



# Adam Goldenberg

## Associate

Toronto

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t. +1 416-601-8357

## Bar Admission

New York, USA 2015  
Ontario 2015

## Law School

Yale University

## Practices

Disputes  
Appellate Litigation  
Class Actions  
Professional Liability  
Corporate Commercial Litigation  
Public Law

## A skilled advocate and trusted advisor, Adam helps clients achieve their objectives in complex disputes.

Adam's litigation practice encompasses trial and appellate advocacy in commercial cases, class actions, and public and administrative law matters, as well as in criminal and regulatory proceedings. He has acted as lead or co-counsel at all levels of court, including in more than a dozen appeals to the Supreme Court of Canada. He also advises corporations, non-profit organizations, and executives on their legal obligations in the political sector, including ethical compliance, conflicts of interest, election finance, political advertising, and lobbying law.

With experience in the legislative, executive, and judicial branches of government, Adam provides strategic counsel in high-stakes disputes and regulatory controversies, as well as on emerging public policy issues. He has been lead counsel in proceedings on Ontario's Commercial List and in significant constitutional litigation, both at first instance and on appeal. He has particular expertise in the law and policy surrounding Artificial Intelligence, and led McCarthy Tétrault's partnership with the Canadian Chamber of Commerce to develop the Canadian business community's position on the regulation of AI.

Early in his legal career, Adam was a law clerk to Chief Justice Beverley McLachlin at the Supreme Court of Canada, and to Justices James MacPherson, Janet Simmons, and Eleanore Cronk of the Court of Appeal for Ontario. He previously served as chief speechwriter to the Leader of the Opposition in the Parliament of Canada, and as a senior advisor to a Cabinet minister in the Government of Ontario. Adam has taught appellate practice and procedure as an Adjunct Professor of Law at the University of Toronto, and has lectured at law schools across Canada on constitutional and administrative law.

Adam's scholarship and commentary has appeared in the *Supreme Court Law Review*, the *Yale Journal of International Law*, and the *Michigan State International Law Review*, as well as in the *Globe and Mail*, *National Post*, *Toronto Star*, *Ottawa Citizen*, *Slate*, *Maclean's*, and *Policy Options*. He is the co-founder and a director of [Teach For Canada](#), a non-profit organization that works with northern First Nations communities to recruit, prepare, and support teachers. He was selected to be an Action Canada Fellow in 2010 and is a member (and former Chair) of Action Canada's Board of Directors. He was named a "Leader To Be Proud Of" by Start Proud, a national LGBTQ+ organization, in 2014, and was awarded the Meritorious Service Medal by the Governor General of Canada in 2017.

Born and raised in Vancouver, Adam received his law degree from Yale, where he was a Kirby Simon Human Rights Fellow. He holds an

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undergraduate degree with high honours from Harvard, where he was a John Harvard Scholar and was elected to the Phi Beta Kappa honour society.

## SELECTED PUBLICATIONS AND PRESENTATIONS

- [“Automation Not Domination: AI and Inclusion”](#) (June 2019), published by the Canadian Chamber of Commerce (with Michael Scherman)
- [“Automation Not Domination: Legal and Regulatory Frameworks for AI”](#) (June 2019), published by the Canadian Chamber of Commerce (with Michael Scherman)
- [“Automation Not Domination: AI and the Workforce”](#) (June 2019), published by the Canadian Chamber of Commerce (with Michael Scherman)
- “Religious Freedom: Taking Stock of the State of Constitutional Protections in Canada & the United States” (January 2019), panel at Runnymede Society annual conference ([video](#))
- [“If an autonomous vehicle has an accident, who is legally responsible?”](#) (December 2018), *Maclean’s*
- [“Why Canada’s Supreme Court appointments are nothing like America’s circus”](#) (July 2018), *Maclean’s*
- “Unfinished Business: The McLachlin Court and the Standard of Review” (April 2018), presentation to University of Ottawa symposium on the legacy of Chief Justice Beverley McLachlin
- [“A Lawyer’s Judge: Justice Marshall Rothstein and the Rule of Law”](#) (2017), 74 S.C.L.R. (2d) 51 (with Neil Finkelstein, Brandon Kain, and Richard J. Lizius)
- [“Closing the Citizenship Gap in Canada’s North: Indigenous Rights, Arctic Sovereignty, and Devolution in Nunavut”](#) (2013), 22 Mich. St. Int’l L. Rev. 23 (with Tony Penikett)

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## Recent Experience

- **Supreme Court of Canada rules on the disclosure of Cabinet documents in judicial compensation litigation**  
July 31, 2020
- **Supreme Court of Canada issues landmark judgment on waiver of tort in electronic gaming class action**  
July 24, 2020
- **Supreme Court of Canada releases much-anticipated decisions in three administrative law appeals**  
December 20, 2019
- **Supreme Court of Canada affirms the enforcement of international arbitration awards**  
December 11, 2019

## Recent Insights

- **COVID-19: Emergency Measures Tracker**  
September 18, 2020
- **COVID-19: Economic relief measures announced to date**  
August 28, 2020
- **Podcast: Law in the Time of COVID-19**  
August 07, 2020
- **Bill 197: Ontario's sweeping COVID-19 recovery legislation — Key Takeaways for your Business**  
July 21, 2020