

TOPS in the field



Part two of our series looks at the top boutiques in labour and employment, environmental, and maritime law.

By robert todd

In the second of our stories this year on the top boutique law firms in the country, *Canadian Lawyer* turns its attention to those specializing in labour and employment, environmental, and maritime law. While each of these firms has a different approach to standing out from the crowd to attract business, each group of firms face similar challenges and opportunities in their respective markets.

Geoffrey Litherland, a partner at Vancouver's Harris & Co. LLP, suggests labour and employment boutiques have largely managed to weather the recent economic storm. "We're in a position to deal with changes in the economy," he says. "When times are difficult, employers are looking for ways to reduce labour costs, and sometimes they're looking at downsizing," which brings work to his firm in the form of dismissals and contract changes. Conversely, when the economy expands, labour and employment firms are more often called in to help manage squabbles between management and unions, and to help draw up employment contracts as hiring increases, he adds. But that is not to suggest success is guaranteed, says Litherland. Boutique

shops hoping to attract work from large employers must offer a wide range of advice in order to exceed services offered by large national firms, he says.

Hicks Morley Hamilton Stewart Storie LLP Toronto managing partner Stephen Shamie maintains that clients are becoming more sophisticated, and more demanding. He believes that is increasingly leading them to specialized firms. "What we're really seeing is the one-size-fits-all type of firm is not really what the clients want anymore," he says. "I think that's to the advantage of labour and employment boutiques generally."

But the boutiques still need to find a way to stand out. For John Willms, senior partner at Willms & S hier Environmental Lawyers LLP in Toronto, marketing is the best way to gain visibility. "A lot of our clients are one-shot clients," he says. "In other words, they've got a big environmental problem, we work with them, we help them clean up their act, fix the problem, normalize their relationships with their neighbours and the Ministry of Environment . . . then they don't need us anymore, and they don't want us." He adds that most companies tighten their approach to environmental regulations after



going through a lengthy and costly dispute. Many environmental law firms like Willms & Shier aim to maintain those relationships, and develop new ones, by offering conferences and events that raise their firm's prominence.

Maritime law boutiques face their own unique challenge of staying afloat in a market that shows no sign of picking up in volume. Christopher Giaschi, a partner at Vancouver's Giaschi & Margolis, says the focus for these boutiques is to hold on to existing clients. That places a premium on the provision of top-notch

service with a "lean and mean" operation where costs and overhead are kept to a minimum. "It's a small market, and to a large degree [the businesses] know one another and talk to one another," he says. "If you're not giving good service, that's going to be known."

Whatever challenges they face, each of the firms listed below has been recognized for exceptional provision of legal service in its respective area of law. As with our earlier top boutique lists, *Canadian Lawyer's* editorial team compiled these choices by first creating a short list of the most

notable firms in each area of expertise. We then called on in-house counsel and lawyers from larger firms with experience in these areas of practice for their views on which boutiques — defined as stand-alone firms with a major concentration in the respective legal specialty — they believe are the best at what they do. That input was used to compile the following lists, ordered alphabetically, of Canada's top 10 labour and employment law, top five environmental law boutiques, and top six (we couldn't break the tie for just five) maritime law boutiques.



★ Emond Harnden LLP (Ottawa)

This Ottawa management-side firm sprouted in 1987 thanks to the efforts of founding partners Lynn Harnden and Jacques Emond, who continue to practise. Now with 25 lawyers, it has followed a gradual growth path that has seen most associates first gain experience as articling students, with many later moving in to partnership. Public sector clients include hospitals, school boards, municipalities, and colleges and universities. The firm also represents large national and international corporations. It boasts a research department, a resource few lawyers at firms this size benefit from.

www.emondharnden.com

★ Filion Wakely Thorup Angeletti LLP (Toronto, London, Ont.)

