

## Despina Mandilaras

### Senior Associate

Despina Mandilaras is a member of the Commercial Litigation group and practises primarily in the areas of construction, surety bonds, contract disputes, shareholder disputes and Aboriginal law. As such, she represents clients from the public and private sectors before all levels of the courts, including arbitration tribunals.

Over the years, she has developed knowledge and skills in undertaking extraordinary remedies, particularly regarding injunctions, in all fields.

During her studies, Ms. Mandilaras was awarded the Bar of Montreal Award (2012), the Prix d'excellence Pérodeau (2011-2012) for the second highest standing in the LL.B. program, the Lavery, de Billy Award of Excellence in Environmental Law (2012), the Crochetière, Pétrin Award of Excellence in Securities Law (2012) and the Rodolphe Lemieux Award of Excellence in Public International Law (2010-2011). She also made the Dean's Honour Roll throughout her undergraduate law program and received the Governor General's Academic Medal for highest academic achievement throughout her post-secondary studies.

During the fall 2011 semester at the Université de Montréal, Ms. Mandilaras was a research assistant for Dr. Catherine Piché. In particular, she assisted Dr. Piché in the final draft of her article "Figures, Spaces, and Procedural Proportionality," published in the *International Journal of Procedural Law*.

Ms. Mandilaras is fluent in French, English, Greek and Spanish.



## Representative mandates

Ms. Mandilaras is or has been involved in several cases relating to construction and surety bonds, including the following:

- A case where she was part of the team representing a general contractor, architects and engineers in a multi-million dollar claim for wrongful disqualification following a call for proposals;
- A case where she was part of the team representing a public construction client facing a request for payment of professional fees and a request for payment of the balance owing under a contract, together with a request from the general contractor for several million dollars in compensation, including, in particular, claims for supplemental general conditions, fast tracking work, work under a cost-plus contract,

supplemental work, loss of productivity, winter conditions, arbitrary cuts, change orders that were never issued and additional work, as well as subcontractor claims. This case also involved all of the professionals associated with the project and nearly 10 unpaid subcontractors, the majority of whom took their claims to court;

A case where she was part of the team representing a general contractor who faced a multi-million dollar claim for construction defects instituted by a telecommunications company for damage to its complex on Nuns' Island after heavy rains in May 2012. This case involved several important players in the construction industry;

A case where she was part of the team representing a surety that issued performance bonds for a general contractor as part of a three-phase project to restore the exterior walls of a heritage building, the owner of which is the client suing the contractor, subcontractor and professionals for several million dollars for major construction defects;

In addition, Ms. Mandilaras regularly works on cases in which she represents sureties, particularly in claim files on bonds for pledges, materials and services, claim files on performance bonds, as well as in claims under indemnity and security agreements. These cases mainly involve general contractors who have gone bankrupt on several public projects, which calls for the management of claims from hundreds of creditors and subcontractors.

Ms. Mandilaras is involved in many shareholder disputes and other commercial disputes. For example, she is part of the team representing a company that invests in cellular towers and antennas in more than 19 countries worldwide and is currently facing injunction applications and multi-million dollar claims for damages from Canadian telecommunications companies.

Ms. Mandilaras was part of the team that, for several years, defended Hydro-Québec's interests in several legal actions brought against it by Aboriginal groups, including applications for injunction. She was also a member of the team defending Hydro-Québec's interests in numerous private arbitrations that pitted it against several private hydroelectricity producers.

## Publications and conferences


Presenter to policyholders of a major Canadian surety company as part of a mortgage training and the *Autorité des Marchés Publics*

Presenter at the 2019 Construction event organized by Lavery, de Billy, L.L.P. on May 2, 2019: *Le principe de l'effet relatif des contrats en matière de contrats d'entreprise : des enjeux importants pour toutes les parties impliquées*


Presenter for the regional committee of the Surety Association of Canada on the decision in *Charpenterie SNC Inc. v. EJP Construction Inc.*, 2019 QCSC 283 (February 15, 2019)

*Un regard nouveau sur les injonctions interlocutoires*, December 11, 2018, *Droit de savoir*

*La médiation obligatoire à la division des petites créances : commerçants, préparez-vous!*, January 19, 2016, *Droit de savoir*

 *Droit de la consommation et recours collectifs : Attention aux modifications unilatérales du contrat à exécution successive*, November 6, 2015, *Droit de savoir*

## Distinctions

 Ones to Watch, The Best Lawyers in Canada in the field of Construction Law and in the field of Corporate and Commercial Litigation, 2024

## Education

 LL.B., *Université de Montréal*, 2012

## Boards and Professional Affiliations

 Vice-President, Legal Affairs of the Board of Directors of the *Regroupement québécois du cautionnement*

 Member of the Board of Directors (Secretary) of The Lena Fund under the Montreal Children's Hospital Foundation

 Surety Association of Canada

 The Advocates' Society

 Hellenic Jurists Association of Québec

 Young Bar of Montreal