



Michael Feder, K.C.

Partner

Vancouver

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Bar Admission

British Columbia 2004

Law School

University of British Columbia

Practices

Litigation and Dispute Resolution
Appellate Litigation
Class Actions
Corporate Commercial Litigation
Product Liability and Mass Torts
Public Law
Competition Litigation
Securities Litigation
International Arbitration
Cyber/Data

Industries

Automotive
Global Metals & Mining
Life Sciences
Technology
Retail & Consumer Markets (RCM)
Pharmaceutical
Oil & Gas
Cannabis
Power
Healthcare

A formidable advocate with outstanding courtroom credibility and prowess, Michael skillfully handles the most complex, high-stakes disputes.

Michael Feder, K.C. is a partner in the Litigation Group and a member of the firm's governing Board of Partners. A gifted and highly versatile litigator, he acts in both commercial and public law disputes and practices nationally in the product liability/mass tort and class action fields. He has unparalleled experience defending aggregated cost recovery lawsuits by provincial governments stemming from alleged mass and toxic torts.

"Mike Feder is the best lawyer I have worked with in Canada. Top drawer smart, creative, great judgment, and terrific on his feet. He is the full package. He is also wonderful to work with."

- Client interview, *The Legal 500* (2022)

Preeminent reputation

Michael is widely recognized as one of the top litigators in the country across multiple specialties. *Chambers Canada: Canada's Leading Lawyers for Business* has described Michael as "often leading national cases", a "go-to for complex commercial litigation" with "an enviable list of clients", "frequently engaged in shareholder disputes", having "impressive experience in product liability and class actions", and "noted for his constitutional law capabilities". In the 2023 edition of *Chambers Canada*, Michael is ranked as a leading lawyer in no fewer than four separate fields: general commercial litigation, product liability litigation, class action defence, and public law litigation.

Michael is also recognized in the 2023 edition of *Chambers Global* in the area of dispute resolution; recognized in the 2023 edition of *The Legal 500 Guide* in the area of dispute resolution; listed in the 2023 edition of *The Best Lawyers in Canada* in the areas of corporate and commercial litigation, product liability law, and appellate practice; ranked in the 2023 edition of *Benchmark Canada: The Definitive Guide to Canada's Leading Litigation Firms &*

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Attorneys as a "Litigation Star" for commercial litigation and product liability and recall cases; ranked in the 2023 edition of *The Canadian Legal Lexpert Directory* in the areas of corporate commercial litigation, public law litigation, and product liability litigation; and listed in the 2023 editions of *Who's Who Legal: Product Liability Defence* and *Who's Who Legal: Canada*. Martindale-Hubbell has given Michael its highest rating: "AV Preeminent".

Michael's expertise is highlighted in *Lexpert Special Edition: Litigation*, *Lexpert Special Edition: Energy*, *Lexpert Special Edition: Agribusiness and Cannabis*, *Lexpert Special Edition: Technology and Health Sciences*, and *Lexpert Special Edition: Mining*. He is also singled out in *Global Data Review's Top 100 2021* as a "sharp litigator with excellent analytical and communication skills".

"Michael is the best litigator we have ever worked with. His leadership style coupled with the ability to negotiate and litigate is unmatched."

- Client interview, *Chambers Canada* (2024)

Experienced across industries

Michael works with major international and Canadian companies operating in diverse industries, such as consumer goods, pharmaceuticals, automotive, technology, mining, energy, forestry, financial services, and aerospace. He has handled significant litigation mandates for Philip Morris International, Meta, ING Bank, Endo Pharmaceuticals, JUUL Labs, Navistar, Bosch, Takata, Uber, Huawei, Glencore, Rio Tinto, Newcrest Mining, Masco, lululemon, Enbridge, LifeLabs, Innergex, Pan American Silver, KF Aerospace, Northern Pulp, Vantage Airport Group, the Canadian Chamber of Commerce, and Rothmans, Benson & Hedges.

Clients give Michael superb reviews. According to *Chambers Canada*, clients "commend his ingenuity" and regard him as "not only a master strategist [but also] an imposing legal advocate in court"; "a very strong advocate" with "a great presence in the courtroom"; "whip-smart and great on his feet"; "exceedingly bright"; "innovative, eager and efficient"; "proactive and on top of his team"; "responsive, professional and creative"; "great to deal with"; and "very insightful and very creative". *Who's Who Legal: Canada* has described Michael as "revered for his extensive skill and experience". *Benchmark Canada* has stated that Michael is "unanimously revered" by clients and peers and described him as "the lawyer that everyone in BC is

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talking about". *The Legal 500* has described Michael as "a force in the BC market". *Benchmark Canada* has also stated that Michael gets "some of McCarthy's best work across the country".

He is an intellectual powerhouse. He is impressive to work with and has remarkable availability and responsiveness for a partner of his calibre.

- Client interview, *Chambers Canada* (2024)

Accomplished in the courtroom

At the trial level, Michael's work has included complex class action and other aggregated litigation, mass tort and product liability cases, shareholders' disputes, securities litigation, contractual disputes, and constitutional claims. He defended clients in two of the longest trials in Canadian history, including a rare trial of common issues in two consumer class actions. He has litigated cases in the courts of most provinces and territories as well as in the Federal Court. Michael is a Fellow of the American College of Trial Lawyers, and *Benchmark Canada* includes Michael on its Top 50 Trial Lawyers in Canada list.

Sources attest to his trial ability, with one interviewee commenting: "He's the full package. A delightful person, but with all the edge. He's willing to push the boundaries and is great on his feet."

