

Stronger than ever

Top Western & Northern Firms

Written by [Arshy Mann](#) Posted Date: September 1, 2014

Canadian Lawyer returns to our survey of western and northern-based firms to find a region filled with excitement and not afraid to flex its muscles. Merger-mania is over and the regional firms left standing are stronger than ever. “I think there’s been a seismic shift,” says Richard Bereti, managing partner of Harper Grey LLP.



Even two years ago, Toronto-based firms were poaching from Western outfits. Today, the regional firms have become the hunters. “We’ve actually had people from national firms come our way and certainly have not lost anyone,” says Steve Livingstone, managing partner of McLennan Ross LLP.

And the stronger economic winds are blowing in the West’s favour. “I think that more and more strength and power is being focusing on the West and that’s driving investment,” says Simon Margolis, managing partner of Bull Housser & Tupper LLP.

For Alberta-based firms, a resurgent oil and gas sector driven by higher gas prices, a low Canadian dollar, and the advent of oil-by-rail, has been a boon after a sputtering 2013. “Since probably the fourth quarter of 2013, activity level has really picked up,” says Grant Zawalsky, managing partner of Burnet Duckworth & Palmer LLP.

In British Columbia, the mining industry has begun to get warmer, with a long-expected surge in M&A activity finally starting to materialize. But it’s an entirely new industry that is energizing the left coast — liquefied natural gas. Even though none of the LNG bids have been finalized, the nascent industry is churning out work for B.C. lawyers. “It’s regulatory, First Nations, environmental,” says Valerie Mann, managing partner of Lawson Lundell LLP. “It’s all the upfront planning and permitting and negotiating type of work that various people here have been involved in.”

B.C.’s increasingly assertive First Nations are also growing the legal market. “In the last two years, there has been an increase in the amount of advice we give both to First Nations and non-First Nations about issues that pertain to fundamental issue of title and governance in British Columbia,” says Keith Mitchell, managing partner of Farris Vaughan Wills & Murphy LLP. In the wake of the Supreme Court of Canada’s expansive ruling in [Tsilhqot’in Nation v. British Columbia](#), questions about aboriginal title will become even more important.

The West’s success, however, doesn’t just have to do with a stronger resource economy. Western firms are increasingly demonstrating a willingness to experiment. “A majority of our top clients have either all or a very significant portion of their work being done through alternative fee arrangements,” says James Casey, managing partner of Field Law. “It’s not that the world is changing, it’s that the world has changed when it comes to alternative fee arrangements and we

are changing with it.”

With in-house counsel remaining prudent with their legal spend, regional law firms are likely to continue to benefit. “The world changed in 2008 and we’re not going back,” says James McGinnis, managing partner of Parlee McLaws LLP. “What we’re seeing is a complete culture shift in the business community looking for better bang for their buck, more value for their dollars. I think the regional law firms are ideally situated to answer that need.”

Not everything has been completely rosy in the West. There’s been less work in corporate finance and securities, and fewer national M&A transactions that spin off work for regional firms. The broader questions about oil sand pipelines and the viability of LNG still need to be resolved. And there’s always the danger Toronto-based firms beleaguered by the stagnant economy in Eastern Canada could push harder into the West. But for now, the regional firms are enjoying the fruits of their success. “By remaining regional we can remain exactly who we are,” says Bereti.

How we did it:

Canadian Lawyer asked lawyers and in-house counsel from across Canada to vote on Western and northern Canada’s top regionally based full-service firms. They were asked to rank their top 10 firms from a preliminary list, with a chance to nominate a firm was not included on the list. Respondents’ rankings were based on firms’ regional service coverage, client base, notable mandates, service excellence, and legal expertise. To be considered in the vote, firms were required to have offices primarily in the British Columbia, Alberta, and the territories, and offer a wide range of legal services. The final rankings were determined through a points system, in which firms were rewarded on a sliding scale for the number of first to 10th place votes received.

