



Una Radoja

Partner

Vancouver

uradoja@mccarthy.ca

t. 604-643-7187

Bar Admission

British Columbia 2008

Law School

University of British Columbia

Practices

Litigation and Dispute Resolution
Corporate Commercial Litigation
Environmental, Regulatory & Aboriginal (ERA)
Estates and Trusts
Professional Liability
Securities Litigation
Real Estate
Securities Regulation and Investment Products

Renowned for her expertise in environmental law and exceptional litigation skills, Una Radoja excels at guiding clients through their most formidable legal obstacles. Her approach is characterized by creativity, tenacity and inventive solutions that are meticulously tailored to meet her clients' business goals.

Una Radoja, a partner in McCarthy Tétrault's Litigation Group in Vancouver, is nationally recognized as both a top commercial litigator and leading environmental lawyer. She has extensive experience successfully representing diverse clients in a variety of high-stakes commercial disputes and solving toughest environmental legal challenges that arise on projects and transactions.

Clients turn to Una for her specialized environmental law expertise, astute judgment and exceptional litigation skills. Una's practice crosses a multitude of industries, from global metals and mining, real estate development, insurance, manufacturing, transportation and lending. Exceptional at simplifying complex issues, Una is known for her business acumen and practical guidance that allows clients to protect their interests, mitigate risks, and advance their projects and their business.

Una has earned accolades from Chambers Canada for her exceptional contributions to environmental law and general commercial litigation. She is a Lexpert designated "Leading Lawyer" in the field of Environmental Law and is recognized on Benchmark Litigation Canada's list of the Top 100 Women in Litigation, alongside other prestigious honors.

Una's client service and general level of service, level of sophistication and commercial vision are all very strong. She is smart and brilliant. I will use Una for the rest of my life.

— CLIENT INTERVIEW, CHAMBERS CANADA (2024)

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Environmental Law Expert with a Cross-Industry Practice

Una's environmental law expertise is uniquely broad. She represents clients in complex environmental claims involving major chemical spills, widespread contaminant migration and various regulatory non-compliance matters, judicial reviews filed in courts across Canada and appeals before various tribunals from regulatory decisions that pose critical obstacles on client projects. Una has successfully handled hundreds of tort and regulatory claims relating to environmental non-compliance issues and contaminated site cost recovery actions.

Una is often the environmental lead on McCarthy Tétrault's most complex, high value deals. She is at the forefront of emerging contaminant issues, and currently acts in three novel class actions against a chemical manufacturer involving allegations of widespread PFAS contamination, as well as a first of its kind greenwashing claim against a key client.

Una regularly advises commercial property owners, developers, and industrial operators on minimizing environmental risk arising from ownership and operations on contaminated land. She represents clients in their applications for orders and instruments, including approvals in principle and certificates of compliance. She has assisted countless clients in navigating provincial regulatory regimes to develop their contaminated land.

Experienced Commercial Litigator

Una is a distinguished litigator with a reputation for excellence in commercial litigation and dispute resolution. Una acts for both plaintiffs and defendants on a variety of high-profile and multifaceted matters involving contractual and shareholder disputes, and claims for conspiracy, fraud and negligence arising from various commercial arrangements. Una has a specific interest in and a wealth of experience advancing and defending claims by public and private companies against directors and officers involving fraud, wrongful dismissal, breach of confidence, IP theft, and breach of fiduciary duty.

Select list of recent representative work:

Environmental Work

Transactional and Advisory

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- Co-led the environmental legal team on the Glencore plc acquisition of a controlling interest in the steelmaking coal business of Teck Resources Ltd. for US\$6.93 billion
- Acted as the environmental specialist on the Olympus Partners acquisition of Wonder Brands' pies business
- Led the environmental legal team on a comprehensive review of the Canadian environmental occurrence reporting obligations for a major renewable energy client
- Advised key clients on designation triggers under the *Impact Assessment Act*
- Advised key clients on liability issues arising from contaminated sites legal regimes in British Columbia, Ontario, Alberta, Saskatchewan, Manitoba and Nova Scotia
- Successfully led a non-profit foundation through an environmental compliance investigation arising from a diesel spill on a BC island
- Advising a forestry client in respect of a first of its kind water sustainability plan development in BC's Koksilah watershed
- Advising a major mining company on remediation and reclamation obligations in relation to a closed BC mine
- Advising various clients on their environmental management systems

Environmental Litigation

- Defending a major chemical manufacturer in several class actions involving allegations of PFAS contamination
- Defending a first of its kind greenwashing claim under BC's consumer protection legislation
- Acts for a major metal scrap facility in respect of effluent discharge compliance issues
- Acts for a major industrial developer in an appeal before the Environmental Appeal Board of a refusal of a Change In and About a Stream Approval under the *Water Sustainability Act*

