



Max R. Bernard, Ad. E.

Counsel

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Areas of Expertise

- Civil and commercial litigation
- Shareholder disputes and oppression remedy
- Securities litigation
- Construction law
- Product liability
- Estates litigation
- Professional liability
- Arbitration
- Real estate and commercial leasing

Max R. Bernard focuses his practice on commercial litigation, construction law, commercial real estate, securities brokerage and banking. He has handled various types of commercial and contractual claims and shareholder remedies. Additionally, he has acted for securities brokers and negotiated construction contracts, including agreements with professional consultants. His expertise in real estate law extends to development, financing, work-outs, management and leasing. In the banking field, he has been involved in work-outs and insolvency proceedings. Acknowledged for his expertise, he is often called upon as a dispute arbitrator.

Representative Work

In the early stages of his career, Mr. Bernard practised with a Montreal firm where he represented the **Inuit of Quebec** in proceedings that resulted in the first modern native land-claims settlement in Canada.

Mr. Bernard has represented the following clients:

Hydro-Québec, in a claim of over \$100 million, involving the construction of a hydro-electric generating station and associated works, and in several other matters.

NEG Micon Canada Inc., one of the world's largest wind turbine manufacturers, in a \$150 million arbitration proceeding concerning the Cap-Chat and Matane wind farms in Quebec (100 MW), a project known worldwide for its climate-related complexities.

Coopers & Lybrand in litigation resulting from the collapse of Castor Holdings Ltd., presently the most important Canadian case involving the liability of auditors.

Canada's leading securities brokerage firms in respect of individual client claims.

A leading manufacturer of wind turbines in respect of certain North American projects.

Conferences and Publications

Speaker, "The Invincible Investment Dealer – Round Two," May 27, 2013

He has also participated in a number of conferences as both a speaker and moderator.

Awards and Recognition

- Barreau du Québec (Emeritus Lawyer)
- Canadian Legal Lexpert® Directory (Leading Practitioner in Corporate Commercial Litigation – 2012, 2013)
- The Best Lawyers in Canada (Alternative Dispute Resolution, Construction, Bet-the-Company Litigation, Corporate and Commercial Litigation – 2006-2016)
- Martindale-Hubbell (AV® Preeminent™)
- American College of Trial Lawyers (Fellow)

Mr. Bernard is a past officer of the Bar of Montreal and a past president of the Lord Reading Law Society.

Education

B.C.L., McGill University, 1969

B.A., McGill University, 1966

Call to the Bar

Quebec, 1970

Professional Associations

- Barreau du Québec
- Canadian Bar Association
- American College of Trial Lawyers