1) Lawson Lundell LLP

<http://www.lawsonlundell.com/>

Total lawyers: 119

Locations: Vancouver, 98; Calgary, 17; Yellowknife, 4

Core practice areas: Business law, including M&A, corporate finance, and securities; litigation and dispute resolution; natural resources and energy; banking; commercial real estate

Key clients: BC Hydro; B2Gold Corp.; Canadian Natural Resources Ltd.; Chevron; Canfor Corporation; BMO Financial Group

Notable mandates: Acting for Silver Standard Resources Inc. in its purchase of the Marigold mine in Nevada, in the sale of the San Agustin project to Argonaut Gold Inc., and in the sale of the Challacollo mining project to Mandalay Resources; regulatory counsel for BC Hydro; advising Baffinland Iron Mines Corp. on environmental assessment and regulatory approvals for its Mary River Project in Nunavut; acting for Weyerhaeuser Co. Ltd. in a case on post-retirement benefits and a proposed class action proceeding; advising Tricor Pacific Capital Inc., Yellow

Point Equity Partners, and Fulcrum Capital Partners on sale and purchase transactions of portfolio companies.

Star alumni: B.C. Supreme Court justices Gordon Weatherill, Gregory Bowden, and Ron Skolrood; B.C. Provincial Court judges Thomas Woods and Edward Gouge; former chief judge of the B.C. Provincial Court Hugh Stansfield; former B.C. Court of Appeal justices Hugh Legg and Reginald Gibbs.

Affiliations: World Services Group

The firm: In 1910, firm founder Jimmy Lawson was intimately involved in the industrial development of B.C. and became a specialist in company law. Oscar Lundell joined the firm in 1935, and in the 1940s and 1950s Lawson and Lundell were considered the leading lawyers to the B.C. forest industry and other resource sectors. David Lawson and Buchan (Buck) McIntosh joined the firm in 1947. The firm opened an office in Yellowknife in 1994, and in 2002 merged with Yellowknife firm Gullberg Wiest MacPherson & Kay. The Calgary office opened in 1997, making it the only regional firm on the list with a presence in both Alberta and B.C.

Respondents praised Lawson Lundell's work in a number of areas, including aboriginal, real estate, and pension law, and lauded its customer service. "Regional Western Canadian expertise packaged within a firm of reasonable individuals, with the politics kept to a minimum," wrote one voter.

Managing partner Valerie Mann attributes their consistent success to their deep roots in the West. "We have really long-standing relationships with clients that go on for decades," she says. "And that has something to do with the pragmatism that we bring to the practice and a deep knowledge of the environment that we operate in."

2) Burnet Duckworth & Palmer LLP

<http://www.bdplaw.com/>

Total lawyers: 140

Locations: Calgary, 140

Core practice areas: Securities; energy; commercial transactions; banking and finance; litigation

Key clients: TransAlta Corp.; Canadian Natural Resources Ltd.; Alaris Royalty Corp.; WestJet Airlines Ltd.; Inter Pipeline Ltd.; Tourmaline Oil Corp.

Notable mandates: Counsel to Canadian Natural Resources Ltd. in the \$3.1-billion acquisition of Devon Canada's Canadian conventional assets; counsel to Encana Corp. in the pending \$2-billion sale of Bighorn assets in the Alberta Deep Basin to Jupiter Resources Ltd.; counsel to Progress Energy Canada Ltd. in the \$1.5-billion acquisition of part of Talisman Energy Inc.'s Montney acreage in northeast B.C.; counsel to Baytex Energy Corp. in its \$1.5-billion public offering of 38,433,000 subscription receipts; counsel to Inter Pipeline Ltd. in its \$900-million public offering of \$500 million 4.637 per cent medium notes and \$400 million floating-rate, medium-term notes.

Star alumni: Kerry Dyte, executive vice president, general counsel, and corporate secretary of Cenovus Energy Inc.; N. Murray Edwards, president of Edco Financial Holdings Ltd; Alberta Court of Queen's Bench Associate Chief Justice John Rooke; Arlene Strom, vice president sustainability and communications of Suncor Energy Inc.

