



Jean-Philippe Groleau

Partner

Office

Montréal

Tel

514.841.6583

Email

jpgroleau@dwpv.com

Expertise

Dispute Resolution
Class Actions
Public Law

Bar Admissions

Québec, 2004

A determined and skilled litigator, Jean-Philippe acts for a highly diversified range of public sector clients.

Jean-Philippe specializes in complex and high-profile cases, with a particular emphasis on public law disputes, including constitutional challenges and judicial reviews of administrative actions. He also has a wealth of experience in class actions, having acted for plaintiffs and defendants alike, including in health law and consumer protection cases. Jean-Philippe has an excellent track record of success before administrative and arbitral tribunals and at all levels of court, including the Supreme Court of Canada, where he has appeared as lead counsel on multiple cases that addressed a range of legal issues.

Jean-Philippe is a member of the board of directors of Health and Education Now!, an organization involved in community development in Benin and Cameroon.

REPRESENTATIVE WORK

Brault & Martineau Inc., Corbeil Électrique Inc. and Sears Canada Inc.

Acting for Brault & Martineau Inc., Corbeil Électrique Inc. and Sears Canada Inc. in defence of various class actions instituted on behalf of consumers alleging that the sale of additional warranties breaches the provisions of the Consumer Protection Act.

Brault & Martineau Inc.

Acted successfully for Brault & Martineau Inc. in defence of a class action instituted on behalf of consumers who purchased goods with financing that was alleged to breach the provisions of the *Consumer Protection Act*.

Confidential Client

Acted successfully for a Québec-based gas retailer in connection with criminal charges laid by the Competition Bureau for alleged price-fixing and related class actions. Davies has succeeded in obtaining a stay of the criminal proceedings against its client based on a breach of its constitutional rights.

Société des casinos du Québec

Acting for the Société des casinos du Québec in connection with two class actions regarding electronic banking fees charged on certain transactions made in Loto-Québec's casinos.

McInnis Cement Inc.

Acted for McInnis Cement Inc. in defence of a motion to quash a permit issued by the Minister of Environment allowing McInnis to move forward with its project to build a \$1 billion state-of-the-art cement plant in Port-Daniel, Gaspésie.

Concordia University

Acted successfully for Concordia University in the *Bisailon v Concordia*

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University case before the Supreme Court of Canada. Davies argued that the Superior Court had no jurisdiction to entertain a class action initiated by Bisailon claiming the payment by Concordia of well over \$100 million to the pension fund of its employees.

Société de transport de Montréal (STM)

Acted successfully for the Société de transport de Montréal in a dispute with Bombardier Transport Canada Inc. and Alstom Canada Inc. concerning the \$1.2-billion contract for the renewal of the cars of the Montréal subway. The Superior Court of Québec granted the STM's motion to dismiss the motion for declaratory judgement instituted by the subway car manufacturers.

Canadian Civil Liberties Association

Acted on a *pro bono* basis for the Canadian Civil Liberties Association as intervener in *S.L. v. Commission scolaire des Chênes*, in which the Supreme Court of Canada had to decide the circumstances under which parents may request that their children be excused from attending mandatory classes on the basis that they interfere with their freedom of religion.

Canadian Civil Liberties Association

Acted on a *pro bono* basis for the Canadian Civil Liberties Association as intervener in *Loyola High School v. Attorney General of Quebec*, 2015 SCC 12, where the Supreme Court of Canada had to determine, in the context of a mandatory pedagogical program, the proper balance between the objectives of promoting tolerance and respect for difference, on the one hand, and the religious freedom of the members of a particular community, on the other hand. The Supreme Court of Canada unanimously adopted the position advocated by the CCLA on the collective aspects of freedom of religion.

Corus Entertainment Inc.

Acted successfully for Corus Entertainment Inc. before the Federal Court of Appeal in connection with a third party's challenge of a CRTC decision approving the sale of certain Québec radio stations from Corus to Cogeco Inc.

RECOGNITIONS

American College of Trial Lawyers—Fellow

Litigation Counsel of America—Fellow

Chambers Canada: Canada's Leading Lawyers for Business—Litigation, Administrative & Public Law: Québec

Benchmark Canada: The Definitive Guide to Canada's Leading Litigation Firms & Attorneys—Commercial (Litigation Star)

Benchmark Canada Impact Case of the Year Award (2020)—Recipient

The Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada—Litigation: Corporate Commercial

Lexpert Special Edition: Litigation

Lexpert Special Edition: Technology and Health Sciences

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The Canadian Legal Lexpert Directory—Litigation: Corporate Commercial (Most Frequently Recommended); Class Actions

Lexpert Rising Stars: Leading Lawyers Under 40

The Best Lawyers in Canada—Administrative and Public Law; Alternative Dispute Resolution; Appellate Practice (Lawyer of the Year 2023, Montréal); Bet-the-Company Litigation; Class Action Litigation; Corporate and Commercial Litigation

Young Bar Association of Montréal—Civil and Commercial Litigation (Lawyer of the Year Award 2013)

ARISTA Provincial Competition—Young Professional Category (Finalist 2014)

INSIGHTS

Interview, Canadian Lawyer Magazine, “Proposed Quebec tax on unvaccinated likely is within rights of province to impose: Davies lawyer”
Jan. 25, 2022

Canada’s Top Court Provides Crucial Guidance on the Conduct of Insolvency Proceedings
May 08, 2020

Canada’s Top Court Releases Precedent-Setting Decision on Litigation Funding and a Court’s Discretion in Restructuring Process
Jan. 28, 2020

New Beacons of Administrative Law: Top Court Reviews the Approach to Judicial Review of Administrative Decisions
Jan. 14, 2020

Québec Superior Court Enforces Right to Collective Bargaining of State Employees
Oct. 08, 2019

Québec Court of Appeal Says Current Civil Jurisdiction of the Court of Québec Is Unconstitutional
Sept. 17, 2019

“Les honoraires en demande en matière d’actions collectives : comment éviter de jouer à l’apprenti-sorcier en vue de moduler le comportement des avocats”, co-author
May 03, 2019

Osgoode Professional Development, 16th National Symposium on Class Actions, “Case Study: The Biggest Case You’ve Never Heard Of”; Toronto, ON
Apr. 04, 2019

Barreau du Québec, National Conference on Class Actions, “Legal Issues Related to Multi-Jurisdictional Class Actions”; Montréal, QC
Mar. 22, 2019

Amendments to English Signage Requirements in Québec
Dec. 01, 2016

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EDUCATION

University of Cambridge, LLM (International Law) (First Class Honours, Senior Harris Scholar), 2004

Université de Montréal, LLB (Dean's List), 2002

Université Panthéon-Assas (Paris II), French Law Cert., 2002

PROFESSIONAL AFFILIATIONS

Litigation Counsel of America—Fellow; Trial Law Institute, member; Diversity Law Institute, member

BOARD MEMBERSHIPS

Health and Education Now!