

Claude Morency

Office Managing Partner, Montréal



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Montréal

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Overview

Claude Morency is Managing Partner of Dentons' Montréal office (since 2007) and is a member of the Litigation and Dispute Resolution group. His practice focuses on corporate, commercial and construction litigation. Claude has extensive knowledge and experience in managing and conducting large-scale litigation before arbitral or judicial courts. In construction law, Claude has represented parties involved in litigation where tens or hundreds of millions of dollars were at stake and raising very complex technical evidence issues. In commercial matters, Claude works mainly on shareholder law matters and contractual disputes. Claude also has experience defending parties involved in investigation processes, including a public inquiry commission, as well as in statutory criminal matters.

A member of the National Management Committee, Claude plays an active role in the national management of the firm while maintaining a very active practice.

Experience

- **Aéroports de Montreal:** Representing in connection with various infrastructure improvement and expansion projects as well as in construction litigation before arbitral and judicial courts.
- **Tembec:** Advising in several construction matters, including construction defects and industrial equipment performance defects litigation.
- **McGill University Health Centre (MUHC):** Advising the public partner, the MUHC, in a dispute with the private partner that was awarded the design, build, finance and maintain contract for the new MUHC campus (the Glen site). At the end of the design and construction phase, the private partner filed a statement of claim in Superior Court claiming CA\$330 million for direct, indirect and impact costs. This was the first litigation involving a PPP project in Québec.
- **DuProprio:** Advising with respect to its strategic positioning in the real estate industry in Québec, in addition to defending its interests in a number of actions brought against it by the brokerage industry, including criminal complaints under the *Real Estate Brokerage Act*, an action for declaratory judgment regarding the interpretation of the concept of real estate brokerage and a class action regarding allegedly false or misleading advertisements.

- **Power Corporation of Canada:** Acting for the company and its subsidiary Gesca Limited with respect to a request to examine the financial statements of several subsidiaries pursuant to section 157 of the *Canada Business Corporations Act*. This matter raises various issues that are rarely interpreted by Canadian courts.
- **Montreal Port Authority:** Advising on various aspects of the *Canada Marine Act* as well as disputes relating to various infrastructure improvement and expansion projects and representing the port authority in construction disputes.
- **Bibliothèque et Archives nationales du Québec (BAnQ):** Representing BAnQ before the Superior Court and the Court of Appeal in a multi-million dollar action for damages brought against Axor Construction Canada Inc.
- **Trans-Canada Energy:** Advising on various projects, including the construction of a 507 MW natural gas-fired power plant in Bécancour, Québec (project valued at CA\$600 million).
- **Cartier Wind Energy:** Acting as legal counsel to this major wind energy producer in Québec (with facilities in Baie-des-Sables, L'anse-à-Valleau, Carleton, etc.) in contractual matters, particularly with respects to certain aspects related to the construction and contractual obligations of suppliers (project valued at CA\$1.1 billion).
- **Aecon Group:** Acting for the group in various construction litigation matters, including a CA\$100 million action against Société d'énergie de la Baie-James and Hydro-Québec following the construction of the Eastmain-1 power plant.
- **École Polytechnique de Montréal:** Acting for the school in a CA\$11 million Court action for damages against engineers and a project manager following the design and construction of a structural laboratory for the school.
- **Québec Ministry of Transportation:** Advising in connection with the extension of Highway 30 under a public-private partnership structure.
- **Executive Director – Modernization of Montréal's University Health Centres CHUM, MUHC and CHU Sainte-Justine:** Advising in connection with the Centre hospitalier de l'Université de Montréal (CHUM), the McGill University Health Centre (MUHC) and the Centre hospitalier universitaire Sainte-Justine (CHU Sainte-Justine) modernization projects.
- **Gas Transmission Company:** Representing in a CA\$70 million dispute referred to arbitration following the installation of a 200 km-long gas pipeline.

Recognition

- Recognized in *The Canadian Legal Lexpert Directory* as one of Canada's leading lawyers in the area of Construction Law (2013–2019)
- Recognized in *Acritas* as an *Acritas Star™*(2017–2019)
- Recognized in *The Best Lawyers in Canada* as one of Canada's leading lawyers in Construction Law (2006–2020) and Corporate Commercial Litigation (2019-2020)
- Recognized in the *Lexpert Special Edition – Canada's Leading Energy Lawyers* (2017, 2018)
- Ranked by *Benchmark Litigation* as a Local Litigation Star (Québec, 2013–2015) and as a Litigation Star in the areas of Construction and General Commercial (2017)
- Ranked "BV Distinguished" in Martindale-Hubbell's Peer Review Rating
- Recipient of the Queen Elizabeth II Diamond Jubilee Medal

Insights

- Co-author, "Canada – Construction & Engineering Law 2015," *The International Comparative Legal Guide to: Construction & Engineering Law 2015 Edition*, Global Legal Group Ltd., London
- Co-author, "Canada – Construction & Engineering Law 2014," *The International Comparative Legal Guide to: Construction & Engineering Law 2014 Edition*, Global Legal Group Ltd., London
- "La gestion des risques reliés aux modes de réalisation des projets miniers et aux contrats liés à l'approvisionnement," October 2012

Activities and Affiliations

- Member, Québec Bar
- Member, Canadian Bar Association

Community Involvement and Pro Bono

- Member of the jury, "Imaginative Justice Award" of the Université de Montréal's Faculty of Law and the Lexum Chair on Legal Information (2016 edition)
- Member of the honorary committee, fund-raising cocktail "Mosaïque" of ENSEMBLE pour le respect de la diversité (2016)
- Co-chair, annual benefit show "Donner pour changer leur vie" of La Mosaïque Foundation (2015)
- Honorary Co-Chair, Pharmaprix Weekend to End Women's Cancers (2012)

Areas of focus

Practices

- Alternative Dispute Resolution (ADR)
- Litigation and Dispute Resolution
- Corporate

Industry sectors

- Construction
- Energy
- Forest Products and Agribusiness
- Professional Liability

Education

- University of Ottawa, 1990, LL.L.

Admissions and qualifications

- Québec, 1991

Languages

- French
- English