

COURTS**A Dragon's fire: Wekerle sues Porsche**

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Bay Street financier Michael Wekerle, star of *Dragons' Den*, is suing Porsche AG, Porsche Cars Canada Inc., a Toronto-area luxury car dealership, two fuel-pump manufacturers and a number of other parties for \$9.4-million about two years after his \$1-million supercar was incinerated at an Ontario gas station.

The incident occurred in Caledon, Ont., on the evening of Sept. 28, 2014, near Mr. Wekerle's country estate, and was widely documented in the media and social media. In court filings, Mr. Wekerle claims the fuel nozzle failed to shut off after he filled the tank of his Porsche, and gasoline spilled onto the car. Although the ignition was off, the vehicle was "capable of generating heat or a spark," causing a fire to break out, Mr. Wekerle's suit alleges. The fire resulted in the "complete destruction" of the vehicle, according to the document.

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Lawsuit: Fire cost Wekerle 'past, present and future income,' documents say

» Mr. Wekerle's suit alleges he suffered "permanent scarring and disfigurement to his face," "emotional and behavioural changes," and a "loss of earning capacity." His suit further alleges he has lost the opportunity to profit from the appreciation in value of the 2015 Porsche 918 Spyder hybrid, which he says was extremely rare and bought in part for investment purposes. In a 2014 CBC interview, Mr. Wekerle said he paid \$998,623 "and 23 cents" for it.

Mr. Wekerle alleges the sports car was "defective." He also claims it was "designed, manufactured and marketed" in a way that was "dangerous," with an electrical system that was "prone to fail." He also alleges in the suit that the fuel nozzle at the gas station was "defective" and "improperly maintained."

None of the allegations has been proven in court.

Porsche AG, Porsche Cars Canada Ltd., Porsche Cars North America Inc., car dealership Pfaff Motors Inc., fuelling equipment manufacturers OPW Fueling Components Inc. and Dover Canada ULC, and fuel services contractor Royal Petroleum Maintenance Ltd. are all named as defendants in the civil suit, which was filed in the Ontario Superior Court in September.

A spokesman for Porsche AG did not immediately provide comment, but the lawyer representing the company's North American and Canadian units provided a brief response.

"I can confirm that the Porsche defendants in Mr. Wekerle's lawsuit will be defending," Teresa Dufort, a partner with McMillan LLP, wrote in an e-mail to The

Globe and Mail.

Linda Phillips-Smith, a lawyer with Stieber Berlach LLP who represents OPW Fueling Components, said in a telephone interview that the firm had filed a notice of intent to defend on behalf of OPW.

A spokesperson for Dover Canada declined to comment.

Lawyer Bill Evans said in an e-mail to The Globe that Pfaff will file a statement of defence.

"Our position is that the dealership, Pfaff, has no liability," Mr. Evans wrote.

Royal Petroleum was not immediately available for comment.

In a CBC video posted a few weeks after the incident, Mr. Wekerle said he attempted to put out the fire himself with the car's passenger-side fire extinguisher, but was unable to quell the flames. "It was an electrical fire

because of the hybrid," Mr. Wekerle said in the video. "It was really terrifying."

In the same video, Mr. Wekerle expressed gratitude nobody was hurt, and said he suffered only "some slight sunburn" on his "right side."

"Unfortunately, the facial burns suffered by Mr. Wekerle have not healed as well as was hoped," Matthew Dale, a partner with Lerners LLP who is acting for Mr. Wekerle, wrote in an e-mail to The Globe.

"He has been left with residual dermatological issues. These issues are still being investigated and treated more than two years since the incident."

The court documents allege Mr. Wekerle has suffered "traumatic emotional and nervous upset and lost the enjoyment of life and amenities." The suit also

alleges the fire caused Mr. Wekerle financial and career setbacks, including "the loss of past, present and future income."

The gas station fire occurred while Mr. Wekerle was chief executive officer of Difference Capital Financial Inc., the publicly traded merchant bank he co-founded in 2012. He stepped aside as CEO in June, 2015. He remains chairman and by far the company's biggest shareholder.

In recent years, Mr. Wekerle has invested heavily in commercial real estate in Ontario's Kitchener-Waterloo area. Mr. Wekerle is perhaps best known for starring as a dragon on the CBC reality show *Dragons' Den*, a fast-talking venture capitalist financier, sporting floral-patterned, shiny Michael Jackson-esque jackets. CBC markets him as a "rock star in the world of Canadian finance."