



Michael Feder

Partner

Vancouver

mfeder@mccarthy.ca

t. 604-643-5983

Bar Admission

British Columbia 2004

Law School

University of British Columbia

Practices

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

Industries

Automotive

US and International Markets

US Markets

Michael Feder, Q.C. is a partner in our Litigation Group. A highly versatile litigator, he acts in both commercial and public law disputes and practices nationally in the product liability and class action fields. He has handled significant litigation mandates for a wide variety of clients, including Philip Morris International, Enbridge, Glencore, Takata, Bosch, Huawei, Sprott, Tahoe Resources, Navistar, ING Bank, the Canadian Chamber of Commerce, Canadian Manufacturers & Exporters and Rothmans, Benson & Hedges.

Michael is widely acknowledged as a leading litigator across multiple specialties. *Chambers Canada: Canada's Leading Lawyers for Business* describes Michael as "frequently engaged in shareholder disputes", having "impressive experience in product liability and class actions" and "noted for his constitutional law capabilities". In the 2018 edition of *Chambers Canada*, Michael is one of only two lawyers in the country cross-listed as a leading lawyer in both general commercial litigation and product liability litigation. Martindale-Hubbell has given Michael its top rating: "AV Preeminent".

In 2017, Michael received *Benchmark Canada's* award for British Columbia Litigator of the Year. *The Best Lawyers in Canada* also named him Product Liability Law Lawyer of the Year in its 2018 edition.

Chambers Global: The World's Leading Lawyers for Business has stated that Michael "writes superbly well, brings a great deal of rigour and thought to his submissions and is extremely quick in oral argument – he has a great presence in the courtroom". According to *Chambers Canada*, "clients commend his ingenuity and describe him as 'very insightful and very creative'"; "[o]ne client enthused: 'He is exceedingly bright,' adding that 'his written work is first class, as is his oral presentation. He is a very strong advocate.'"

According to Martindale-Hubbell, peers describe Michael as "terrific"; they say he is an "incredibly bright and knowledgeable lawyer" and a "persuasive advocate" with "strong analytical skills". *Benchmark Canada* states that Michael is "unanimously revered" by peers and clients and that he "has gone from being a 'breakout star' at McCarthy's to the lawyer that everyone in BC is talking about". *Benchmark Canada* has also stated that Michael gets "some of McCarthy's best work across the country".

Michael 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, trusts, freedom of expression, tax, privilege, freedom of information, standing, freedom of religion, access to information and administrative law. Michael was lead counsel for the successful appellant in the leading Canadian case on contractual

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interpretation, *Sattva Capital Corp. v. Creston Moly Corp.*, 2014 SCC 53, [2014] 2 S.C.R. 633.

Michael has presented to the ADR Institute of Canada, The Advocates' Society, the American Academy of Appellate Lawyers, the American Bar Association, the Association of Corporate Counsel, the British Columbia Civil Liberties Association, the Canadian Bar Association, the Canadian Corporate Counsel Association, the Canadian Tax Foundation, the Construction Sector In-House Counsel Forum, the Continuing Legal Education Society of British Columbia, the federal Department of Justice, Insight, Osgoode Professional Development, the University of British Columbia Faculty of Law and the University of Victoria Faculty of Law on a wide variety of topics.

Michael is a contributing author of *Dispute Resolution Clauses in International Contracts: A Global Guide* (Zurich: Schulthess, 2013).

Michael received his BA and LLB from the University of British Columbia, from which he graduated as a Wesbrook Scholar.

Prior to joining the firm, Michael clerked for the Honourable Mr. Justice Major of the Supreme Court of Canada, and for the Honourable Madam Justice Huddart and Mr. Justice Oppal of the Court of Appeal for British Columbia.

Michael sits on the National Advisory Committee of the Supreme Court Advocacy Institute, which provides advocacy advice to lawyers scheduled to appear in 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. Michael serves as well as a member of the Law Society of British Columbia's Discipline Committee.

Michael is a member of the firm's National Inclusion Committee and one of two partners responsible for conflicts and professional responsibility questions in the Vancouver office.

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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, British Columbia Civil Liberties Association, HIV & AIDS Legal Clinic Ontario, CACTUS Montréal, Pivot Legal Society, the Canadian HIV/AIDS Legal Network, the BC Freedom of Information and Privacy Association, Community Legal Assistance Society, Council for Canadians with Disabilities 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 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.

Awards & Rankings

Best Lawyers in Canada

Leading lawyer in the areas of corporate and commercial litigation, product liability law and appellate practice

Chambers Canada - 2018

One of only two lawyers in the country cross-listed as a leading lawyer in both general commercial litigation and product liability litigation.

The Canadian Legal Lexpert Directory

Consistently Recommended: Litigation - Corporate Commercial;
Repeatedly Recommended: Litigation - Product Liability, Litigation - Public Law

The Legal 500 Guide - 2018

Ranked in the area of dispute resolution

Benchmark Canada: The Definitive Guide to Canada's Leading Litigation Firms & Attorneys - 2018

A "Litigation Star (with Honors)" for commercial litigation and product liability cases.

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— CHAMBERS CANADA, 2018

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— CHAMBERS GLOBAL

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— CHAMBERS CANADA

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— MARTINDALE-HUBBELL

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— BENCHMARK CANADA

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— BENCHMARK CANADA

Recent Experience

- **Parkland Fuel acquires Chevron Canada's downstream fuel business for C\$1.5B**

October 01, 2017