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- Successfully resolved three related judicial reviews of environmental approvals issued to a mining company, commenced in Federal Court and Saskatchewan Court of King's Bench, allowing a mission-critical mining project to proceed
- Represented the City of Burnaby on a judicial review of a decision denying the City standing to appeal a certificate of compliance issued for lands owned by a polluter
- Represented the former owners, operators and directors in the Gehring appeal, BC's leading decision on allocation of clean-up costs for contaminated sites among responsible persons
- Acted in hundreds of Supreme Court lawsuits involving claims for recovery of costs of remediation pursuant to the *Environmental Management Act*, nuisance and negligence

Commercial Litigation

Directors and officers litigation

- Successfully resolved many commercial oppression proceedings and applications for derivative actions
- Successfully defended, at trial and on appeal, a former director and officer of a public mining company in a claim for fraud and breach of fiduciary duty
- Obtained full indemnification on behalf of a client for legal fees expended at trial and on appeal to defend allegations of fraud
- Represented former directors and officers in a multi-million dollar lawsuit brought by a public mining company for breach of fiduciary duty, negligence, civil conspiracy, unjust enrichment and intentional interference with public relations

Other Commercial Litigation

- Acts for a large automotive retailer in a complex multi-million dollar fraud claim involving a former executive
- Acts for a manufacturer of liner and formwork products in an arbitration against a former executive for breach of fiduciary duty

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- Successfully resolved a claim by a major airline against a hotel franchise for breach of contract
- Defended a multi-million dollar claim by a municipality against an engineering firm, involving one of the largest infrastructure projects in Canada
- Acted for a public blockchain and cryptocurrency company in a novel claim against auditors
- Successfully represented, at trial, arbitration and in mediation, various clients, ranging from individuals and small businesses to large, multi-national corporations, in breach of contract, misrepresentation, breach of fiduciary duty and breach of trust claims
- Successfully resolved a fraud claim by an individual investor in a joint venture
- Acted for a First Nation and its wholly owned corporation in multiple wrongful dismissal suits by former executives, and in independent claims brought by the Band and the company against the former executives for breach of fiduciary duty, fraud and breach of contract

Prolific thought leader

Una stands out as a prolific thought leader in the legal community. Her accomplishments as a speaker and author are widely recognized, and she is frequently sought after for her expertise. She has made significant contributions to legal literature, co-authoring two authoritative texts: *British Columbia Environmental Management Legislation & Commentary*, which serves as an essential guide to the regulation of BC's contaminated sites, and the *Halsbury's Laws of Canada – Environment (2022 Reissue)*, a comprehensive resource for environmental law practitioners.

Community

Una is strongly invested in supporting other lawyers and is a formal and informal mentor to many. Una co-founded Life in Law, a non-profit society that aims to stem the exodus of women from the practice of law. She is an executive member of The Canadian Bar Association's Women Lawyers Forum and the Environmental Law Subsection, and is involved in numerous industry associations and networks, including the Energy Storage Canada BC Policy Working Group, British Columbia Environment Industry Association, the Commercial Real Estate Women Network and NAIOP Vancouver Chapter. Una serves as the national lead of McCarthy Tétrault's

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Awards & Rankings

Chambers Global

Leading Lawyer: Environment - Canada

Chambers Canada

Leading Lawyer: Environment

Chambers Canada

Up and Coming: Litigation - General Commercial (British Columbia)

The Canadian Legal Lexpert Directory

Leading Lawyer: Environmental Law

Lexpert Special Edition: Energy

Leading Lawyer

Lexpert Rising Stars - 2017

Leading Lawyers Under 40

Benchmark Litigation Canada

Top 100 Women in Litigation

Benchmark Canada 40 & Under Hot List

Leading Lawyer Under 40

Benchmark Canada

Litigation Star: Commercial, Environmental

Best Lawyers in Canada

Leading Lawyer: Environmental Law; Corporate and Commercial Litigation;
Securities Law

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The Legal 500 - Canada

Next Generation Partner: Dispute Resolution - British Columbia

Recent Experience

- **TransAlta Corporation acquires Heartland Generation for C\$542M**
December 4, 2024
- **Duck Creek Technologies acquires Risk Control Technologies, Inc.**
October 8, 2024

Recent Insights

- **BC Court of Appeal Resolves Important Dispute Over Mineral Rights**
July 18, 2024
- **Europe's Highest Human Rights Court finds Climate Inaction Violates Human Rights**
May 14, 2024
- **Canadian Securities Litigation: Trends to Watch 2024**
April 25, 2024
- **Doing Business in Canada: Updated edition now available**
November 9, 2023