

## WINDSOR (AFFILIATED)

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## Services

Bankruptcy, Restructuring and  
Insolvency  
International and Cross-Border  
Insolvency  
Financial Services  
Litigation and Dispute Resolution

## Industries

Financial Institutions

## Education

University of Windsor LL.B. 1984  
University of Toronto LL.M. 1990

## Bar Admissions

Canada/Province of Ontario

## James H. Cooke

Associate  
Miller Canfield LLP (Ontario)  
Practicing in association and not in  
partnership with  
Miller, Canfield, Paddock and Stone,  
P.L.C.



James H. Cooke graduated on the Dean's Honour Roll from the University of Windsor Law School in 1984. James articulated at the prominent Bay Street firm of Fasken Martineau DuMoulin and was called to the Bar in 1986, receiving his LL.M. from the University of Toronto the same year.

James has practiced litigation for over 30 years. He has successfully represented clients in shareholder disputes, insolvency matters, breach of contract, international commercial arbitration, wrongful dismissals and all facets of commercial and business litigation.

He successfully represented a debtor in an insolvency matter contesting the fees of a law firm for a receiver. The case is now the leading case in Canada on receiver and receiver's counsel's fees.

In another matter, he successfully represented a large Canadian vegetable distributor in an international commercial arbitration.

## Reported and Published Decisions

Canada v. Tsiaprailis, [2003] 4 F.C. 112 (Federal Court of Appeal)

Siena-Foods Ltd. V. Old Republic Insurance Co. of Canada (2012), 112 O.R. (3d) 180 (Ontario Court of Appeal)

Bank of Nova Scotia v. Diemer (c.o.b. Cornacre Cattle Co.), [2014] O.J. No. 5731 (Ontario Court of Appeal)

**James H. Cooke**

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Caslexa Construction Inc. (Re), [1996] O.J. No. 1502 (Ontario Court of Appeal)

Tsiaprailis v. Canada, [2003] S.C.C.A. No. 235 (Supreme Court of Canada)

**Professional Activities**

Canada Bar Association

Ontario Bar Association

The Advocates' Society

Essex Law Association

**Civic, Cultural & Social Activities**

Hospice Foundation of Windsor and Essex County, Board Member

**Articles**

Growing Profits

Construction Liens in Ontario: An Introductory Guide for Contractors