This management-side shop was established in 1982 when the labour department of full-service firm Cassels Mitchell Somers Dutton & Winkler broke off. Founding partner Warren Winkler is now Ontario's chief justice. The firm settled on its current handle in 2001, when it expanded from its Toronto base to open an office in London, Ont. It currently houses 33 lawyers in the two offices. Its client list has expanded through most sectors of the economy, but has particular depth in manufacturing, construction, entertainment, the public sector, and financial services. The firm hosts a client conference each June, regularly pulling in over 700 attendees. "I only hear good feedback about them and their clients are loyal," commented one voter. www.filion.on.ca

Harris & Co. LLP (Vancouver) ★

Former Campney & Murphy labour and employment lawyers established this Vancouver management-side boutique in 1992. Now with 36 lawyers, key private-sector clients include grain-handling terminals, chartered banks and credit unions, insurance companies, breweries, hotels, and transportation companies. In the public sector, the firm represents entities such as boards of education, health authorities, and employers' associations. It has a strategic affiliation with Ontario's Hicks Morley Hamilton Stewart Storie LLP, which fosters national coverage, referrals, resource sharing, and joint conference offerings. "If my firm cannot act, I would not even think further: Harris & Co.," said one voter. www.harrisco.com



★ **Hicks Morley Hamilton Stewart Storie LLP**
(Toronto, London, Ont., Kingston, Waterloo, Ottawa)

With offices throughout Ontario, this management-side shop currently employs 100 lawyers in five cities. It opened in 1972 after members left Miller Thomson LLP — a notable split that saw the new firm operate in the large firm's offices for three months. Recent key cases include acting as co-counsel to Canadian Imperial Bank of Commerce in an overtime pay class action; counsel to Vale Inco in strike negotiations; and labour, employment, and pension counsel in the Stelco Inc. restructuring of 2006. With its size and presence throughout Ontario, Hicks Morley is credited for offering service in all areas of human resources law, including a separate pensions and benefits group.

www.hicksmorley.com

★ **Mathews Dinsdale & Clark LLP**
(Toronto, Sarnia, Sault Ste. Marie)

The first labour law boutique in Canada, it traces its history to 1937 when Norm Mathews and Beatrice Lyons joined forces, the firm was established in its present form in 1956 with the help of Stan Dinsdale and Al Clark. It now carries 29 lawyers in three Ontario offices. The management-side boutique places special emphasis on its expertise in the areas of construction, police and ambulance, long-term care, education, and arts. It has been recognized as a Fortune 500 Go-To Law Firm.

www.mathewsdinsdale.com

Kuretzky Vassos Henderson LLP ★
(Toronto)

Now in operation for over 14 years, the firm founded by Barry Kuretzky and George Vassos is home to 12 lawyers. Its current list of clients includes senior executives and CEOs, along with corporate clients such as Bank of Montreal, Brink's, Manpower Inc., and NCO Group Inc. Kuretzky has co-authored leading books on employment law, including *Mediating Employment Disputes* and *Human Resources Guide to Managing Workplace Harassment*. He received a long-term achievement award from the Law Society of Upper Canada for his efforts in continuing legal education. "They are knowledgeable and up to speed on all aspects of employment law and practice," said one voter who has referred work to this firm. www.kuretzkyvassos.com

Pink Larkin (Halifax, Fredericton) ★

With a web address like www.labour-law.com, it's clear that Pink Larkin is well established in the labour and employment law field. It all started in 1989 when four lawyers left Nova Scotia's largest full-service firm at the time, Patterson Kitz, to better service Atlantic Canada's labour-side employment law needs. Now with 16 lawyers, its clients include the Nova Scotia Government & General Employees Union; the P.E.I. Union of Public Sector Employees; the No So Teachers Union; the Canadian Union of Public Employees; United Steelworkers; Communications, Energy & Paperworkers Union of Canada; and the United Food and Commercial Workers Canada.

