



#### Contact Info

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#### Practice Areas

Appellate Advocacy  
Business Law Services  
Business Transactions  
Debt Collection  
Litigation & Dispute Resolution  
Shareholder and Partnership  
Disputes

#### Bar Admission

British Columbia, 2010

## DAVID L. CAYLEY, ASSOCIATE COUNSEL

David is a member of the firm's Litigation and Dispute Resolution Group. He assists companies and individuals with a broad range of commercial litigation matters, including contract disputes, property disputes, shareholder disputes, professional negligence claims, and defamation claims. David has particular expertise with complex disputes involving joint ownership of real property.

David often works with clients in the early stages of disputes to assess claims and defenses and mitigate risks. He frequently advises on collapsing and collapsed transactions and on disputes arising from the breakdown of business relationships. David is often able to resolve disputes by negotiation, but where that is not possible he advocates fiercely, fearlessly, but fairly on behalf of his clients. He has conducted numerous trials and summary trials, appearing before all levels of courts in B.C. including the Court of Appeal. He has also been involved in arbitrations and mediations.

When not helping clients, David enjoys stand-up comedy, listening to jazz LPs, and spending time with family and friends.

## REPRESENTATIVE CLIENT WORK

- Obtained and successfully defended a pre-trial injunction preventing dissipation of sales proceeds of property: *Takhar v. Takhar*, 2020 BCSC 2049
- Acted for a company in the context of a share buy-back dispute with a shareholder
- Represented and provided guidance to a director and shareholder in the context of the collapse and dissolution of a professional services business
- Acted for successful plaintiff in 36-day trial involving complex and challenging debt and proprietary claims: *Wang v. Jiang*, 2020 BCSC 145
- Resisted attempts by mortgage debtor to set aside orders for conduct of



**Education**

University of Victoria, J.D., 2009

University of Western Ontario,  
B.A., 2004

**Languages**

English

Japanese

sale: *1055249 B.C. Ltd. v. Grace Mtn. Land Company Ltd.*, 2018 BCSC 2355

- Acted for successful plaintiff who, at trial, was awarded sole ownership of disputed property, damages for breach of fiduciary duties, and punitive damages: *Klein v. Sun*, 2018 BCSC 245
- Acted for a software company in an appeal in B.C. Supreme Court from an arbitral award and successfully argued that the parties could not “contract out” of provisions of the *International Commercial Arbitration Act*: *McHenry Software Inc. v. ARAS 260 Incorporated*, 2018 BCSC 586
- Obtained awards of general and punitive damages for a builder defamed by his clients: *Wood v Jaffer*, 2018 BCSC 85
- Acted for seller in collapsed sale of real property to recover damages and also to resist an appeal from that award: *Showroom Homes v. Cowie*, 2017 BCSC 1919 and 2018 BCCA 419
- Acted for property owner in collapsed sale who succeeded at trial and on appeal: *Litt v. Gill*, 2015 BCSC 491 and 2016 BCCA 288

**NEWS**

November 15, 2022

RBS Launches Appellate Advocacy Practice