

April 19, 2017

## Davies Wins Motion on Exclusion of Liability Clause

Davies represented Urbancorp's court-appointed monitor in the Superior Court of Justice on April 13, 2017, in the matter of five insolvent Urbancorp entities against certain homebuyers who filed for damages during the resulting *Companies' Creditors Arrangement Act* proceedings. The issue on the motion was the enforceability of an exclusion of liability clause contained in the homebuyers' purchase agreements. Mr. Justice Frank Newbould ruled in favour of the monitor in his decision released on April 18, 2017, *Re Urbancorp*, 2017 ONSC 2356.

The Davies team was led by Robin Schwill, with research support from John McCamus and Dina Milivojevic.