Loranger Marcoux (Montreal) ★

This 15-lawyer, employer-side boutique was founded in 1991 by a group of practitioners who left a large Montreal firm to set up their own shop. The firm possesses particular strength when it comes to labour and employment aspects of mergers and acquisitions, collective bargaining, essential services, and restructuring of work environments. "All lawyers in this firm have a good reputation; a majority of them have an excellent reputation," said one voter. "It's the boutique firm of choice in Montreal and our office does not hesitate to refer them work in case of conflict." www.lorangermarcoux.com

Honourable mentions

- Armstrong Management Lawyers (Calgary)
- Ball & Alexander (Toronto)
- CaleyWray (Toronto)
- Grosman Grosman & Gale LLP (Toronto)
- Raven Cameron Ballantyne & Yazbeck LLP (Ottawa)
- Rivest Schmidt (Montreal)



★ Roper Greyell LLP (Vancouver)

This 24-lawyer firm is the exclusive B.C. representative of the Employment Law Alliance, a worldwide network of labour and employment lawyers. Former partner Bruce Greyell was named to the Supreme Court of British Columbia in 2009. The firm deals with matters involving management-side labour law, human rights law, wrongful dismissal litigation, drafting employment contracts, privacy law, workers' compensation, employment standards, and employment-related immigration. It lists the B.C. Crown Counsel Association as a key client. One voter said the firm rises to the top "with a greater breadth and depth of expertise in all areas of labour and employment law."

www.ropergreyell.com

★ Trudel Nadeau Avocats S.E.N.C.R.L. (Montreal)

Clients for this 22-lawyer labour-side boutique include the Quebec Federation of Labour and the Canadian Labour Congress, along with many affiliates. The firm considers itself the oldest to represent trade unions in Quebec. It was established in the 1950s by Guy Merrill Desaulniers, who worked on behalf of the labour movement starting in the early 1940s. The firm has been at the forefront of a long list of key developments in the labour movement since first opening its doors. www.trudelnadeau.com



Daigneault Avocats Inc. (Montreal) ★

Biologist Robert Daigneault established his firm in 2001, intending to operate as a sole practitioner. But after three years, demand for his services had led to hiring three more lawyers, and the firm now has five. Clientele ranges from the local service station to large multinational firms. Daigneault, a former legal counsel to the Quebec Department of Environment, is the author of the standard French-language legal reference text on federal and Quebec environmental law. Voters credited Daigneault for skilful work on projects involving shores and flood plains, along with expertise on waste-management matters. www.rdaigneault.com

Houlihan & Associates (Vancouver) ★

Patricia Houlihan has become the go-to lawyer for clients in Vancouver looking for a boutique option since opening shop in 1999. Houlihan cherishes her ties with McCarthy Tétrault LLP, and spent five years leading the Environmental Dispute Resolution Fund with West Coast Environmental Law, a *pro bono* organization. She has also gained respect for her service to the profession as a past chairwoman of the Canadian Bar Association's environmental law section, and as a professor at the University of British Columbia Faculty of Law, Kwantlen University, and the B.C. Institute of Technology. Houlihan has done environmental work internationally and has spoken at conferences around the world. www.envirolegal.ca

★ Dianne Saxe Professional Corp. (Toronto)

Dianne Saxe is a former prosecutor with the Ontario Ministry of the Environment and the author of the standard reference book *Ontario Environmental Protection Act Annotated*. She is also a certified specialist in environmental law, and has a doctorate in the subject. Since opening her own firm in 1991, Saxe has attracted a deep client list that includes municipalities, two of the world's largest food companies, a major paper manufacturer, brownfield developers, environmental consultants, and many others. She also maintains a popular environmental law blog at her firm's web site www.envirolaw.com.

★ **Sodavex S.E.N.C.R.L.** (montreal)

This firm may be the new kid on the block in Montreal, but with three experienced environmental lawyers from large Canadian firms, it received praise from voters for top-notch expertise. The firm set up shop in late 2009 when Mira Gauvin left McCarthy Tétrault's Montreal office, and was joined by former Borden Ladner Gervais LLP lawyers Christine Duchaine and Anne-Marie McSween. Top clients include WM Québec Inc., Park'N Fly, Staples Canada Inc., and other clients in the environmental industry such as consultants En vironconseil Inc. and Gestion Intégrée de Matériaux Secs Lanaudière Inc. While the partners are currently focused on showcasing their skills on both the litigation and commercial sides of environmental law, expansion may be on the horizon if all goes as planned. www.sodavex.com

★ **Willms & Shier Environmental Lawyers LLP** (Toronto)

