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McCarthy Tétrault

# Connect

Alumni Newsletter – Issue 5 – June 2019

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**Dave Leonard**  
Chief Executive Officer

## Welcome to Connect

Welcome to the fifth issue of McCarthy Tétrault Connect, an annual newsletter for alumni, lawyers and friends of the firm. Within, you will find updates on colleagues and friends, news about the firm's recent activities and highlights from our alumni network.

This year was an exciting one at McCarthy Tétrault. With our focus on innovation and our unparalleled national platform, we are proud of the exceptional results we have delivered for our clients. This year, our national team of lawyers advocated for several clients before the Supreme Court of Canada, including for the Advocates' Society, as intervener, in *Groia v Law Society of Upper Canada*. Our national team of lawyers also advised on several highly acclaimed deals, such as advising the underwriters and lenders to the Bridging North America General Partnership in the \$5.7 billion procurement for the Gordie Howe International Bridge Project. Recognized as Lexpert's 2018 Deal of the Year and the IJGlobal 2018 North America Roads Deal of the Year, the Gordie Howe International Bridge is expected to be the largest cable-stayed bridge in North America and will include the largest Canadian port of entry along the Canada-US border. Additionally, we were recognized as the Most Innovative Law Firm in Canada for 2018 by the *Financial Times*.

To further our ability to deliver collaborative, innovative and high-quality client services, the firm launched a group of new businesses under our MT>Division umbrella. Each business under the MT>Division umbrella leverages business, data, technology and other consultants to provide efficient solutions for clients. The MT>Divisions seek to achieve the best of two worlds: the entrepreneurial spirit, agile operations and light footprint of start-ups; and the focus on quality and calibre of McCarthy Tétrault. Notably, 79% of the contract lawyers in the MT>Align community are referred by McCarthy Tétrault lawyers or are McCarthy Tétrault alumni. You can read more about MT>Align in this edition of the newsletter.

Finally, we are very proud of our continued commitment to diversity and inclusion at McCarthy Tétrault. In 2018, we launched an innovative, firm-wide strategy called "Inclusion Now." The first Inclusion Now program consisted of a five year, \$5 million gift to United Way Centraide to support members of five equity-seeking groups: women, members of the LGBTQ2 community, Indigenous people, newcomers, and people living with disabilities. We have also continued to be leaders in community engagement and social responsibility with McCarthy Tétrault lawyers delivering \$5.5 million in pro bono legal services in 2018.

We hope that you enjoy this newsletter and that it strengthens your connections with us and with each other. Welcome!

McCarthy Tétrault

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### Up For the Challenge

David Stanford tackles the legal and cultural complexities around the largest energy project in history.



### Clearing the Smoke

McCarthy Tétrault's Cannabis Law group is advising clients across sectors in the wake of legalization.



### Investing in the Future

Genevieve Pinto becomes partner at sustainability-focused capital investment firm Renewal Funds.



### In Memoriam

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McCarthy Tétrault mourns the loss of two of its family, Neil Finkelstein and Mark Adkins.

### EMPOWERING WOMEN



# Having an impact as Ontario's top legal adviser

Former McCarthy Tétrault partner Paul Boniferro knew as a small boy that he wanted to be a lawyer, a dream that now sees him running the Ontario Ministry of the Attorney General.

The youngest of eight siblings from Sault Ste. Marie, Ont., the former McCarthy Tétrault National Leader, Practices and People, and the former National Practice Group Leader of the Labour and Employment Group says that his family instilled in him the importance of community and public service.

"My grandfathers were Italian immigrants, my grandmothers were from the U.S. and Canada. Both were entrepreneurial families. My mom and dad grew up across the street from each other with a very strong sense of community and the value of that was instilled in all of us."

Boniferro carries this sense of community with him in his current role as Ontario's Deputy Attorney General, in which, he is responsible for managing the Ministry's 8,000 employees, and overseeing the administration of justice in Ontario.

He, along with the Attorney General, is also responsible for "advising the government of the day on legal matters as the most senior legal office of the Crown."

