



## Guy Pinsonnault

Co-Chair, White Collar Defence and Government Investigations  
Ottawa, Montréal

613.691.6125, 514.987.5063  
guy.pinsonnault@mcmillan.ca

### education and year of call

- Called to the Ontario bar - 2011
- Called to the Quebec bar - 1980
- University of Ottawa, LL.L - 1979

### practice areas

competition and antitrust  
anti-corruption and fraud  
cartels  
class actions  
competition policy advocacy  
marketing and advertising  
unilateral conduct and distribution  
practices

### profile

Guy Pinsonnault is a partner in the firm's Competition and White Collar Defence and Government Investigations Groups. His practice includes the full range of competition, white collar crime and Canadian business regulation, litigation and advisory work, with a particular focus on Canadian and international cartel and commercial crime matters.

Prior to joining McMillan, Mr. Pinsonnault was the General Counsel, Competition Law Section, Public Prosecution Service of Canada, from 2004 to 2012. His work as the senior prosecutor at the Competition Bureau focused mainly on the prosecution of criminal cartel matters, as well as bid-rigging and fraudulent misrepresentation, in many of the major contested competition prosecutions in that period. He also provided extensive advice in the development of the Competition Bureau policies and programs in the criminal field (e.g. the Immunity and Leniency Programs) and advised on Bureau policies and practices for search and seizure, wiretaps, immunity and plea agreements.

Mr. Pinsonnault has had extensive criminal law and competition law experience dealing with local, national and cross-border corporate crime investigations. His practice involved foreign corrupt practices, fraud, commercial crime and other white collar offences. His work included multi-jurisdictional files for the Competition Bureau with the United States Department of Justice Antitrust Division, as well as the RCMP Commercial Crime Division, the Integrated Proceeds of Crime Unit, and the Province of Quebec anti-corruption unit (UPAC). Mr. Pinsonnault has appeared before Superior courts, the Federal Court, the Court of Appeal of Quebec and the Supreme Court of Canada.

Mr. Pinsonnault started his career in 1980 as a provincial prosecutor in the province of Québec where he prosecuted cases that covered a wide range of criminal matters including

Guy Pinsonnault  
t: 613.691.6125, 514.987.5063  
guy.pinsonnault@mcmillan.ca

fraud, white collar crimes, murder, sexual offences, robbery.

From 1990 to 2004, Mr. Pinsonnault was a prosecutor with Federal Prosecution Services, Justice Canada, where he prosecuted gang related drug cases, proceeds of crime and criminal organization offences, as well as criminal tax evasion.

The International Competition Network invited Guy Pinsonnault to participate as a non-governmental advisor at the Cartel Workshop in 2013 (Cape Town, Africa), 2014 (Taipei, Taiwan), 2015 (Cartagena, Colombia), 2016 (Madrid, Spain), 2017 (Ottawa) and 2018 (Tel Aviv, Israel).

Mr. Pinsonnault has also been approved by Public Service and Procurement Canada to be an independent third party pursuant to the Integrity Regime to provide them expert advice in the Competition Law field and afterward regarding the fraud sections of the *Criminal Code*.

## directorships and professional associations

- Appointed to the Long Range Planning Committee, Antitrust Law Section of the ABA
- Past Chair, Criminal Matters Committee, Canadian Bar Association, Competition Law Section (2015-2016)
- American Bar Association - Member of the Section's International Cartel Task Force
- Appointed Non-Governmental Advisor (NGA) to International Competition Network – ICN Cartel Working Group (2012-2018)

## awards and rankings

- Listed in Who's Who Legal: Canada 2020 as a leader in Competition
- Recognized by *Chambers Canada (2021)* as a leading lawyer in the areas of Competition / Antitrust: Litigators and White Collar Crime & Government Investigations
- Recognized by the Best Lawyers in Canada (2021) as a leading lawyer in the area of Competition / Antitrust Law
- Recognized in the 2020 Canadian Legal Lexpert Directory as a Consistently Recommended in the area of Competition Law
- Recognized by Chambers Global (2020) as a leading lawyer in the area of Competition / Antitrust: Litigators
- Listed in Who's Who Legal: Canada 2019 as a leader in Competition
- Recognized by *Chambers Canada (2020)* as a leading lawyer in the area of Competition / Antitrust: Litigators
- Recognized by *Best Lawyers in Canada (2020)* as a leading

