



Wendy Berman

Partner Head, Securities Litigation

Toronto

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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

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