The workload and files are varied and extraordinarily complex, which excites Boniferro. "[My work] can range from advice on policy and legislation, constitutional challenges of legislation, Indigenous land claims, and class action litigation over treatment of individuals within government systems." He also says that the issues are becoming more technologically advanced and complex in the digital era and current climate.

After attending Osgoode Hall, and then articling at a labour and employment firm in Kitchener-Waterloo, Ont., he was approached by the Ontario government to act as a senior advisor to the Minister of Labour, during a period of significant labour relations reform. He advised on changes to the *Labour Relations Act*, *Workers' Compensation Act*, *Employment Standards Act* and *Pay Equity Act*.

After a year in that role, Boniferro joined the team at McCarthy Tétrault. He particularly values the people he worked with.

"These were people who, over decades, became very close friends as well as colleagues, trusted advisors, and career champions. I felt very fortunate with the number of people who at a very young age and stage in my career placed a lot of trust in me and gave me the opportunity to prove myself."

"**Robb Macpherson** gave me a lot of leeway and credibility in terms of files and types of work; **Kirby Chown**, the managing

partner of the Toronto office, often would call upon me to be involved in various national firm-wide activities and projects."

Boniferro says he feels fortunate for the opportunities his mentors and champions gave him to shine: the input into the shaping the firm during its major governance and practice review in his early 30s; being elected to the board in his late 30s; and, at 40, being called up by then CEO **Iain Scott** to move to Calgary and head up the national labour and employment practice group. He's proud of the practice group and how his team grew that line of business.

He's also proud of the role he played when personally called on by friend and former McCarthy Tétrault CEO **Marc-André Blanchard** to be part of his leadership team around areas of talent management, innovation, diversity and inclusion and client service delivery.

"I like to think the firm continues to have success today because of some of the work done years ago when we started our new corporate model with Iain Scott and his team, and the work Marc-André and I did with our team."

Boniferro may also be where he is today for many of the same reasons.

"My practice area now is much broader than in the private sector," he says.

"But a lot of what I do is manage people at this large professional firm called 'The Ministry of the Attorney General.' My role as partner and leader at McCarthy Tétrault made me better able to take on this one."



**Paul Boniferro**  
Deputy Attorney General,  
Ontario Ministry of the Attorney General  
Toronto

## Moves & Announcements

**Wilson Acton** (Calgary 2008-2018) started a new position as Executive Vice President of Corporate Affairs & General Counsel at Whipcord.

**François Amyot** (Québec City 1988-2018) started a new position as Vice-President of Investment and Chief Legal Officer at HDG inc.

**Ian Arellano** (Toronto 1986 - 2009) started a new position as General Counsel at Scotiabank.

**Mélanie Bernier** (Montréal, 2000-2006) started a new position as Chief Legal Officer at PSP Investments.

**Pierre-Jérôme Bouchard** (Montréal 2006, 2010-2018) headed the opening of a new office of Bentham IMF in Montréal.

**Nicole Chiarelli** (Toronto 2018) started a new position as Associate Counsel at Uber Canada.

**Danny McMullen** (Toronto 2014-2018) started a new position as Legal Counsel at Orlando Corporation.

**Steven Molnar** (Vancouver 2014-2018) started a new position as Vice President, General Counsel and Corporate Secretary at Trevali Mining Corporation.

**Nathan Montgomery** (Calgary 2012-2017) started a new position as General Counsel & Advisory Board Member at Bitvo.

**Jerry Nguyen** (Vancouver 2014-2018) started a new position as Legal Counsel at QuadReal Property Group.

**Elizabeth Osler** (Calgary 1991-2004) was appointed as Chief Executive Officer & Executive Director of the Law Society of Alberta.

**David E. Platts** (Montréal 1996-2018) was appointed Justice of the Superior Court of Québec.

**Nicole Springer** (Calgary 2003-2006) started a new position as Vice President & General Counsel, Emerging Markets at Xylem Inc.

### MCCARTHY TÉTRAULT LAWYERS

**DELIVERED \$5.5M**  
in pro bono legal services

## ALUMNI SNAPSHOTS



**David Stanford**  
Legal Director,  
NCOC N.V.  
Atyrau, Kazakhstan

**David Stanford** was with McCarthy Tétrault from 1997 to 2006 in Calgary. He is currently the Legal Director of North Caspian Operating Company (NCOC) N.V., a Kazakhstan-based joint venture of seven international oil and gas companies.

