



## Michael Feder

Partner

Vancouver

[mfeder@mccarthy.ca](mailto:mfeder@mccarthy.ca)

t. +1 604-643-5983

### Bar Admission

British Columbia 2004

### Law School

University of British Columbia

### Practices

Disputes and Litigation  
Appellate Litigation  
Class Actions  
Corporate Commercial Litigation  
Products Liability  
Public Law  
Competition Litigation  
Securities Litigation

### Industries

Automotive  
Global Metals & Mining  
Life Sciences  
Technology  
Retail & Consumer Markets  
Pharmaceutical  
Oil & Gas  
Cannabis

### US and International Markets

US Markets  
China  
Japan

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

Michael Feder, Q.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 and class action fields.

### 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 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 2021 edition of *Chambers Canada*, Michael is ranked as a leading lawyer in no fewer than three separate fields: general commercial litigation, product liability litigation and class action defence.

Michael is also recognized in the 2021 edition of *The Legal 500 Guide* in the area of dispute resolution; listed in the 2021 edition of *The Best Lawyers in Canada* in the areas of corporate and commercial litigation, product liability law and appellate practice; ranked in the 2020 edition of *Benchmark Canada: The Definitive Guide to Canada's Leading Litigation Firms & Attorneys* as a "Litigation Star" for commercial litigation and product liability and recall cases; ranked in the 2020 edition of *The Canadian Legal Expert Directory* in the areas of corporate commercial litigation, public law litigation and product liability litigation; and listed in the 2020 editions of *Who's Who Legal: Litigation* and *Who's Who Legal: Canada*. Martindale-Hubbell has given Michael its highest rating: "AV Preeminent".

Michael is also recognized in *Expert Special Edition: Litigation 2020*, *Expert Special Edition: Energy 2020* and *Expert Special Edition: Agribusiness and Cannabis 2020*.

Mike Feder of McCarthy Tetrault's Cyber/Data group has been recognized in Global Data Review's Top 100 2021, singling him out as a "sharp litigator with excellent analytical and communication skills". GDR Top 100 is a global ranking that captures the capabilities, track record and market reputation of the leading firms in the field.

### Experienced across industries

Michael works with major international and Canadian companies operating in diverse industries, such as consumer goods, pharmaceuticals, automotive, technology, mining, energy, financial services and aerospace. He has handled significant litigation mandates for Philip Morris International, ING Bank, Endo Pharmaceuticals, Facebook, JUUL Labs, Navistar, Bosch, Takata, Uber, Huawei, Glencore, Rio Tinto, Masco, Enbridge, LifeLabs, Pan American Silver, KF

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Aerospace, 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 “the full package”: “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”; “a delightful person, but with all the edge”; and “very insightful and very creative”. *Benchmark Canada* has stated that Michael is “unanimously revered” by clients and peers and described him as “the lawyer that everyone in BC is talking about”. *The Legal 500* describes 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”.

## 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. *Benchmark Canada* includes Michael on its Top 50 Trial Lawyers in Canada list.

Michael also has extensive experience in appellate litigation. He has acted in 28 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, privacy, civil procedure, health, freedom of expression, tax, privilege, freedom of information, standing, freedom of religion, access to information and administrative law. Michael represented the successful appellants in the leading Canadian cases on contractual interpretation and discretionary trusts.

## Respected in the legal community

Michael received *Benchmark Canada*’s award for British Columbia Litigator of the Year in 2017. 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 significant litigation for an array of local, national and international public interest organizations, including the Federation of Law Societies of Canada, Council for Canadians with Disabilities, British Columbia Civil Liberties Association, HIV & AIDS Legal Clinic Ontario, CACTUS Montréal, Pivot Legal Society, the Canadian HIV/AIDS Legal Network, Community Legal Assistance

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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.

After graduating from law school, 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 Queen'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 youngest Queen's Counsel appointees in British Columbia's history.

## Awards & Rankings

### Chambers Canada

Leading Lawyer: Dispute Resolution: Class Action (Defence); Litigation: General Commercial - British Columbia; Litigation: Products Liability

### The Legal 500 - Canada

Leading Lawyer: Dispute Resolution

### 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 - Corporate Commercial; Litigation - Product Liability; Litigation - Regulatory & Public Law

### Lexpert Special Edition: Agribusiness and Cannabis

Leading Lawyer

### Lexpert Special Edition: Energy

Leading Lawyer

### Lexpert Special Edition: Litigation

Leading Lawyer

### Who's Who Legal: Litigation

Ranked for Canada

### Best Lawyers in Canada – Product Liability Lawyer of the Year - 2018

### Best Lawyers in Canada

Lawyer of the Year: Appellate Practice

### Canadian Lawyer Magazine's Top 25 Most Influential - 2019

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## Queen's Counsel - 2018

**Benchmark Canada – British Columbia Litigator of the Year - 2017**

**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

## Recent Insights

- **COVID-19: Economic relief measures announced to date**  
August 28, 2020
- **Limits on emergency powers in British Columbia: Ombudsperson concludes that two COVID-19 orders were unlawful**  
July 06, 2020
- **COVID-19: Limits on Governments' Emergency Powers**  
April 16, 2020
- **Do exceptional times call for exceptional measures? Enforcing and avoiding contractual obligations in a time of crisis in British Columbia**  
March 25, 2020