



## The Shaw Group

We were retained by terminated employees and retirees who were owed severance and termination pay and faced losses to the pension benefits when Shaw Canada suddenly assigned itself into bankruptcy. In addition to representing our clients in the bankruptcy proceeding, we launched a lawsuit against the American parent company based on the common employer doctrine alleging wrongful dismissal, oppression, breach of fiduciary duty, and conspiracy and that the U.S. parent company was the de facto administrator of the pension plan and responsible for funding the underfunded pension plan. As the litigation progressed, we entered into settlement negotiations and ultimately settled the lawsuit for \$9.4 million paid by the American parent. The settlement ensured that there would not be any pension losses and that the terminated employees recover significantly in respect of wrongful dismissal damages. An experienced insolvency practitioner called the result “the best recovery for employees in a bankruptcy that we have ever seen”. [Andrew Hatnay](#) led the Koskie Minsky team, with assistance from [James Harnum](#), [Demetrios Yiokaris](#) and Jonathan Bida.