Guy Pinsonnault  
t: 613.691.6125, 514.987.5063  
guy.pinsonnault@mcmillan.ca

lawyer in the area of Competition / Antitrust Law

- Recognized in the *2019 Canadian Legal Lexpert Directory* as a Repeatedly Recommended lawyer in the area of Competition Law
- Recognized by *Chambers Global (2019)* as a leading lawyer in the area of Competition / Antitrust: Litigators
- Recognized by *Chambers Canada 2019* as a leader in Competition/Antitrust
- Named the *Best Lawyers 2019* Competition / Antitrust Law “Lawyer of the Year” in Ottawa
- Recognized in *Best Lawyers in Canada (2019)* as a leading lawyer in the area of Competition/Antitrust Law
- Listed in *Who’s Who Legal Canada: 2018* as a leader in Competition
- Recognized in the 2018 Canadian Legal Lexpert Directory as a Repeatedly Recommended lawyer in the area of Competition Law
- 2016 Bill Miller Memorial Award for Contributions to the *Canadian Competition Law Review*.
- Governor of the Fondation du Barreau du Québec
- Recognized in *Best Lawyers in Canada 2018* as a leading lawyer in the area of Competition/Antitrust Law
- Recognized in *Who’s Who Legal: Canada 2017* as a leading lawyer in the area of Competition
- Recognized in the *Canadian Legal Lexpert Directory 2017* as a repeatedly recommended in the area of Competition Law
- Recognized in *Best Lawyers in Canada 2017* as a leading lawyer in the area of Competition/Antitrust Law
- Recognized in *Who’s Who Legal: Canada 2016* as a leading lawyer in the area of Competition
- Recognized in the *Canadian Legal Lexpert Directory 2016* as a leading lawyer in the area of Competition Law

## media mentions

- "[Canada narrows Postmedia/Torstar deal to criminal probe](#)", Global Competition Review, December 05, 2018

## publications

### June 2020

Deferred Prosecution Agreements: A Lack of Trust in Antitrust DPAs?

Litigation

Guy Pinsonnault  
t: 613.691.6125, 514.987.5063  
guy.pinsonnault@mcmillan.ca

## **March 25, 2020**

COVID-19: "Essential" Information About the Consequences of Continuing to Operate a "Non-Essential Business" in Ontario and Québec  
COVID-19 Bulletin

## **March 2020**

Deferred Prosecution Agreements Take Off Abroad: Airbus Penalties Exceed \$5 Billion  
Litigation Bulletin

## **February 2020**


Deferred Prosecution Agreements: Canada Provides Some Clarity, But Many Questions Remain  
Litigation Bulletin

## **February 2020**

Getting the Deal Through – Cartel Regulation 2020

## **December 2019**

Anti-Corruption 2019 Second Edition (Canada

Chapter)  Chambers and Partners

## **November 2019**

2020 Canadian Chapter of Getting the Deal Through - Cartel Regulation  
Lexology

## **September 2019**

Deferred Prosecution Agreements: A French Approach to Considering the Public Interest  
Litigation Bulletin

## **June 2019**

Deferred Prosecution Agreements and the "National Economic Interest"  
Litigation Bulletin

## **April 2019**

Cooperating Witnesses not Confidential Informers - Competition Bureau Updates Immunity and Leniency Programs under the Competition Act  
Competition and Antitrust Bulletin

## **March 2019**

Getting the Deal Through (Canada Chapter) – Cartel Regulation 2019

## **December 2018**

Anti-Corruption 2019 Guide  
Chambers and Partners

Guy Pinsonnault  
t: 613.691.6125, 514.987.5063  
guy.pinsonnault@mcmillan.ca

## **November 2018**

The Court of Appeal puts an End to 'Jail on the Couch'  
Sentences for Bid-rigging  
Regulatory Bulletin