### What are your fondest memories of your time with McCarthy Tétrault?

Shortly after joining, **Cliff Johnson** "voluntold" me to prepare and ultimately present a paper for the Annual Research Seminar of the Canadian Energy Law Foundation. Having practiced oil and gas law for little more than a year, I was apprehensive but threw myself into it. The paper has since been quoted in court judgements and academic papers.

Another was the day when the Calgary Partnership Committee chair walked in and offered me equity partnership. It was a bit of a surreal moment. The title and pay raise were nice, but the best part was by far the endorsement of my abilities and efforts by the lawyers I held in such high esteem.

### What do you love about your current position?

Incessant complex challenges. The Kashagan project, which NCOC operates, is history's largest energy project and is considered by many experts as the second most technically complex such project in the world. I feel it is not far behind this in its legal complexity — if at all.

Shareholders across seven different cultures present governance challenges; the ethics and compliance challenges inherent in a post-Soviet society; a young country with nascent legislative, executive and judicial systems; and, language barriers all add complexity. But I truly relish the challenge.

### What is most exciting about the energy sectors from a legal perspective?

This business is extremely dynamic, fast-paced and involves very high stakes. I also enjoy learning the marketing, economic and technical aspects. Each world region has its own flavour, which I find fascinating.

### How has your experience at McCarthy Tétrault helped your development?

My ten years working with the extremely talented lawyers and staff at McCarthy Tétrault was invaluable. It exposed me to incredibly complex legal work and very sophisticated clients and colleagues, and it is clear to me that, without that experience, I would not be able to meet many of my current challenges. It was also instrumental in preparing me for my prior role as Legal Director of LNG Canada.

When some McCarthy Tétrault people involved with CALREI (Canadian Association of Lawyers with Russian Eurasian Interests) learned I was joining NCOC, they likely thought that my combination of grey hair, history with the firm and future job location created a natural fit. I was honoured to be asked and enjoy working with them.

# Driving the 3 Ts of corporate charity

For Nathalie Gagnon, her more than two decades at McCarthy Tétrault paved the way for a career in philanthropy.

In January 2018, she left her role as partner in the firm's labour and employment group to assume the post of Conseillère, développement philanthropique (Resource Development Officer) at Centraide du Grand Montréal. In this post, she is responsible for helping coordinate workplace campaigns for the non-profit organization's numerous corporate volunteers in the industry, transportation, real property and construction sectors.

"I've always been involved in the community, whether sitting on boards for non-profits or as a volunteer myself," Gagnon says of her recent career shift. "At one point I said, 'I really like doing this, maybe I need to make it a daily thing.'"

She earned a certificate in philanthropy management from the University of Montréal and when the right position came — one which combined her past experiences, relationship building and in-the-field training — she took the plunge. She's proud that her new role is focused on encouraging the Centraide du Grand Montréal's corporate partners to commit to "the three Ts" of time, talent and treasure. Although the daughter of a lawyer, law wasn't Gagnon's first career choice.

"I originally wanted to be a teacher," she says; however, a school counsellor ultimately steered her towards law school. "The counsellor said, 'Considering you have interest in teaching and kids, you should take on extra-curricular activities that allow you to do that.'"

Gagnon's father passed away when she was 13, so she knew little of the major legal firms when she began her career in 1994, but McCarthy Tétrault balanced career and community.

"I got a call from a young lawyer at the firm in labour and employment (**André Baril**), who said, 'I do all sorts of extra-curricular activities. I invite you to join the firm.' I believed him." Baril would become a friend and a mentor to this day and his advice proved true.

The practice group itself also afforded Gagnon opportunities to contribute to the community. "After family law, labour and employment touches right on the heart of what affects people. It's about people's lives, and as a human being it is essential."

She joined, and ultimately would be a leader in what she calls a tight-knit group with its own vocabulary, methodologies and idiosyncrasies; from playing baseball in the halls to Christmastime Trivial Pursuit games to the annual mass birthday party in April. She is still very connected to the team.

