



# Una Radoja

## Associée

Vancouver

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

t. 604-643-7187

## Admission au barreau

British Columbia 2008

## Faculté de droit

University of British Columbia

## Domaines de pratique

Litige et résolution des différends

Litige en droit commercial et en droit des sociétés

Droit de l'environnement, droit réglementaire et droit autochtone

Planification successorale et fiducies

Responsabilité professionnelle

Litige en valeurs mobilières

Droit immobilier

Réglementation des valeurs mobilières

*Disponible en anglais seulement*

## A leading lawyer in environmental law and commercial litigation, Una helps clients tackle their toughest legal challenges, providing innovative solutions centred on their business needs.

Una Radoja is a partner in McCarthy Tétrault's [Litigation Group](#) and is based in Vancouver. A leading lawyer in environmental law and commercial litigation, she has extensive experience in successfully representing diverse clients on complex litigation matters and providing comprehensive solutions that lead them to success.

Clients turn to Una for her unique expertise and astute judgment, as well as for her guidance on their most difficult legal and business challenges. She approaches each matter with tenacity, creativity, and strategic insight and is a trusted advisor to organizations of all sizes, delivering strategic advice that enables them to resolve novel and routine challenges and attain their business goals. Exceptional at simplifying complex issues, Una is known for her business acumen and practical guidance that allows clients to protect their best interests, mitigate risks, and advance their projects and their business. She represents a wide array of clients, from small businesses to large, multi-national corporations and REITs.

## Proven success as a litigator

In her commercial litigation and dispute resolution practice, Una acts for both plaintiffs and defendants on a variety of high-profile and multifaceted matters, ranging from contractual and shareholder disputes to professional negligence claims. She has a specific focus area on advancing or defending claims by public and private companies against directors and officers, and vice versa. These claims include negligence, fraud, wrongful dismissal, employment practices, securities, misrepresentation, breach of confidence, IP theft, and breach of fiduciary duty. She consults with corporations, small businesses, insurance companies, estates, boards, and First Nations, and she has represented clients at all levels of B.C. court as well as the Supreme

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Court of Canada.

## Leading counsel in the environmental and contaminated sites space

Una's environmental law practice is focused on risk management and cost recovery claims, and she is recognized as a top expert on contaminated site matters. Her niche expertise in municipal and environmental law enables her to help clients redevelop the most complex contaminated sites. She routinely advises commercial property owners, developers, and industrial operators on minimizing environmental risk arising from ownership and operations on contaminated land. She also represents clients in their applications for orders and instruments, including approvals in principle and certificates of compliance. Una works extensively on litigation matters related to the recovery of remediation costs pursuant to the *Environmental Management Act*, as well as appeals before the Environmental Appeal Board.

Una is recognized by Chambers Canada for her work in the environment area and general commercial litigation. She has also been named as a "Leading Lawyer" in Environmental Law by Lexpert and to Benchmark Litigation Canada's Top 100 Women in Litigation and its 40 & Under list, among other honours.

## Select list of recent representative work:

### Directors and officers litigation

- Represented the successful respondent (estate of a deceased former director of a public company) in an appeal by the company from the trial judge's dismissal of its counterclaim in fraud.
- Represented the successful plaintiff, defendant by counterclaim, in obtaining full indemnification for legal fees expended at trial to defend allegations of fraud, pursuant to a contractual indemnity provision. The client also obtained an order for contractual indemnification of the costs incurred in successfully defending the appeal.
- Successfully defended a former director and officer of a public mining company in a claim for fraud and breach of fiduciary duty brought by the company.

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- Represented six out of seven 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.
- Successfully applied to remove a certificate of pending litigation from title to valuable real property, on the basis of hardship and inconvenience, in the context of a fraud claim against a former director and officer of a public company.

## Commercial (and other) litigation

- Acting for a major airline in a claim against a hotel franchise for breach of contract.
- Acting as co-counsel in defending a multi-million dollar claim by a municipality against an engineering firm, involving one of the largest infrastructure projects in Canada.
- Acting for a public blockchain and cryptocurrency company in a claim against an auditing firm.
- Represented various clients, ranging from individuals and small businesses to large corporations, in breach of contract, misrepresentation, breach of fiduciary duty and breach of trust claims in the context of various commercial disputes.
- Acting for a First Nations Band 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.

## Contaminated sites litigation and risk management

- Acting for landowners in appeals of orders under the *Water Sustainability Act*.
- Advancing and defending cost recovery claims under the *Environmental Management Act*.
- Represented the City of Burnaby on a judicial review of the Board's decision denying the City standing to appeal a certificate of compliance issued for lands owned by Suncor Energy Inc., adjacent to City lands for which Suncor also sought and obtained a certificate.

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- 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 (matter resolved prior to hearing).
- Acts in Supreme Court lawsuits involving claims for recovery of costs of remediation pursuant to the *Environmental Management Act* and common law.

## Prolific thought leader

An accomplished speaker and author, Una is sought out for her thought leadership and has co-authored two books: *British Columbia Environmental Management Legislation & Commentary*, a guide to the regulation of contaminated sites, and *Halsbury's Laws of Canada – Environment (2022 Reissue)*.

She is also strongly invested in supporting other lawyers and is the Co-Founder of [Life in Law](#), a non-profit society that aims to stem the exodus of women from the practice of law. Una also mentors other lawyers, volunteers on The Canadian Bar Association B.C. Women Lawyers Forum Education Committee, and is involved in numerous industry associations and networks, including the British Columbia Environment Industry Association (BCEIA), The Canadian Bar Association (B.C. branch subsections: Civil Litigation, Insurance Law, Women Lawyers Forum), and The Law Society of British Columbia.

Una received her B.Sc. in 2004 from the University of British Columbia and her LLB in 2007 from the University of British Columbia.

## Prix et distinctions

### Chambers Global

Leading Lawyer: Environment - Canada

### Chambers Canada

Band 4: Environment

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## **Chambers Canada**

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

## **Chambers Canada**

Up and Coming – Environment

## **Chambers Canada**

Up and Coming – General Commercial Litigation (Regional – 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

## **The Legal 500 - Canada**

Next Generation Partner: Dispute Resolution - British Columbia

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## Mandats récents

- **TransAlta Corporation annonce une entente visant l'acquisition de Heartland Generation pour 658 M\$ US**

2 novembre 2023

## Publications récentes

- **Faire des affaires au Canada : nouveau numéro disponible dès maintenant**

9 novembre 2023