- *Chambers Canada* (2020)

Michael also has extensive experience in appellate litigation. He has acted in 30 Supreme Court of Canada appeals, including as *amicus curiae* appointed by the Chief Justice of Canada to assist the court. These appeals cut across myriad subjects, including torts, class actions, contracts, trusts, privacy, civil procedure, health, freedom of expression, tax, privilege, freedom of information, standing, religious freedom and administrative law. He was named Appellate Practice Lawyer of the Year in the 2022 and 2024 editions of *The Best Lawyers in Canada*.

He is a brilliant legal mind and brings keen legal acumen and a real ability to communicate with judges and other

counsel.

- Client interview, *Chambers Canada* (2024)

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Respected in the legal community

Michael received *Benchmark Canada's* award for British Columbia Litigator of the Year in 2023 and 2017 and has been shortlisted for that award in every year since 2015. *Canadian Lawyer* magazine has also recognized Michael on its list of the Top 25 Most Influential people in the justice system and legal profession nationally.

Michael sits on the National Advisory Committee of the Supreme Court Advocacy Institute, which provides advocacy advice to lawyers arguing Supreme Court of Canada appeals. He is a past Executive Director of the Institute and, since 2011, has served also as an advocacy advisor to the Institute. He previously served for several years on the Law Society of British Columbia's Discipline Committee.

Michael is a Fellow of the Litigation Counsel of America.

Michael has acted *pro bono* in major litigation for an array of local, national and international public interest organizations, including the Federation of Law Societies of Canada, Council of Canadians with Disabilities, British Columbia Civil Liberties Association, HIV & AIDS Legal Clinic Ontario, CACTUS Montréal, Pivot Legal Society, the HIV Legal Network, the Canadian Bar Association, Community Legal Assistance Society and Harm Reduction International. He has also represented the Secretariat of the Joint United Nations Programme on HIV/AIDS before the Supreme Court of Canada.

In 2023, Michael received the Canadian Bar Association's Harry Rankin, Q.C. Pro Bono Award in recognition of outstanding *pro bono* contributions over the course of his career.

Before joining the firm, Michael clerked for Justice Jack Major of the Supreme Court of Canada and for Justices Carol Huddart and Wally Oppal of the Court of Appeal for British Columbia.

While still in his 30s, Michael was appointed King's Counsel by the Minister of Justice and Attorney General for British Columbia. This honorary title recognizes exceptional professional merit, contribution, integrity and

character. Michael is one of the very youngest King's Counsel appointees in British Columbia's history.

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Awards & Rankings

Chambers Global

Leading Lawyer: Dispute Resolution: Litigation - Canada

Chambers Canada

Band 1: Litigation: General Commercial - British Columbia

Chambers Canada

Leading Lawyer: Dispute Resolution: Class Action (Defence); Litigation: Products Liability

Chambers Canada

Spotlight Table: Litigation: Administrative & Public Law - British Columbia

The Legal 500 - Canada

Hall of Fame: Dispute Resolution - British Columbia

Benchmark Litigation Canada

Top 50 Trial Lawyers in Canada

Benchmark Litigation Canada

Litigation Star: Commercial, Product Liability and Recall

The Canadian Legal Lexpert Directory

Litigation - Class Actions; Corporate Commercial; Litigation - Product Liability; Litigation - Regulatory & Public Law

Lexpert Special Edition: Agribusiness and Cannabis

Leading Lawyer

Lexpert Special Edition: Energy

Leading Lawyer

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Lexpert Special Edition: Litigation

Leading Lawyer

Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada

Leading Lawyer: Litigation - Corporate Commercial

Who's Who Legal: Litigation

Ranked for Canada

Best Lawyers in Canada - 2023 and 2018

Lawyer of the Year: Product Liability

Best Lawyers in Canada - 2024 and 2022

Lawyer of the Year: Appellate Practice

Canadian Lawyer Magazine's Top 25 Most Influential - 2019

Benchmark Litigation Canada – British Columbia Litigator of the Year - 2023, 2017

Queen's Counsel - 2018

British Columbia Civil Liberties Association's Liberty Award - 2013

The firm received the British Columbia Civil Liberties Association's Liberty Award in recognition of exceptional contributions made by Michael and other members of the firm to human rights and civil liberties in Canada.

BIV BC500 – British Columbia's most influential business leaders 2021

Law – Commercial

Lexpert Special Edition: Technology and Health Sciences

Leading Lawyer

Lexpert Special Edition: Mining

Leading Lawyer

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Benchmark Canada Awards

Impact Case Award, 2024 – Canada (Privacy Commissioner) v. Facebook, Inc., 2023 FC 533

Canadian Law Awards

Commercial Litigation Team of the Year, 2024 – Canada (Privacy Commissioner) v. Facebook, Inc., 2023 FC 533

Recent Experience

- **Claim challenging the constitutionality of COVID-19 pandemic response measures struck**
February 23, 2024
- **Meta Platforms' successful defence against PCC's PIPEDA challenge**
April 13, 2023
- **Successfully defended against application for appeal to SCC in case concerning the distribution of assets from family trusts**
January 12, 2023
- **Canadian Drug Policy Coalition intervenes in appeal concerning sentencing principles that apply to people who depend on drugs**
August 16, 2022

Recent Insights

- **The Much Broader Future of Cost Recovery Litigation in British Columbia**
March 14, 2024
- **Key Lessons from Meta's Victory Against the Privacy Commissioner of Canada in the Federal Court**
May 2, 2023
- **Virtual Advocacy: Litigating from a Distance**

February 28, 2023

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