It's a team that, over her 23 years at the firm, left her with the many skills and qualities she now brings to her current role: to be meticulous, build strong relationships, and to deliver professional, timely and quality service. To name just a few mentors, **Louis Lacoursière**, now a Superior Court judge, taught her the value of good client relationships; **Richard A. Beaulieu** entrusted her with important responsibilities early in her career; and, **Carol-Anne Laramée** paved a way as the first female partner in the Montréal labour and employment group.

"Having to develop the skills to work positively with people and the opportunity to develop them is very precious."

In her personal life, Gagnon has been extremely active in volunteer work for decades. For the past 28 years, she has spent her Sunday mornings at the Sainte-Justine Hospital fulfilling the emotional and recreational needs of its young patients. She sits on the board of directors of Collège Sainte-Anne and, since 2012, she has volunteered with The Lighthouse, Children and Families, an organization through which she visits a seriously ill girl at her family home weekly.

In 2015, the Quebec Branch of the Canadian Bar Association awarded her the prestigious Rajpattie-Persaud Award in recognition of her exceptional contribution to the welfare of the community. She lives in Lachine with her partner of nearly 30 years. When not engaged with work and community she races dragon boats and distance runs.



**Nathalie Gagnon**  
Conseillère, développement  
philanthropique,  
Centraide du Grand Montréal  
Montréal

# MT>Align: legal services flexed to fit



**Judith McKay**  
Chief Client  
and Innovation  
Officer

**Linda Beirsto**  
Executive  
Director and Lead  
Counsel, MT>Align

A new division of McCarthy Tétrault promises to meet the complex, changing legal needs of clients by providing flexible, scalable legal resources as a service.

Launched last year, MT>Align (formerly MT>OnDemand) offers a community of high-calibre contract lawyers supported by McCarthy Tétrault to fit a broad range of client needs, including:

- **Embedded resources** to provide temporary placements for short-term leaves or to help with overflow work.
- **Outsourced resources** to carry out a wide variety of non-strategic, non-core or routine work.
- **Process improvement or project resources** to supplement existing teams.
- **Virtual in-house counsel** for companies with either small or no legal departments or head-count limitations.
- **Specialized capabilities** such as pension and commercial real estate to augment existing legal teams.

Additionally, the MT>Align team collaborates with clients to scope work, offers alternative fee arrangements to better suit budgets, and provides cost certainty. The cost savings achieved and the value generated by allowing client teams to focus on high-value priorities is a compelling business case.

“We need to evolve as an industry to more of a partnering model,” says Judith McKay, Chief Client and Innovation Officer at McCarthy Tétrault, who is spearheading and co-leading this service with Linda Beirsto.

“MT>Align collaborates seamlessly with our clients, working together to both drive efficiencies and solve business problems,” says Linda Beirsto, Lead Counsel and Executive Director-MT>Align.

The service leverages the firm’s cloud-based MT>Core platform to operate in a lean and nimble way. “Thanks to our technology and process innovations, we can launch business lines like this more quickly and effectively,” McKay says. “This nimble platform also enables us to quickly streamline more routine, high-volume

legal work for our clients.”

As a testament to pent-up demand and the division’s agility, MT>Align grew to a pool of more than 90 lawyers with over 50 mandates in less than a year. The majority of MT>Align lawyers are either McCarthy Tétrault alumni or were referred by McCarthy Tétrault lawyers. This familiarity ensures confidence in the capability and fit of MT>Align lawyers for clients, despite rapid growth.

Kate Salter, a firm alumni, was one of the first people to join the MT>Align community and shares her experience:

“As a corporate commercial lawyer in my eighth year of call, I was one of the first to be accepted into the MT>Align team. I spent the first three years of my career at McCarthy’s and wanted to pursue contract positions with the calibre of client the firm attracts.

“My first mandate was with a large organization acting as senior legal counsel. I drafted, reviewed and negotiated complex and diverse commercial contracts. I also provided oversight and mentorship of two recent calls, which has been very rewarding. I have since worked on several other MT>Align engagements, providing me opportunity to work with a variety of interesting clients alongside McCarthy Tétrault lawyers.”

