



# Wendy Berman

## Partner Head, Securities Litigation

Toronto

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

t. 416-601-8266

### Bar Admission

Ontario 1992  
British Columbia 2015

### Law School

University of Toronto

### Practices

Litigation and Dispute Resolution  
Class Actions  
Professional Liability  
Securities Litigation  
Public Law  
White Collar Defence and Investigations  
Capital Markets  
Corporate Governance

### Industries

Banking & Financial Services  
Global Metals & Mining  
Fintech

### Strategic Issues

ESG and Sustainability  
Critical Situations & Shareholder Activism

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**Insightful and creative, [Wendy] understands our company and our needs and strategically plots how best to advocate on our behalf.**

— CLIENT TESTIMONY, CHAMBERS GLOBAL

A highly sought-after strategist, Wendy is known for her keen insights and ability to get to the crux of an issue – a reputation that has earned her the respect of clients and colleagues alike.

Wendy's is recognized by many notable legal authorities, including *Chambers Canada*, the *Canadian Legal Expert Directory*, and *Best Lawyers in Canada*. She is the recipient of the Lexpert Zenith Award honouring leading women lawyers, the Canadian recipient of the *International Law Office Client Choice Award* for exceptional legal work and client service in litigation, and is recognized by *Benchmark Litigation* as a "Litigation Star" in the Securities category, and one of the "Top 100 Canadian Women in Litigation."

**Widely acknowledged as a top choice for securities litigation and described as a 'force to be reckoned with.'**

— CHAMBERS CANADA (SECURITIES LITIGATION)

A member of the Bars of Ontario and British Columbia, Wendy is also a Fellow of the Litigation Counsel of America, a member of the Canadian Bar Association, The Advocates' Society and the Women's Law Association of Ontario. Wendy is a former member of Board of Directors of the Advocates' Society, the Securities Proceedings Advisory Committee and the Executive Committee of the Women in White Collar Defense Association.

She is co-author of the Canada chapter of *The International Investigations Review (5th Edition)*, published by Law Business Research Ltd.

Prior to joining McCarthy Tétrault Wendy represented:

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- A major Canadian financial institution in a \$1 billion class action involving allegations of price fixing of financial market instruments.
- A US mining company in litigation and regulatory aspects of its hostile takeover bid for a Canadian exploration company.
- A founding shareholder in successfully contesting a proposed multi-billion dollar acquisition of an oil and gas development company.
- A senior officer of a resource company in a securities regulatory investigation and proceedings involving allegations of misleading and inaccurate financial and operational disclosure and allegations of foreign corrupt practices and related class action.
- A cannabis company in a securities class action alleging misleading and inaccurate financial and operational disclosure.
- A resource company in litigation and regulatory aspects of a contested proxy contest for control of the board of directors.
- A resource company in a securities class action and regulatory investigation alleging failure to make timely disclosure related to its mining operations and production guidance.
- A financial services company in a securities class action and regulatory investigation (with parallel US class action) alleging various financial and other disclosure violations.
- A gold mining company in a securities class action (with parallel US class action) alleging misleading and inaccurate financial and operation disclosure.
- A senior registrant in a securities regulatory investigation and proceedings involving allegations of insider trading.

## Awards & Rankings

### Chambers Canada

Leading Lawyer: White-Collar Crime & Government Investigations

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## **Chambers Canada**

Securities Litigation (Ontario), Class Action (Defence), formerly Recognized Practitioner – White Collar Crime

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

Leading Lawyer: Litigation – Corporate Commercial; Litigation – Securities

## **Lexpert Guide to the Leading US/Canada Cross-Border Lawyers in Canada**

### **Benchmark Litigation**

Litigation Star: Securities

### **Benchmark Litigation**

Top 100 Women in Canada

## **The Canadian Legal Lexpert Directory**

Leading Lawyer: Litigation – Securities, Litigation – Corporate Commercial, Class Actions, Environmental, Social & Governance (ESG)

## **Legal 500 Canada**

Dispute Resolution

## **Lexpert, Zenith Award - 2013**

Leading Women Lawyers

## **Lexpert Special Edition: Mining**

Leading Lawyer

## **Lexpert Special Edition: Litigation**

Leading Lawyer

## **International Law Office (ILO) - 2010 and 2011**

Client Choice Award

## **Best Lawyers in Canada**

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Leading Lawyer - Class Action Litigation

## Best Lawyers in Canada

Leading Lawyer - Director and Officer Liability Practice

## Best Lawyers in Canada

Leading Lawyer - Securities Law

## Martindale Hubbell

Distinguished™ Rating

## Recent Experience

- **Rio Tinto acquires Turquoise Hill Resources for US\$3.3B**  
December 16, 2022
- **Shopify updates its governance structure to support continued long-term growth**  
June 9, 2022
- **Wyloo Metals completes acquisition of TSXV-listed Noront Resources**  
April 7, 2022

## Recent Insights

- **Ontario Securities Commission unveils Strategic Plan for 2024-2030**  
June 25, 2024
- **AMF's 2024-2025 Agenda: A Comparative Analysis with OSC and SEC Priorities**  
June 12, 2024
- **Canadian Securities Litigation: Trends to Watch 2024**  
April 25, 2024

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- **Greenwashers Beware: Federal Court of Australia finds civil liability in investment fund greenwashing case**

April 2, 2024

## Events

- **TechTalk Series - Artificial Intelligence**

September 12, 2024

- **Canadian Securities Litigation Landscape: A Conversation with Naizam Kanji, General Counsel of the OSC**

April 17, 2024

- **Navigating the ESG & Sustainability Landscape Series**

December 6, 2023

- **Canadian Securities Litigation Trends: Today's Regulatory Environment and Risk Mitigation Strategies for Directors & Officers**

June 21, 2023

