



John P. Brown

**Legal and Strategic Advisor,
Indigenous Initiatives**

Toronto

jbrown@mccarthy.ca

t. +1 416-601-7719

Bar Admission

Ontario 1983

Law School

University of Toronto

Practices

Class Actions
Corporate Commercial Litigation
Product Liability and Mass Torts
Alternative Dispute Resolution

Industries

Franchise & Distribution

US and International Markets

United States

John P. Brown is **Legal and Strategic Advisor, Indigenous Initiatives**.

- John is a senior member of the legal team at McCarthy Tétrault representing First Nations people across the country in two class action lawsuits against Canada that were brought to compel Canada to provide safe, clean drinking water to all First Nations. In December 2021 the courts approved one of the largest settlements in Canadian history in these class actions in which Canada has agreed to spend \$8 billion to address these water issues. This monumental agreement includes commitments to hundreds of First Nations to construct the critical water infrastructure they need and provides compensation and other benefits to these First Nations and their members.
- John is the chair of the McCarthy Tétrault **Reconciliation** Committee.
- John is a mentor in the McCarthy Tétrault & **Martin Family Initiative Mentorship Program for Indigenous Students** which is committed to improving education and outcomes for Indigenous youth by linking the firm's lawyers as mentors with Indigenous students in Grades 8 through 12.
- In partnership with Pro Bono Students Canada, the Ontario Federation of Indigenous Friendship Centres, and the Ontario and Canadian Human Rights Commissions, McCarthy Tétrault contributed to the development of a new **Indigenous Human Rights Clinic**. John is a member of the Advisory Council for the Clinic and in addition will be assisting and mentoring the firm's lawyers who will be providing culturally sensitive legal services to Indigenous clients, and representing them at mediations and before tribunals.
- John is a member of the **Giiwedini Anang Council** of Aboriginal Legal Services. The Council is comprised of Indigenous community members and provides an Alternative Dispute Resolution program for mediating child welfare, custody and access disputes involving Indigenous families using traditional methods. A key objective of the Council is to ensure that the children's relationships with their Indigenous culture, traditions and history is respected, protected and maintained.
- John is a member of:

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- the Advisory Board of LEAP | Pecault Centre for Social Impact
- the Canadian Bar Association Indigenous Advisory Group
- the Indigenous Bar Association

John's family on his father's side is Sto:lo whose traditional territory is the Fraser River Valley in British Columbia. He is of mixed heritage.

RECENT PUBLICATION

- "A Firm Route to Reconciliation", March 15, 2019, OBA JUST (https://www.oba.org/JUST/Archives_List/2019/February-2019/A-Firm-Route-to-Reconciliation?utm_source=LYR&utm_medium=EM&utm_campaign=Just%20Magazine)

Prior to taking on the new role of Legal and Strategic Advisor, Indigenous Initiatives in January 2020, John was a senior partner in our Litigation Group in Toronto and a member of the National Class Action Group. As senior counsel, he has extensive experience representing major corporations and institutions, both international and domestic, in class actions. His practice included general commercial litigation and arbitration.

John regularly acted for international groups of companies in class actions across Canada, defending allegations of worldwide price-fixing conspiracies involving a wide range of products and services including computer parts, carbon products, air cargo services, financial services and feed additives.

John was counsel for a national financial institution and acted for it in class actions across Canada involving allegations that illegal interest rates were being charged for short-term consumer loans.

John was Canadian counsel for a major international aircraft manufacturer and acted for it in a number of product liability class actions. He defended aviation accident cases involving a wide variety of aircraft types and sizes for many years.

John is recognized as a leading lawyer in the area of class actions in the 2014-2019 editions of the *Canadian Legal Lexpert® Directory*. He has also appeared as a leading lawyer in the following directories and

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publications: 2015 *Lexpert® Guide to the Leading US/Canada Cross-Border Litigation Lawyers in Canada*, 2014 *Canadian Lexpert® Lawyer Guide to the Leading 500 Lawyers in Canada*, in the 2013 *Lexpert® Guide to the Leading Litigation Lawyers in Canada*, the 2013 *Lexpert® Guide to the Leading US/Canada Cross-Border Litigation Lawyers in Canada*, in the 2012 *Lexpert® Canadian Lawyer Guide to the Leading 500 Lawyers in Canada* and in the 2012 *Lexpert® /American Lawyer Guide to the Leading 500 Lawyers in Canada*. He is also listed in the Euromoney Legal Media Group's 2012 *Guide to the World's Leading Product Liability Lawyers*.

John is the Co-Chair of the International Bar Association ("IBA") Multi-Jurisdictional Class Action/Collective Redress Working Group and the Chair of the IBA Task Force on International Procedures and Protocols for Class Actions. He is the co-author of the Task Force's report on [Guidelines for Recognizing and Enforcing Foreign Judgments for Collective Redress](#). (see Publications). He is a past Chair of the IBA Consumer Litigation Committee.