This Toronto firm has spent over 30 years helping companies and municipalities manage environmental law issues. Over that period, partners Donna Shier and John Willms have developed reputations as two of Canada's foremost counsel in the specialty area, and their firm now consists of a stable of 12 lawyers. Most of the boutique's clients are from the private sector, with the bulk of those matters involving issues with the Ontario Ministry of the Environment. Brownfields and contaminated lands work also helps keep Willms & Shier one of the country's busiest environmental law boutiques. www.willmsshier.com

Bernard & Partners (Vancouver) ★

Now with 13 lawyers, this Vancouver firm was established in 2002 by former Campney & Murphy lawyers. Bernard & Partners has a strong foothold on the West Coast maritime law market, as one of the first firms called following shipping accidents in the region. One in-house counsel who has used Bernard & Partners said "their performance has been excellent." Another lawyer who refers work to them commented, "They are a first-class firm with many years of experience." www.bernardpartners.com



★ **Fernandes Hearn LLP** (Toronto)

This boutique came on the scene in 1996, when Rui Fernandes and Gordon Hearn left Cassels Brock & Blackwell LLP. Maritime law is a major component of its general transportation law practice, which also deals with matters involving aviation, trucking, and rail carriage. Its nine lawyers serve key clients such as Royal & Sun Alliance Insurance, Allianz Insurance, Chubb Group of Insurance Companies, JEVCO Insurance Co., NYK Logistics, Quick X Transportation Inc., and Whirlpool Jet Boat Tours. Fernandes has helped solidify the firm's strong reputation by publishing five texts on transportation law. www.fernandeshearn.com

Brisset Bishop (montreal) ★

Tracing its roots back to 1885 — when Albert Atwater left the partnership of the firm that became Ogilvy Renault LLP — this boutique currently consists of six lawyers. Jean Brisset joined the firm in 1935 and remained with it until his death in 1991, while Trevor Bishop joined in 1957 and remained until his recent retirement. Its key clients include the Fednav Group and CanforNav Inc., two of Canada's largest ship operators. It also represents many P&I clubs, the insurance companies for the shipping industry. www.brissetbishop.com



★ **Giaschi & Margolis** (Vancouver)

This four-lawyer firm operates in affiliation with London, England international shipping and trade law firm Thomas Cooper. Clients consist mainly of insurance companies that specialize in marine, cargo, and transportation. While its practice focuses mainly on subrogation for underwriters, defence work also takes up some of its time. Partner Christopher Giaschi is the national vice president of the Canadian Maritime Law Association, and an adjunct professor of maritime law at the University of British Columbia. He is also a past chairman of the national maritime law section of the Canadian Bar Association. The firm has also nabbed a telltale web address: www.admiraltylaw.com

Metcalf & Co. (Halifax) ★

This six-lawyer boutique was established in 1986 and operates mainly in the areas of shipping law, marine insurance law and related litigation, and the marine aspects of Canadian offshore oil and gas activities. Partner Frank Metcalf is a past chairman of the Association of Average Adjusters of Canada. He also played a key role on a four-member panel struck in 2002 and 2003 to review the Canada Marine Act on behalf of the minister of transport. Clients include Sunderland Marine Mutual Insurance Co. Ltd., Allianz Global Corporate & Specialty, Groupama Transport, and British Marine Managers Ltd. www.metcalf.ns.ca

Isaacs & Co. (Toronto) ★

Founder has recently joined the bench of the Ontario Superior Court but the firm still continues to attract plenty of work. That's in part due to the practice's long history, having been passed on to Strathy in 1983 from former Federal Court justice Arthur Stone. Now with six lawyers, led by Marc Isaacs, key clients include one of the largest Canadian-owned ship operators on the Great Lakes, international shipping companies, marine insurance brokers, P&I clubs, and freight forwarders. It also attracts significant work in the area of injury claims stemming from recreational boating incidents. www.isaacsko.ca



353, rue Saint-Nicolas (Place d'Youville), bureau 400

Montréal (Québec) CANADA H2Y 2P1

Tél. : 514 985-2929, poste 2227 ou 1 888 228-5834

Télé. : 514 985-0595

<http://www.Daigneaultinc.com>