## **October 2018**

Deferred Prosecution Agreements: Improving Corporate  
Compliance in Canada  
IBA Anti-Corruption Committee Website

## **September 2018**

A New Deferred Prosecution Agreement Regime in Canada  
The Lawyers Daily – LexisNexis

## **March 2018**

Canada Announces the Creation of the Remediation Agreement  
Regime and Improvements to the Integrity Regime to Tackle  
Corporate Crime  
Competition Bulletin

## **March 2018**

Getting the Deal Through (Canada Chapter) – Cartel Regulation  
2018

## **January 2018**

Proposed Changes to the Competition Bureau's Immunity  
Program Will Undermine Effective Cartel Enforcement in  
Canada - Comments of McMillan LLP on the Consultation Draft  
dated October 26, 2017

## **October 2017**

Foreign Corruption: Canada Makes "Facilitation Payments"  
Illegal  
Business Law Bulletin

## **October 2017**

Government of Canada Announces Public Consultation  
regarding Deferred Prosecution Agreements (DPAs)  
Competition Bulletin

## **June 2017**

Rigging the Bid: Finding Fraud in a Regulated Setting  
Competition and Antitrust Bulletin

## **April 2017**

FCPA Declination Letters and Corporate Criminal Liability: What  
Can Be Learned From the U.S. Approach  
Competition Bulletin

## **February 2017**

Getting the Deal Through – Cartel Regulation 2017  
Global Coordinating Editor; Canada Chapter

Guy Pinsonnault  
t: 613.691.6125, 514.987.5063  
guy.pinsonnault@mcmillan.ca

## **November 2016**

Impacts of the Supreme Court's Decision in *R v Anthony-Cook* on the Certainty of Plea Agreements and Jointly Proposed Sentencing  
Competition Bulletin

## **January 2016**

Fraud in Regulated Settings: Detrimental Reliance by the Victim not always Required  
Competition and Antitrust Bulletin

## **November 2015**

Recent Trends and Developments under Canada's Corruption of Foreign Public Officials Act  
International Trade Bulletin

## **June 2015**

The Purpose, Nature and Constitutionality of the Presumptions of Section 69 of the Competition Act  
Canadian Competition Law Review, Vol. 28, No. 1

## **March 2015**

The Canadian Approach to Corporate Criminal Liability for Antitrust Offenses  
American Bar Association Section of Antitrust Law, Cartel & Criminal Practice Committee Newsletter – Spring 2015

## **March 2015**

Attaching Criminal Liability to Organizations for Anti-Competitive Offences: What Can Be Learnt From the Canadian Experience  
Journal of European Competition Law & Practice (Oxford University Press), Vol. 6, Issue 3

## **February 2015**

Warrantless Searches of Cell Phones upon Arrest are Lawful in Canada – but Strict Safeguards Apply  
Canadian Privacy Law Review, Vol. 12, No. 3

## **February 2015**

The Supreme Court finds that certain Search and Production Provisions of Anti-Money Laundering and Anti-Terrorist Legislation are inapplicable to Legal Counsel  
Competition Bulletin

## **December 2014**

Warrantless Searches of Cell Phones upon Arrest are Lawful in Canada – but Strict Safeguards Apply  
Competition Bulletin  
*Republished in the February 2015 edition of the Canadian Privacy Law Review*

## **November 2014**

Blame It On Rio: Whistleblowing and World Football's Anti-Corruption Crisis

Guy Pinsonnault  
t: 613.691.6125, 514.987.5063  
guy.pinsonnault@mcmillan.ca

Competition Bulletin

## presentations

### **October 20, 2020**

(Upcoming) CBA Competition Law Fall Online Symposium  
Canadian Bar Association, Speaker  
Competition Law and Foreign Investment Enforcement in the  
Time of COVID-10