Affiliations: None

The firm: BD&P traces its roots to 1905, when Alec A. Ballachey founded the firm. It expanded to include Frank L. Burnet in 1913. James S. Palmer joined the firm in 1955, and in 1956 the firm became known as Burnet Duckworth & Palmer for the first time. With James S. Palmer at its helm until his passing in 2013, the firm continued to grow rapidly and expanded to include legal service in all areas of business law.

Many respondents praised the depth of BD&P's corporate and energy expertise, while another called them an "elite transactional firm with a strong litigation group that consistently competes with national firms."

Managing partner Grant Zawalsky says that its exclusive focus on Western Canada, especially Calgary, has paid off. "The head offices that are in Calgary, they need sophisticated counsel, they want them in Calgary, and they want them to understand the Calgary business culture," he says.

3) Bull Housser & Tupper LLP

<http://www.bht.com/>

Total lawyers: 93

Locations: Vancouver, 93

Core practice areas: Real estate; energy, infrastructure, and public-private partnerships; dispute resolution and litigation; maritime and transportation

Key clients: Seaspan Marine Corp.; Rio Tinto Alcan Inc.; London Drugs; the Corporation of the Township of Langley; Royal Bank of Canada

Notable mandates: Working with Seaspan Marine to negotiate and finalize Seaspan's share of the \$35 billion in federal government contracts awarded under the National Shipbuilding Procurement

Strategy; acting for Rio Tinto Alcan in connection with its \$3.5-billion smelter modernization project in Kitimat, B.C.; advising on the approval and construction of a new project to deliver aviation fuel to Vancouver International Airport; counsel to the Province of British Columbia in a mass-scale lawsuit against three major Canadian tobacco manufacturers, certain foreign affiliates, and the Canadian Tobacco Manufacturers Council; acted for Ernst & Young Inc. which was tasked with leasing and sale of the commercial retail units in the Olympic Village site in an effort to recover money for the project's creditors.

Star alumni: Supreme Court of Canada Chief Justice Beverley McLachlin; B.C. Chief Justice

Robert Bauman; B.C. Supreme Court justices Elliott Myers, Jon Sigurdson, and Jeanne Watchuk; B.C. Provincial Court Judge Harbans Dhillon, former B.C. Supreme Court chief justice William Esson; former B.C. Supreme Court justices Mary-Ellen Boyd, H.A. Hollinrake, and W.J. Wallace.

Affiliations: State Capital Group

The firm: Bull Housser traces its roots back to two original firms: the first, founded in 1891 by Lewis G. McPhillips and Adolphus Williams, and the second, in 1897 by Sir Charles Hibbert Tupper and Frederick Peters. The firms merged in 1927 and became known as Bull Housser & Tupper in 1962.

Managing partner Simon Margolis says the firm has tried to cultivate strength in B.C.'s biggest industries, like energy, infrastructure, and maritime. "We have a strong footprint in British Columbia and know what's going on here," he says.

4) Field LLP

<http://www.fielddlaw.com/>

Total lawyers: 126

Locations: Edmonton, 69; Calgary, 54; Yellowknife, 3

Core practice areas: Health; insurance defence; labour and employment law; business law; real estate development; commercial litigation including IP litigation

Key clients: University of Alberta; EllisDon; Brookfield Residential Properties Inc.; Alberta Teachers' Association; major insurance companies; major financial institutions

Notable mandates: Obtained intervener status for and represented the Alberta Health Authority in the Health Services Preferential Access Inquiry; lead counsel in the Baxter class action, representing attendees at Indian Residential Schools in what was the largest mass action in Alberta history; successfully defended the government of the Northwest Territories in a Supreme Court of Canada case involving a fatality claim arising from the death of miners at the Giant Mine; successfully defended the College and Association of Registered Nurses of Alberta in an appeal, upholding the finding of unprofessional conduct against registered nurses who stole narcotics from their employer due to an addiction to narcotics.

Star alumni: Former Alberta Premier Peter Lougheed; around 20 justices and judges of the courts of Alberta.