CLASS ACTION PUBLICATIONS

- "[Cross-border Actions for Collective Redress – Some Lessons from Canada](#)", in Eva Lein et al, eds., *Collective Redress in Europe – Why and How?* (London: British Institute of International and Comparative Law, 2015) 203 (with Brandon Kain) (Reproduced by permission of the British Institute of International and Comparative Law) which is a comprehensive review of collective redress regimes and issues in Europe.
- "[The Perils of Certifying International Class Actions in Canada](#)" in Duncan Fairgrieve et al, eds., *Extraterritoriality and Collective Redress*, (London: Oxford University Press (U.K.), 2012, 285 (Reproduced by permission of Oxford University Press) which examines the challenges that international cross-border class action litigation pose to the traditional approach to conflicts of law issues throughout the world.
- Contributing author of *Defending Class Actions in Canada*, published by LexisNexis, which is a concise resource on class actions in Canada from a defence perspective.

John acted in a full range of litigation matters before courts in Canada including arbitrations, mediations, and commercial litigation at all levels of trial and appeal. He also appeared before many administrative boards and tribunals. He was successful in changing the law in Ontario relating to security for costs.

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John has taught advocacy and civil procedure in the Bar Admission Course of the Law Society of Ontario, as well as appearing as a speaker/instructor in various litigation-related seminars/conferences.

John received his BA in 1978 and his LLB in 1981, both from the University of Toronto. He was called to the Ontario bar in 1983.

PAPERS ON CLASS ACTIONS PRESENTED AT NATIONAL AND INTERNATIONAL CONFERENCES

- Collective Redress Across Borders – How Consumers are Flexing their Multi-jurisdictional Muscle (Tokyo - October 2014)
- Demolishing legal borders: the availability of cross-border judicial cooperation and promoting and enforcing remedies for collective redress and class action litigants with claims in contract and tort (Boston, 2013)
- International Class Actions: A Canadian Perspective (Canada 2013);
- Settlements and Alternative Mechanisms in Collective Redress (London UK 2013);
- Class Actions: Force for Good or Bad? (Dubai, UAE 2011);
- Cross-Border Mass Claims and Collective Redress: Are we on the Road to an International Multijurisdictional Litigation Panel? (Vancouver, Canada 2010);
- A Global Update on Mass Claims: Can Litigation, Arbitration and Government Remedies Work Together? (Madrid, Spain 2009);
- Collective Redress and Class Action Judgments – Where, When, Why and How Global Judgments Have Been Enforced (Buenos Aires, Argentina 2008);
- Class Action Report from Europe and the UK (Toronto, Canada 2008);
- The Defendant's Perspective on Aggregate Litigation (Newfoundland, Canada, National Judicial Institute Class Action Seminar for Judges 2008);
- Aggregate Litigation: The Way of the Future? (Toronto, Canada, Judges' Educational Seminar 2007);
- The Globalization of Class Actions (Oxford, UK 2007);
- Class Actions in Canada (Lisbon, Portugal 2007);

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- Global Class Actions - Settlements and Judgments - Dream or Reality? (Singapore 2007);
- Class actions: Global Invasion or Liberation? (Chicago, USA 2006);
- Financing Access to Justice (Prague, Czech Republic 2005);
- Contingency Fees and Class Actions (Auckland, New Zealand 2004);
- Landmark Class Actions—Practice and Procedure (London, UK 2004); and
- Class Actions and Multi Party Actions (Durban, South Africa 2002);

OTHER PUBLICATIONS

- IBA Legal Practice Division Guidelines for Recognising and Enforcing Foreign Judgements for Collective Redress, October 16, 2008;
- Seeking Recognition of Canadian Class Action Judgments in Foreign Jurisdictions: Perils and Pitfalls, March 15, 2008;
- Enforcing Canadian Class Action Judgments Abroad — No Easy Task, February, 28, 2008;
- International Arbitration Procedures in Canada, February 15, 2008;
- Arbitration Clauses in Consumer Contracts: The Canadian Approach, July 17, 2007; and
- Arbitration Clauses and Class Actions, April 4, 2007.

Awards & Rankings

Canadian Legal Lexpert Directory - 2014-2019

Repeatedly Recommended - Class Actions

Lexpert® Guide to the Leading US/Canada Cross-Border Litigation Lawyers in Canada - 2015

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Canadian Lexpert Lawyer Guide to the Leading 500 Lawyers in Canada - 2014

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Lexpert Guide to the Leading Litigation Lawyers in Canada - 2013

Leading Lawyer

Lexpert Guide to the Leading US/Canada Cross-Border Litigation Lawyers in Canada - 2013

Leading Lawyer

Lexpert Canadian Lawyer Guide to the Leading 500 Lawyers in Canada - 2012

Leading Lawyer

Lexpert /American Lawyer Guide to the Leading 500 Lawyers in Canada - 2012

Leading Lawyer

Euromoney Legal Media Group's 2012 Guide to the World's Leading Product Liability Lawyers - 2012

Leading Lawyer

Recent Experience

- First Nations achieve C\$8B class action settlement agreement with Canadian Government over drinking water advisories

July 30, 2021

Events

- Honouring National Day for Truth and Reconciliation

September 29, 2022

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