

Partner

Michael Fenrick

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Michael Fenrick's legal practice is broad, giving his clients the advantage of strategic insight across a range of areas and industries. His work covers commercial litigation, infrastructure, appellate advocacy, judicial reviews, class actions, civil liberties, defamation, privacy, and employment law. He is often retained on highly confidential and sensitive matters for clients in crisis situations that could receive negative publicity. His clients value his calm demeanour and sound judgment.

Michael understands the multidimensional nature of complex litigation and works with his clients to avoid problems and manage them to successful outcomes when they happen. But sometimes litigation is the best option, and when it is he is a strong advocate.

He has been recognized for commercial litigation and public law by Lexpert; commercial litigation, employment law and appellate practice by Best Lawyers in Canada; and by Benchmark Litigation for commercial litigation. Michael was a Lexpert Rising Star in 2018 and received a Precedent Setter award in 2019. Michael was the gold medallist at Dalhousie Law School in 2008 and clerked for the Honourable Justice Marshall Rothstein of the Supreme Court of Canada in 2009. He has been adjunct faculty at both the

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University of Toronto, Faculty of Law and later Osgoode Hall Law School for many years. He is a contributing author to *Constitutional Litigation in Canada*.

Education

Dalhousie University, LL.B., 2008

University of British Columbia, M.A., 2005

University of King's College, B.A., 2003

Bar Admissions

Ontario, 2009

Professional Affiliations

The Advocates' Society

Practice Areas

Appeals and Judicial Review

Class Actions

Commercial Litigation

Constitutional Litigation

Defamation, Libel and Slander

Employment Law

Healthcare

Human Rights

Infrastructure and P3

Judicial Inquiries and Inquests

Labour Law

Municipal and Planning Law

Privacy and Access

Professional Discipline and Regulation

Public and Administrative Law

Securities Litigation

Awards and Honours

Best Lawyers in Canada 2024 - Appellate Practice

Best Lawyers in Canada - Corporate and Commercial Litigation, Labour and Employment Law - Since 2021

Benchmark Litigation - Future Star

2019 Precedent Setter Award

Canadian Legal Lexpert Directory - Leading Lawyer to Watch - Litigation - Public Law

Benchmark Litigation - 2019 - 40 & Under Hot List

Lexpert Rising Star - 2018 - One of Canada's Leading Lawyers under 40

Law Clerk to the Honourable Justice Marshall Rothstein, Supreme Court of Canada -

2008 - 2009

Dalhousie Law School - University Medal in Law - 2008

Numerous academic and advocacy prizes in areas such as constitutional, administrative, labour and corporate commercial law

Representative Work

Co-counsel representing three migrant workers in the first constitutional challenge to the Seasonal Agricultural Workers' Program

Co-counsel for the British Columbia Civil Liberties Association in the first appeals before the Supreme Court of Canada challenging the constitutionality of the terrorism provisions in the Criminal Code

Co-counsel for the Canadian Civil Liberties Association in *R. v. Bedford* in which the Court of Appeal struck down many of the provisions criminalizing prostitution in Canada

Co-counsel for the Canadian Police Association in leading cases in the area of freedom of association (*Fraser v. Ontario (Attorney General)* and *Mounted Police Association of Ontario v. Canada*)

Counsel for the Canadian Police Association in *Penner v. Niagara Police Services Board* respecting the scope of issue estoppel and police discipline

Co-counsel for the Foundation for the Advancement of Investor Rights before the Supreme Court of Canada in the reference respecting the constitutionality of the proposed national securities regulator

Appeared as co-counsel on a number of judicial reviews or appeals from decisions of the administrative tribunals, including decisions of the Ontario Municipal Board, the Ontario College of Pharmacists, the Criminal Injuries Compensation Board and the Ontario Securities Commission

Community Involvement

OneLight Theatre – Board member

Local Federal Riding Association – Executive member and Fundraising co-chair

Publications

No Freedom to Remain Silent – Law Times article about the heated debate over the Law Society of Upper Canada's decision to require licensees to adopt a statement of principles related to diversity and inclusion – November 2017

Regularly speaks or chairs panels on legal matters related to public law issues