



Emmanuelle Poupart

Partner

Montréal

epoupart@mccarthy.ca

t. +1 514-397-4158

Bar Admission

Québec 1995

Law School

Université de Montréal

Practices

Class Actions
Insurance Litigation
Disputes
Products Liability
Professional Liability

Industries

Pharmaceutical
Insurance & Reinsurance

Specializing in civil litigation, Emmanuelle is relentlessly committed to our clients and cases

Emmanuelle thoroughly reviews and weaves each piece of evidence into a detailed case strategy to effectively resolve disputes. A partner in our Montreal Litigation Group, she is a Fellow of the American College of Trial Lawyers and a member of the firm's Board of Partners in addition to being responsible for the Medical Law sector, supporting both our Montréal and Québec City offices.

A steadfast client advocate, Emmanuelle presents superior strategies making way for swift solutions

Distilling difficult ideas into easily graspable concepts, Emmanuelle excels at clearing complexity for judges. As the Quebec lead of our medical liability group, her practice focuses on medical negligence and defence of product liability class actions related to pharmaceutical and consumer products. She frequently acts for physicians on behalf of the Canadian Medical Protective Association (CMPA). Protecting clients in trial and appeal courts, as well as before administrative tribunals and quasi-judicial bodies, her experience includes namely:

- participated in the successful defence of a healthcare company in the first pharmaceutical product liability class action trial in Canada. In this recent decision, Plaintiffs were alleging that the healthcare company was responsible for psychiatric reactions experienced by the class members while taking an antibiotic. The action was dismissed, with the justice concluding that the Plaintiffs had not met their burden of demonstrating that the antibiotic was the cause of the psychiatric reactions;
- serving as lead partner pleading a case before the Superior Court in which the impact of not taking statins on the risk of sustaining a cardiac event was thoroughly analysed. The matter was dismissed by the Superior Court;
- She currently acts as the Lead partner in a massive class action relating to recovery by Québec patients of accessory fees charged by physicians in addition to the fees paid by the government to these physicians for medical care covered by the public Medicare system;
- She currently acts for a telecommunication company in two authorized class actions one for alleged misleading advertising and one for alleged breach to the *Consumer Protection Act*.

In addition to general litigation, Emmanuelle counsels large companies on their insurance portfolio and acts against Insurers in cases where coverage was denied. She also has an insurance recovery practice. As the former President of the Insurance and Civil Litigation section of the Canadian Bar Association, Québec Branch, she brings extensive policy

Emmanuelle Poupart

Partner

Montréal

epoupart@mccarthy.ca

t. +1 514-397-4158

knowledge, staying current on the latest insurance law changes by maintaining active involvement as a member of the executive committee. Explaining the differences between plans with care, she reduces corporate risk and ensures your business receives maximum coverage support.

Emmanuelle obtained her BCL in 1994 as well as her graduate diploma in bioethics in 1999 from the Université de Montréal.

Emmanuelle is the President of the Board of Danse Danse. She is also a member of the Board of the Fonds d'assurance-responsabilité professionnelle du Barreau du Québec.

Awards & Rankings

Chambers Canada

Leading Lawyer: Healthcare

Benchmark Litigation Canada 2020

Lawyer of the Year: Medical Defense/Health

The Canadian Legal Lexpert Directory

Leading lawyer: Class actions; Litigation (commercial insurance); and Medical negligence - Represents Defendants

Best Lawyers in Canada

Leading lawyer in the area of medical negligence

Lexpert Guide to the leading US/Canada Cross-border Litigation Lawyers in Canada - 2009

Litigation Lawyers to Watch

Benchmark Litigation - Canada

Litigation Star: Medical malpractice

Acritas Stars

"Stand-out lawyer"

Emmanuelle Poupart

Partner

Montréal

epoupart@mccarthy.ca

t. +1 514-397-4158

Recent Experience

- Bayer Xarelto class actions

Recent Insights

- **Podcast: Law in the Time of COVID-19**
June 30, 2020
- **Supreme Court of Canada Dismisses Application for Leave to Appeal Landmark Decision by Court of Appeal of Quebec Regarding Prescription Drug Manufacturers' Duty to Warn**
April 16, 2020
- **Potential Insurance Coverage for Loss Caused by COVID-19**
March 19, 2020
- **The Quebec Court of Appeal Renders a Landmark Decision Regarding Prescription Drug Manufacturers' Duty to Warn**
May 13, 2019