

Mark Rathwell

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PRACTICE AREAS

Litigation & Dispute
Resolution

Business Litigation & Dispute
Resolution

Debt Recovery, Collections &
Foreclosure

Administrative & Regulatory

Condominium Law

Construction, Development &
Infrastructure

I take a practical, no-nonsense approach to resolving your dispute in a cost-conscious manner.

Mark practices litigation with a focus on commercial, contract, and administrative matters, including construction and builders' liens, real estate, agriculture, commercial leasing, and regulatory issues.

His clients range from individuals to large corporations and governmental agencies. As head of the firm's Foreclosure group, Mark also represents chartered banks and financial institutions.

An experienced trial lawyer, Mark has appeared successfully before all levels of court in Alberta.

Education

1997 University of Wales, LLB (Honours)

1994 University of British Columbia, BA

Admissions

1998 Alberta

Experience

- Tyler Realty Corp. Ltd. v. Colliers International Realty Advisors Inc. and CMN Calgary Inc. (Unreported Trial Decision, Action No. 1301-07733). Successfully represented the plaintiff at trial to recover a substantial disputed commercial real estate commission.
- [Grace v. Geekie Estate](#), 2014 ABQB 200 (CanLII) — 2014-04-03. Successfully represented the plaintiff at trial to obtain a declaration of lease rights in a valuable agricultural property.
- [Grace v. Geekie Estate](#), 2014 ABQB 21 (CanLII) — 2014-01-10. Successfully represented the plaintiff concerning a variety of contentious cost issues following trial.
- [Condominium Plan No. 8210034 v. King](#), 2012 ABQB 127 (CanLII) — 2012-02-23. Represented one of three plaintiffs in a precedent-setting decision relating to the rights of condominium corporations to charge property as security for unpaid levies and assessments.
- [McGovern-Burke v. Viper Holdings Inc.](#), 2010 ABQB 706 (CanLII) — 2010-11-12. Successfully represented the plaintiff in setting aside numerous fraudulent conveyances of properties.
- [McGovern v. Belseck](#), 2009 ABQB 729 (CanLII) — 2009-12-09. Successfully represented the plaintiff at trial to obtain a large judgment for damages arising from an unlawfully aborted commercial real estate agreement.
- [Vintage Fine Homes Inc. v. McCallum](#), 2007 ABQB 146 (CanLII) — 2007-03-05. Successfully represented the plaintiff at trial, and on appeal, to confirm and close a large, disputed real estate purchase.
- [Plouffe v. Fountains of Mission Ltd.](#), 2006 ABQB 321 (CanLII) — 2006-05-01. Successfully represented a builders' lien claimant in a case that clarified the application of issue estoppel in the context of setting a lien fund.

Memberships

- Law Society of Alberta
- Calgary Bar Association
- Canadian Bar Association
- Alberta Civil Trial Lawyers Association

Community

- Autism Calgary Association
Past Board Member and Chair
- Local charities and community groups
Volunteer

Teaching Roles & Speaking Engagements

ENGAGEMENTS

MENTOR

STUDENT LEGAL ASSISTANCE (SLA)

MOOT COURT JUDGE

UNIVERSITY OF CALGARY LAW SCHOOL