



## firm profile

McMillan is a modern and ambitious business law firm serving public, private and not-for-profit clients across key industries in Canada, the United States and internationally. With recognized expertise and acknowledged leadership in major business sectors, we provide solutions-oriented legal advice through our offices in Vancouver, Calgary, Toronto, Ottawa, Montréal and Hong Kong. Our firm values – respect, teamwork, commitment, client service and professional excellence – are at the heart of McMillan's commitment to serve our clients, our local communities and the legal profession. For more information, please visit our website at [www.mcmillan.ca](http://www.mcmillan.ca).

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## mediation

### overview

Litigation is a powerful means to resolve commercial disputes between parties. But it can often take years to conclude, during which time legal costs escalate and valuable resources are pulled away from the day-to-day business of serving customers. Frequently, enterprises engaged in private disputes will choose mediation over litigation. Mediation often delivers a faster, more private and lower-cost form of alternative dispute resolution.

While mediation does not always result in a conclusive outcome, it is a low-risk, high-reward option, because negotiations are conducted without prejudice and the terms of any binding agreement must be agreed by both parties. It is an expeditious, cost-effective and confidential way to achieve a just resolution of many disputes.

McMillan's Litigation Group brings a wealth of knowledge and experience to parties considering mediation. Our lawyers have experience working behind the scenes to help clients resolve their disputes and carry on their business. We have worked with companies in a wide range of industries and have managed international mediations involving multiple jurisdictions. And while we believe that most disputes can be mediated to a satisfactory conclusion, we also recognize when the time has come to adopt a more aggressive strategy through litigation.

McMillan professionals help clients lead by:

- Advising on the relative advantages of mediation and other alternative dispute resolution mechanisms versus litigation
- Attending as counsel before privately-appointed mediators in Canada and internationally
- Recommending optimal settlement terms
- Acting on their behalf during mandatory settlement conferences and, where applicable, on mandatory mediations before the courts