Affiliations: State Capital Group

The firm: Field Law's roots trace back to 1915, when Sem Wissler Field opened up shop in Edmonton. But the firm's modern era began in 1996 with the merger of Field & Field Perraton and Atkinson Milvain to form Field Atkinson Perraton, which had a presence in Calgary and Edmonton. In 2001, the firm joined with Williams & Co. in Yellowknife, and in 2003 changed its name to Field LLP, supported by the brand name Field Law.

One respondent said Field provides “extremely good value for the fees paid,” while another was impressed by their “level of personalized service and willingness to work as part of a larger team.”

Managing partner James Casey says investments the firm made in the aftermath of the financial crisis are paying off. “We continued to grow and expand during the recession and we positioned for growth and then when the economy came out of the recession we benefited from that investment,” he says.

5) Farris Vaughan Wills & Murphy LLP

<http://www.farris.com/>

Total lawyers: 100

Locations: Vancouver, 84; Kelowna, 12; Victoria; 4

Core practice areas: Corporate law; litigation; labour and employment; tax and private wealth management

Key client: TD Bank; FortisBC; Macdonald Dettwiler & Associates Ltd.; Copper Mountain Mining Corp.; University of British Columbia

Notable mandates: Represented the First Nations Finance Authority for its inaugural \$90-million bond offering; represented the American Hotel Income Properties REIT LP in an indirect acquisition of a portfolio of four hotel properties in Virginia; represented HSBC, the Bank of China, and the Industrial and Commercial Bank of China in an offering of Province of British Columbia bonds denominated in Renminbi, the first issued by a government outside of China; acted as counsel to von Mandl Family Estates in an acquisition of CedarCreek Estate Winery of Kelowna.

Star alumni: B.C. Court of Appeal Justice Mary Newbury; B.C. Supreme Court justices George Macintosh and Lisa Warren.

Affiliations: Lex Mundi

The firm: Established in 1903 by John Wallace de Beque Farris, Vancouver’s first city prosecutor who went on to act as B.C.’s attorney general and as a senator. Farris made a name for himself as one of the few western Canadians to act for clients at the Judicial Committee of the Privy Council and the Supreme Court of Canada. His son, John, replaced him during the 1950s and ’60s as the province’s top barrister. At the same time, partner Ernest Bull formed a potent corporate and commercial law practice.

“They are almost everyone’s ‘go-to’ firm locally,” wrote one respondent. Another voted for them because of “the depth of talent amongst Farris lawyers and the regularity with which they are on leading cases and deals.”

“We’re going to stick to our knitting and do what we do best and continue to attract and build,” says managing partner Keith Mitchell. “There’s a reason, and I’m not sure I always know, but

there's a reason we're one of the few growing big law firms in Western Canada.”

6) McLennan Ross LLP

<http://www.mross.com/>

Total lawyers: 89

Locations: Edmonton, 57; Calgary, 27; Yellowknife, 5

Core practice areas: Labour and employment; corporate commercial securities; commercial litigation; insurance and risk management; energy; environmental and regulatory

Key clients: TransAlta Corp.; Canadian Natural Resources Ltd.; Suncor Energy Inc.; KPMG LLP; Government of Alberta; Greyhound Transportation Corp.

Notable mandates: Successfully defended an employer charged with OHS offences arising from a fatal workplace accident involving a young worker by proving at trial the employer exercised due diligence in the circumstances; represented the provincial Government of Alberta in all labour relations board and court proceedings and union negotiations relating to a five-day illegal strike by correctional officers; represented a global engineering, construction and services company, when one of its subsidiaries was challenged by a number of unions on their ability to work with the Christian Labour Association of Canada; lead counsel to the auditors of Poseidon Concepts Corp. in a class-action claim in Alberta for \$650 million, as well as related actions.

Star alumni: Alberta Court of Appeal Justice Brian O’Ferrall; Alberta Court of Queen’s Bench justices Brian Burrows, Donna Shelley, and Michelle Crighton; Alberta Provincial Court judges Michael Stevens-Guille and Frederick Day; Ledcor Group in-house counsel Rodney Neys; Cove Properties in-house counsel Clay Hamdon.