### **November 2019**

Proposed Moderator Questions for the Criminal Deceptive  
Marketing Practices, Brownbag Session  
Panelist, Canadian Bar Association - Teleconference

### **June 2019**

Remediation/deferred prosecution agreements, monitor  
appointments, leniency programs & other investigation resolution  
outcomes Discussion Leader  
Northwind's 2nd Internal and Enforcement Investigations  
Invitational Forum, Cambridge, Ontario

### **May 2019**

The Uncertain State of Immunity & Leniency  
Panelist  
CBA Competition Law Spring Conference, Toronto, Ontario

### **March 2019**

The state of leniency  
Panelist  
GCR Live - 4th Annual Cartels, Washington, DC

### **October 2018**

*ICN Cartel Workshop 2018 Mini Plenary 8: Fines – finding the  
right balance*, Non-Governmental Advisor  
Moderator  
International Competition Cartel Working Group, Tel Aviv, Israel

### **March 2018**

2017-2018 ICN Cartel Working Group – SG1  
Speaker  
Webinar on Parental Liability

### **October 2017**

ICN Cartel Workshop 2017 Breakout Session #11 - When civil  
servants go bad: what to do when a government procurement  
agency is involved in big-rigging  
Panelist, Non-Governmental Advisor  
International Competition Cartel Working Group, Ottawa, Ontario

### **September 2017**

Parental Liability  
Speaker  
ICN CWG SG1 Webinar

Guy Pinsonnault  
t: 613.691.6125, 514.987.5063  
guy.pinsonnault@mcmillan.ca

## **May 2017**

Whither Section 45? Criminal Conspiracies Under the Microscope  
Speaker  
CBA Competition Law Spring Conference, Toronto, Ontario

## **January 2017**

Guilty Pleas 101 – The Nuts and Bolts of Guilty Pleas  
Panelist  
CBA Criminal Matters Committee Brown Bag Session, Teleconference

## **November 2016**

La Responsabilité des Organisations  
Panelist  
Édition Blais, Montréal, Québec

## **October 2016**

A Time for a Reboot? Exploring a Fresh Approach to Immunity and Leniency Programs  
Speaker  
CBA Competition Law Fall Conference, Ottawa, Ontario

## **October 2016**

CBA Speed Mentoring  
Participant  
Competition Law Fall Conference, Ottawa, Ontario

## **October 2015**

Mini Plenary 3: NGA panel: Role of NGAs in advising leniency applicants in multinational cartel cases  
Non-governmental Advisor Panelist  
Activities of the International Competition Cartel Working Group, Cartagena, Columbia

## **June 2015**

Beyond the Borders: Emerging Issues in Business Litigation Seminar, Crossing the Line When Crossing the Border: The Canadian and US Approaches to Combating Foreign Corruption  
Speaker  
conference hosted by DRI, The Voice of Defense Bar, Toronto, Ontario

## **November 2014**

Search Warrants and Inspections: How You Can Reduce Risk and Be Ready to Respond?  
Speaker  
McMillan Client webinar on Search Warrants and Inspections

## **October 2014**

Developing Effective Relations with Public Prosecutors – The Canadian Experience  
Non-Governmental Advisor Panelist  
Activities of the International Competition Cartel Working Group, Taipei, Taiwan

## **September 2014**

Section 45 - Auto-Parts and Other Recent Developments





Guy Pinsonnault  
t: 613.691.6125, 514.987.5063  
guy.pinsonnault@mcmillan.ca

Moderator Fall Conference session in 2014, Ottawa, Ontario

**February 2014**

Cartel et collusion : perspectives pratiques  
Speaker Laval University, Ville de Québec, Quebec

**October 2013**

Section 45 (3) of the Competition Act: Use of Circumstantial  
Evidence to Prove Conspiracy  
Panelist, Non-Governmental Advisor International Competition  
Cartel Working Group, Cape Town, South Africa

**October 2013**

Making the Settlement Stick  
Presenter  
Webcast