



## Michael S. Rankin

Co-Chair, Ontario, Administrative and Public Law  
Co-Chair, Government Procurement  
Ottawa

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### education and year of call

- Called to the Ontario bar - 1987
- Osgoode Hall Law School, Certificate in Advanced Procurement Law and Practice: Major Projects and Tendering - 2018
- Osgoode Hall Law School, Certificate in Public Procurement Law and Practice - 2017
- McGill University, LLB - 1985
- Concordia University, BA - 1982

### practice areas

business litigation  
appellate advocacy  
defamation and libel  
product liability  
arbitration  
construction litigation  
mediation  
administrative law  
government procurement  
white collar defence and government investigations

### industries

media, communications and entertainment  
manufacturing, distribution and retail

### profile

- Partner as of 1992
- Managing Partner of the firm's Ottawa office, 2005-2012
- Member of the firm's Advocacy and Commercial Litigation Group. Practice areas include, civil, commercial, product liability, environmental, complex family law and regulatory litigation.

Michael is a Senior Litigation Counsel with extensive representation at trial and appellate levels as well as administrative tribunals, mediations and arbitrations.

In his litigation practice, Michael covers a broad range of areas, including procurement litigation, commercial and corporate and shareholder disputes, product liability and environmental contamination actions, defamation and tort actions, fraud and insolvency cases.

Michael's family law practice focuses on complex financial disputes involving divorce, child and spousal support, property settlement, and domestic contracts.

For several years, he was a member of the firm's Supreme Court of Canada Practice Group conducting agency and counsel work at the Supreme Court. He assisted and provided strategic advice on applications for leave to appeal, appeals and motions.

Practicing a philosophy that "to be successful one must possess strong people skills in addition to strong legal skills", Michael is a patient listener who communicates clearly and concisely with empathy and concern. Beyond the substantive law, he

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endeavours to understand and address the needs of his clients in case guidance.

Michael distinguishes himself, not only with his exceptional and broad-based background, but also in the way he manages each file uniquely. With dedication, he strategizes innovative approaches to avoid the courtroom where possible. When cases do go to court, Michael challenges and leads with determination and conviction. He is well respected and recognized for his considerable achievements in highly contentious proceedings in all areas of his expertise.

Michael provides mentoring to students and associates, and is frequently called upon to be a resource for others in the firm in unique and highly complex matters.

## directorships and professional associations

- Canadian Bar Association
- County of Carleton Law Association

## representative matters

- Lead counsel in complex tort, tax and pension litigation before the Ontario Superior Court of Justice, Court of Appeal for Ontario, Federal Court of Appeal and the Supreme Court of Canada involving claims pertaining to wrongful criminal charges and the impact of deregistration of a pension plan under the *Income Tax Act*
- Lead counsel for Carleton University for many years on a wide array of litigation and advisory matters including procurement, construction law, commercial disputes, class action litigation, intellectual property protection, academic fraud and discipline, gifts and advancement and governance issues
- Lead counsel for an oil tank manufacturer in the defense of numerous actions across Ontario involving product liability and negligence claims
- Lead counsel in complex insurance litigation involving claims pertaining to excess liability coverage and insurance broker negligence
- Lead counsel in shareholder oppression and winding up action under the *Ontario Business Corporations Act*
- Lead counsel for many years to the City of Ottawa and to other municipalities in a wide range of civil and commercial disputes, including procurement litigation, contract, personal injury, tort and libel and slander actions
- Lead counsel for the City of Ottawa in the successful defense to the challenge to the Smoke Free Bylaws which

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banned smoking in public places and work places. This included the jurisdictional and constitutional challenge to the legality of the bylaws at both the trial and appeal level, injunction proceedings, and by law enforcement and prosecutions. The winning defence has led to Ottawa being used as a national and international model for the implementation of smoke free bylaws and legislation

- Lead counsel for the City of Ottawa, on behalf of a member of City Council, in the successful defense of a libel and slander action brought by another member of City Council
- Lead counsel in the successful defence to complex litigation involving a libel and slander claim against a Member of Parliament which included actions in the Ontario Superior Court of Justice, Court of Appeal for Ontario and the Federal Court of Canada (Trial Division)
- Provided defence counsel for professionals / members responding to complaints filed with the College of Occupational Therapists of Ontario, the Law Society of Upper Canada, and the Professional Engineers Association of Ontario
- Acted as Standing Agent for the Department of Justice from 1988 to 2000 conducting prosecutions under the *Narcotics Control Act*, *Food and Drug Act*, *Controlled Drugs and Substances Act*, *Income Tax Act*, Canada Labour Code, etc
- Quasi-criminal practice involving both prosecution and defence of charges under the *Occupational Health and Safety Act*, the *Liquor Licence Act*, the *Clean Water Act*, the *Motor Vehicle Dealers Act* and numerous other regulatory statutes and by-laws

## awards and rankings

- Received the Mayor's Certificate of Recognition in 2005 in recognition of outstanding dedication and service in successfully representing the City of Ottawa in high profile legal actions
- BV Distinguished rating by *Martindale Hubble*

## teaching engagements

- Guest Lecturer on "Advocacy," a Bar Admission Course for the Law Society of Upper Canada
- Guest Lecturer invited to address the Law Department at Carleton University
- Acted as Articling Principle for many years in the supervision of students at Lang Michener and chaired the Student Committee. The committee provides processes for extensive teaching experience including internal seminars and mentoring

## community involvement

- Minor hockey competitive coach at all levels from 1998 - 2013

## media mentions

Michael was interviewed for the article [Take Control of your Procurement Process](#) in Canadian Corporate Counsel Association, Spring 2017 edition and provided insight into procurement practices notably, the Government of Canada's Procurement Integrity Regime.

Appeared weekly on an expert legal panel on CFRA's [Madely in the Morning](#). The panel discussed the Larry O'Brien (Ottawa Mayor) influence peddling trial. Michael also appeared on Ottawa's A Channel as a legal analyst about the trial. Michael appeared on CBC National News with reporter Leslie MacKinnon as a legal analyst on Brian Mulroney's testimony at the Oliphant inquiry. Michael was a featured source in an article titled "Canucks [Paid \\$14.2 Million: Feds Spent \\$24 Million On Outside Legal Counsel](#)" in a June 2009 edition of *Law Times*. In the article Michael discusses the complex construction litigation case that the firm had been working for the federal government in 2008.

Michael was a regular media spokesperson for the City of Ottawa pertaining to all of the complex litigation that he handled for the City over many years.

## publications

### April 2017

Who ya gonna call (out)? Government of Canada introduces tip line to report federal contract fraud  
Procurement Bulletin

### April 2016

In this Great Future, You Can't Forget Your Past – Update to the Government of Canada's Integrity Regime Provides Clarity, Includes General Anti-Avoidance Provisions  
Government Procurement Bulletin

### February 2016

Procurement complaints against the government: more than just bid challenges  
Procurement Bulletin

## presentations

### October 2017

Buying Into Change: Updating Your Procurement Process for



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CETA/CFTA Compliance  
Confidential Client (public sector)

**October 2017**

Buying Into Change: Updating Your Procurement Process for  
CETA/CFTA Compliance  
Ontario University Procurement Management Association

**June 2017**

Buying Into Change: Updating Your Procurement Process for  
CETA/CFTA Compliance  
Confidential Client (public sector)

**April 2017**

All Hands on Deck: Navigating the Tricky Waters of the Federal  
Government's New Integrity Regime of Public Procurement  
The Canadian Bar Association, Webinar