The firm: McLennan Ross’s predecessor firm Wallbridge and Cairns has its origins in 1903, when G.E. Wallbridge began practising in Edmonton. Stan Ross joined the firm in the 1930s and the firm eventually came to be called McLennan Ross in 1982.

Managing partner Steve Livingstone says the firm’s core practice areas help it stand out. “Most of even the regional firms are heavily focused on the corporate commercial areas, whereas our firm has traditionally been very strong in the labour and litigation, and that’s where our reputation lies in Alberta,” he says.

7) Harper Grey LLP

<http://www.harpergrey.com/>

Total lawyers: 59

Locations: Vancouver, 59

Core practice areas: Administrative and regulatory law; insurance defence; commercial litigation, including defamation and shareholder disputes; environmental law; civil litigation, including medical defence work

Key clients: Canadian Medical Protective Association; major insurance companies and self-insured; Canadian-based real estate investment trusts; securities brokerages and professional; multinational corporations with B.C.-based litigation

Notable mandates: Represented a law firm in an appeal over enforcement of a significant contingency fee agreement where a Supreme Court decision threatened freedom of lawyers to enter into alternative fee arrangements; acting for a number of clients on leading-edge online defamation and privacy including obtaining court orders for disclosure of the identify of anonymous online authors, removal of private and/or defamatory or private material from the internet, obtaining interim and final orders prohibiting further publication, and advising on Canadian anti-spam legislation; successfully appealed a Ministry of Environment decision resulting in significant advances in the interpretation of B.C.'s environmental laws.

Star alumni: B.C. Supreme Court Chief Justice Christopher Hinkson; B.C. Court of Appeal justices Kathryn Neilson and Peter Willcock; B.C. Supreme Court justices Laura Gerow and Bruce Butler; B.C. Minister of Technology, Innovation and Citizens' Services Andrew Wilkinson; former B.C. Court of Appeal justice Allan Thackray.

Affiliations: TAGLaw International

The firm: Harper Grey's founding fathers, Joseph Martin, Charles Craig, and Harry Bourne teamed up in 1907. While Martin went on to become a member of the legislative assembly in both B.C. and Manitoba, and a member of the House of Commons both in Canada and the U.K., the firm evolved through more than 20 rounds of mergers and expansions to become the litigation-focused force it is today.

A lawyer who refers work to Harper Grey wrote it has "great service, a breadth of practice" and that "I have never received a negative comment from referrals to the firm."

"I think there's no doubt that people voted for Harper Grey because of the particular strength we have in litigation," says managing partner Richard Bereti. "And people know when they deal with us, they're dealing with people of the highest calibre on the ethical side of things."

8) Alexander Holburn Beaudin + Lang LLP

<http://www.ahbl.ca/>

Number of lawyers: 75

Locations: Vancouver, 75

Core practice areas: Insurance law; commercial litigation; corporate and commercial law; banking and financial services; construction and engineering; insolvency and restructuring; intellectual property; transportation

Key clients: Airlines; financial institutions and insurance companies; professional service providers; retail companies; B.C. municipalities

Notable mandates: Acts as counsel for the general contractor in a \$300-million hotel and residence project in Vancouver; defended North Saanich councillor Peter Chandler in a defamation suit, one of the first to raise the responsible communications defence; counsel to the Greater Toronto Airport Authority in class action litigation arising from a 2005 Air France runway overrun crash; Canadian counsel in a bi-national mass tort litigation regarding radiant heating, including involvement in negotiation of US\$320-million settlement.

Star alumni: Withheld

Affiliations: Law Firm Alliance; the Participating Group; ARC Group Canada

The firm: Alexander Holburn was founded in 1973 through the merger of Robson, Alexander & Guest and McLachlan Holburn & Beaudin. Over the years, the firm has steadily grown from its insurance roots through a series of practice group additions such as labour and employment, aviation, maritime, and business law.

A respondent said AHBL provides “excellent quality service in IP and franchise” while another lauded managing partner Bruno De Vita.

De Vita himself says the firm’s strengths lie with its cultivation of young lawyers. “The focus really starts at our recruiting,” he says. “We have never gone away, like some of our competitor boutiques have, from focusing on developing talent from the very outset.”