For clients, the service provides a new resource model that lets them augment their existing teams to spontaneously meet a wide range of issues demanding they quickly scale up or down resources — or requiring specific expertise. For the MT>Align community of lawyers, it combines flexible work arrangements with the business embeddedness of in-house counsel and the access to the varied work of a top-tier law firm.

Building and retaining a dynamic community of top talent is of the utmost importance, McKay stresses. MT>Align is perpetually recruiting to meet the evolving needs of clients. Access to the firm platform provides resources for MT>Align lawyers to keep their skills sharp.

In August 2018 and April 2019, the MT>Align community held in-person events, connecting MT>Align and McCarthy Tétrault lawyers in Vancouver, Calgary, Toronto and Montréal. The well-attended sessions focused on technical and soft skills learning and networking.

“We want our MT>Align lawyers to feel a sense of connection to McCarthy Tétrault and to each other,” McKay says. “This way, we truly create a sense of community and collaboration to achieve the business goals of our clients. It’s something very special.”

If you or someone you know are interested in learning more about MT>Align, visit [www.mtalign.ca](http://www.mtalign.ca) or contact us at [info@mtalign.ca](mailto:info@mtalign.ca).

# A legal growth opportunity

Last year, Canada became the first major industrialized nation to fully legalize recreational marijuana. The end to 95 years of prohibition promises business disruption in and out of the cannabis space.

McCarthy Tétrault had already fired up initiatives to advise on this economic opportunity. In fact, the firm was already acting as a first-class adviser and thought leader in the space before the *Cannabis Act* came into effect Oct. 17, 2018.

It was already advising provincial distributors OCS (Ontario Cannabis Store) and SAQ (Société des alcools du Québec) on distribution and sale of recreational cannabis. The firm has also been providing strategic counsel to Canopy Growth Corp., the largest producer of medical marijuana in Canada.

“We’re very proud at McCarthy Tétrault of the way we’ve approached this,” said Awanish Sinha, who leads the Cannabis Law group with fellow partner Matthew Kelleher.

“There are excellent firms out there who are doing regulatory work and M&As in the medical cannabis space. And we weren’t looking to become a ‘Johnny Come Lately’ in that aspect of the industry.”

Instead, since 2015, the group has looked at the impact on large players and the firm’s blue-chip clients. It draws on McCarthy Tétrault expertise in corporate commercial matters, but also its experience in disruptive emerging industries such as AI and cybersecurity.

## Eye on the social good

The firm is a founding member of, and the only law firm in, the World Cannabis Congress – Global Cannabis Partnership.

This public and private sector partnership has a mandate to develop social responsibility standards for the recreational cannabis industry.

For the *Cannabis Act* to achieve its goal of quashing the black market, it must be careful and diligent in executing its mission of keeping it out of the hands of children, Sinha says. “There can be a desire to maximize the opportunity, but that’s a good way to make it flame out.”

“There’s a social good that needs to be considered in a commercially viable, mature market.”

## No issue left in the weeds

Sinha chuckles when considering that cannabis law is a perfect fit for McCarthy Tétrault. The topic, he notes, is such a cultural and political touchstone. Still, he says the analytic strength of the partners and vocal advocacy for innovation create a platform for success.

It’s not just cannabis industry businesses that must closely consider the effects of legalization. Almost no company gets a free pass.

“We’ve done a lot of work for clients who you wouldn’t think would be impacted but are,” Sinha says. “Financial institutions, who have to provide banking for a new industry; the leasing industry, these businesses have to be somewhere. There are security, technology and machinery opportunities and concerns.”

“Some of these industries are getting a fresh lease on life from legalized cannabis.”

## PAYING TRIBUTE TO MARK ADKINS AND NEIL FINKELSTEIN

Last year, McCarthy Tétrault regrettably lost two of our professional family: Mark Adkins, managing partner of the New York office, and former partner Neil Finkelstein.

Mark Adkins passed away on May 11, leaving behind his wife Wendy and two young sons, Jake and Rye. He left an indelible impression on the firm, both personally and as leader of our New York office, which he was instrumental to opening.

