



## Dominique Ménard

### Partner

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### Areas of Expertise

- Civil and commercial litigation
- Class actions
- Shareholder disputes and oppression remedy
- Directors and officers liability
- Injunctions, seizures, Mareva injunctions and Anton Piller orders
- Governance, compliance and investigations (RAMQ, IIROC, AMF, professional orders, etc.)
- Construction law
- Employment law
- Estates litigation
- Defamation
- International law
- Health law
- Calls for tenders
- Administrative law

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Dominique Ménard practises in civil and commercial litigation, employment law, construction law and administrative law. Her diverse practice extends to judicial reviews, class actions, employment law, construction law, seizures and injunctions, oppression remedies, shareholders' dispute, estate law and administrative investigations.

Ms. Ménard has appeared before all Canadian courts, including appellate courts, and various administrative tribunals. Having been involved in several judicial reviews, injunctions, employment claims, complex trials and arbitrations, she is experienced in coordinating multidisciplinary teams of experts and lawyers in various jurisdictions and managing the collection of evidence related to such matters. She has been regularly involved in administrative law files for various public entities. She frequently assists clients in reviewing their internal policies and procedures, administrative investigations and the legislative reforms that can affect them.

Ms. Ménard also specializes in reviewing contracts and requests for proposals. She has helped a number of clients implement request for proposal processes, as well as present proposals. She has also been involved in lawsuits arising from them.

Ms. Ménard previously practised as in-house counsel in the pharmaceutical industry. In the course of her practice, she also frequently represents foreign clients, particularly in disputes challenging the jurisdiction of Quebec courts.

Ms. Ménard also represents senior executives regarding various employment issues.

## Representative Work

Ms. Ménard has represented the following clients:

**Company directors and majority and minority shareholders** in oppression remedy actions, particularly those involving director liability.

**Corporations and individuals** in obtaining Mareva injunctions, Anton Piller orders and seizures before judgement, as well as plaintiffs and defendants involved in injunctions resulting from the application of a non-compete clause.

**Foreign corporations** in rogatory commissions and commercial disputes before the Canadian courts, raising the issue of foreign states' immunity and the recognition of foreign judgments.

**Pharmaceutical companies and other public entities** before the courts and in administrative investigations.

**Urgence-Santé** regarding the termination of a contract for the production of 100 ambulances by a French company. The lawsuit brought up important questions regarding the termination of a contract following a request for proposals, the abuse of rights, and damages.

**Hydro-Québec** in a lawsuit of over \$110 million against the general contractor of the Eastmain plant.

She also defended **Hydro-Québec** in an appeal of a judicial review decision regarding a class action brought by its unionized employees alleging the right to maintain pre-determined premiums for their group life insurance.

**Fédération des médecins spécialistes du Québec** as counsel to the FMSQ regarding various questions such as incidental fees, rights and obligations of medical specialists, etc.

## Class Actions

**GE Railcar Services Corporation:** Defended General Electric, the lessor of some of the oil tank cars involved in the July 2013 derailment in Lac-Mégantic.

**Hydro-Québec:** Defended a class action by a group of non-unionized employees alleging the right to maintain pre-determined premiums for their group life insurance.

**L'Oréal Canada:** Defended L'Oréal in a suit alleging that L'Oréal Kids shampoo contained hazardous ingredients; claimants discontinued their suit in late 2010.

**Fédération des médecins spécialistes du Québec (FMSQ):** Defended the FMSQ regarding training days. This file involved a request for permission to appeal to the Supreme Court of Canada.

## Education

LL.B., Université de Sherbrooke, 1997

## Call to the Bar

Quebec, 1998

## Professional Associations

- Barreau du Québec
- Canadian Bar Association
- International Association of Young Lawyers