “An Introduction to Class Actions,” Saskatchewan Law Society Continuing Professional Development Webinar (March 2019)
- Author and Presenter, “What’s New Under the Prairie Sun,” 10th Annual Class Actions Colloquium presented by the Ontario Bar Association (Toronto, December 2018)
- Co-author, “How the West was Won,” Class Actions Forum West (Vancouver, May 2015)
- Co-presenter with Popescul C.J.Q.B., “The New Rules in Practice,” 2014 CBA Saskatchewan Branch Mid-Winter Meeting (February 2014)
- Panelist and presenter, Western Canada Class Actions Conference (Vancouver 2013)
- “Harrington v. Dow Corning Corp. and Social Utility: Unfit for Their Purpose Within Product Liability Negligence Law,” Saskatchewan Law Review, Volume 75(2) (2012)
- “A Look Back on Saskatchewan’s First Decade of Class Action Legislation,” Canadian Bar Association Bar Notes, Vol. XXVI No. 4 (Summer edition, 2012)
- Author and Presenter, “The New Court of Queen’s Bench Rules,” 2012 CBA Saskatchewan Branch Mid-Winter Meeting (February 2012)
- Co-author and Presenter, “Resolving Claims Without a Full Trial (Part 7),” Queen’s Bench Rule Changes: An Essential Overview, Saskatchewan Trial Lawyers’ Association (October 2011)
- Author and Presenter, “Cross Canada Class Actions Round-Up – Saskatchewan Developments,” 12th Annual National Forum on Class Action Litigation, The Canadian Institute (September 2011)
- “Seidel v. Telus and Tercon v. B.C. – Freedom of Contract to Mandate Arbitration and Exclude Liability,” The Saskatchewan Advocate (June 2011)
- Co-author, “Class Action ‘Whack-a-Mole’ – Dealing with Multi-Jurisdictional Class Actions in Canada,” Osgoode Hall Symposium on Class Actions (April 2011)
- “Doing Business in a Litigious Society,” Canadian Seed Growers and Canadian Seed Traders Joint Annual Conference (Kelowna, July 2010)

- “A Brief Look at the Potential Expansion of Saskatchewan’s Rules for Summary Judgment,” The Saskatchewan Advocate(December 2010)
- Co-author, “Developments in Class Actions: Alberta, Saskatchewan and Manitoba,” Forum on Class Action Litigation, Canadian Institute (2008-2009)
- Co-author, “Class Actions in Saskatchewan,” Osgoode Hall Symposium on Class Actions (2008-2009)

### **AWARDS**

- Queen Elizabeth II Platinum Jubilee Medal, nominated by the Honourable Minister of Justice and Attorney General, Bronwyn Eyre (2023)
- Appointed King’s Counsel (Saskatchewan, 2022)
- Lawyer of the Year, Class Action Litigation, Best Lawyers (Regina, 2022)
- One of Chambers Canada’s top lawyers in General Commercial Litigation in Saskatchewan
- Recognized in Best Lawyers, Class Actions Litigation (since 2014)
- A leading practitioner, Class Actions, Canadian Legal Lexpert Directory
- W.P. Harris Prize for Arts and Law (1999)
- P.E. MacKenzie Prize for Outstanding Achievement in First Year Law (1998)

### **EDUCATION & QUALIFICATIONS**

- Saskatchewan Bar (2001)
- LLB with distinction (Saskatchewan, 2000)
- BA with great distinction (Saskatchewan, 1999)