Mark was a skilled business lawyer for almost 15 years, with deep roots and connections in North American M&A and private equity markets, a frequent speaker and author. He served as a director and corporate secretary of the Children’s Museum of Manhattan and was a past director of the Canadian Association of New York.

Neil Finkelstein, who passed away on June 12, was a litigation and competition law powerhouse, unparalleled as lead counsel in numerous significant impactful cases. He joined McCarthy Tétrault in 2009 as partner in the firm’s Litigation Group.

Neil was a life bencher of The Law Society of Upper Canada, a fellow of the American College of Trial Lawyers, and an Honorary fellow of the Commercial Bar Association “COMBAR” (UK). He was named one of Canada’s Top 25 Most Influential Lawyers by Canadian Lawyer in 2016, and awarded a Doctor of Laws degree, honoris causa by the Law Society in 2017 in recognition of his service to the profession.

Neil leaves behind a wife, Marie, and their three children, Jonathan, Emily and Sara.

## ALUMNI SNAPSHOTS



**Genevieve Pinto** was with McCarthy Tétrault from 2007 to 2017 in Vancouver. She is currently a partner at venture capital firm Renewal Funds, which invests in early growth-stage sustainability companies in Canada and the U.S.

### What makes your role at Renewal Funds a dream job?

I can roll up my sleeves to support the companies we invest in directly. I loved working with emerging companies at McCarthy Tétrault and that's what I do here.

**Genevieve Pinto**  
Partner,  
Renewal Funds  
Vancouver

In addition, the sustainability focus is something that hits me personally. I can invest in things with financial returns, but which ultimately have a positive impact on the planet.

### What issues do entrepreneurs in sustainability industries face?

Investors still have an idea that sustainability requires sacrifice to the bottom line and profits. That's shifting. It's clear to us that sustainability is a business imperative. The businesses of the future need a triple bottom line of people, planet and profits to be viable

There are creative funding structures and new legal areas to explore as businesses take this broader stakeholder view.

### What are your fondest memories at McCarthy Tétrault?

Too many to list. It's a very special place. The people and the camaraderie that exists is truly unique. We would sometimes hibernate together for months at a time on deals and somehow you come away with such fond nostalgia. There was also a lot of associate level shenanigans that cannot be reproduced in print.

### Where's your favourite place to visit?

My happy place is our family cottage on the ocean up on B.C.'s Sunshine Coast.

### Tell us about your work with the YWCA and Raise Collective

YWCA Metro Vancouver is a phenomenal organization serving women and children through programming, services, housing and advocacy. The opportunity to join its board came through the McCarthy Tétrault network. The Raise Collective is an organization I co-founded for women entrepreneurs and investors.

The common theme between the two organizations is the profound realization that, although women have legal equality, there's still deep, systemic issues that disadvantage women, whether socio-economic, health, or in business and funding. Both organizations do excellent work trying to address that. I feel fortunate to be in the place and time to do something through these causes.

### Let's stay connected!

Recently, we've taken a look at our Alumni data and see that it is not as up to date as we would like it to be.

We want to make sure we can keep in touch – to do that, we need your most current information on file. As such, **please consider sharing a personal email address** that you continue to use as your career progresses. You may unsubscribe from our communications and event invitations at any time. You can update your preferences anytime at <https://www.mccarthy.ca/en/community/alumni>.

If you know of other Alumni that are NOT on our mailing list, please encourage them to sign up by visiting <https://www.mccarthy.ca/en/community/alumni>. We've created a centralized mailbox for you to reach us. Please email us at [alumni@mccarthy.ca](mailto:alumni@mccarthy.ca) or [anciens@mccarthy.ca](mailto:anciens@mccarthy.ca). We look forward to staying connected.

### ALUMNI COMMITTEE

#### Committee members:

Robert J. Brant  
Lyndsey Delamont  
Philippe Leclerc  
Jean Lortie  
Emily MacKinnon (alumni publications)  
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### McCarthy Tétrault Connect

Connect is a newsletter for the McCarthy Tétrault community – our lawyers, our clients, our alumni.

McCarthy Tétrault Connect is available both in print and online at [www.mccarthy.ca/alumni.aspx](http://www.mccarthy.ca/alumni.aspx)

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