9) Parlee McLaws LLP

<http://www.parlee.com/>

Total lawyers: 86 lawyers

Locations: Edmonton, 54; Calgary, 32

Core practice areas: Business law; commercial real estate; financial services; litigation, commercial and insurance defence and arbitration services; securities; oil and gas; patent and trademark

Key clients: One of Canada’s largest oil and gas companies; international construction company; electric generation regulator; several large property and casualty insurers; major property developers; most of Canada’s major chartered banks; one of the major grocery retailers in North America

Notable mandates: Acting for an oil and gas company in the issuance of two \$1-billion dollar note offerings; acting for a key electrical industry participant in numerous commercial and regulatory arbitrations, including force majeure and termination arbitrations affecting a significant percentage of the province’s baseload generation; acting for an oil and gas company in a \$165-million takeover bid leading to a spin out of a new oil and gas company; acting for an oil and gas company in the creation of a \$100-million strategic partnership with a provincial government and others for exploration work; acting for a municipality in the successful trial defence of a \$20-million action in respect of water and development issues.

Star alumni: Former prime minister R.B. Bennett; former Alberta senator James Lougheed; former Alberta attorney general John Boyle; former Alberta chief justice Bruce Smith; former Alberta Court of Appeal justice Howard Irving; a number of judges on the Court of Queen's Bench and Provincial Court of Alberta.

Affiliations: World Services Group, USLAW

The firm: Sir James Lougheed established the Calgary office in 1883. In 1907, William McLaws joined Lougheed as partner and went on to lead the firm. S.S. Taylor established the Edmonton office in 1889, with H.H. Parlee joining the firm, then called Taylor and Boyle, in 1904. Parlee took charge of the firm when the province of Alberta was formed. The two firms merged in 1986 to form Parlee McLaws. 2014 marks the 125th anniversary of the Edmonton office.

James McGinnis, managing partner of Parlee McLaws, says part of its success has to do with keeping its lawyers happy and healthy. "In spite of our age, I'm hopeful we're also seen as a progressive law firm," he says. "In the midst of requiring our lawyers to provide high service, we also try to make sure our lawyers live a balanced life."

10) Clark Wilson LLP

<http://www.cwilson.com/>

Total lawyers: 78

Locations: Vancouver, 78

Core practice areas: Commercial real estate; corporate finance and securities; corporate and commercial; business litigation; technology and intellectual property

Key clients: Vancouver Airport Authority; Freyssinet Canada Ltée; Anthem Properties; Pure Industrial Real Estate Trust; British Columbia Investment Management Corp.; University of British Columbia

Notable mandates: Counsel to Freyssinet Canada Ltée and Freyssinet International et Co. in the BC Place roof litigation and settlement regarding overrun construction costs; represented Anthem Properties in its \$200-million acquisition and accelerated expansion in Alberta; acted as lead securities counsel in respect of the public offering of over \$825 million in trust units of Pure Industrial Real Estate Trust; acted as Canadian counsel to California-headquartered Demand Media Inc. in connection with the sale of its CoveritLive "real-time engagement solution" division to Toronto-based Scribble Technologies Inc.; acted as counsel to the Vancouver Airport Authority in connection with the Canada Line rapid transit project between Vancouver, Richmond, and Vancouver International Airport.

Star Alumni: B.C. Supreme Court Justice Nigel Kent.

The firm: Clark Wilson's roots are traced to 1911, when John Clark and Alexander Wilson began practising law in Vancouver. Brig.-Gen. Clark and Brig. Wilson formed the 72nd Seaforth Highlander regiment and fought together in the First World War. But it wasn't until after the Second World War, in 1952, that they amalgamated their law practices, which by then included

Clark's son and a number of other partners.

One respondent said Clark Wilson has “among the best solicitors in the city, especially in the intellectual property and tech space.”

Managing partner James Speakman says Clark Wilson focuses on providing personalized service. “As more work becomes commoditized, more systemized, what our clients are looking for is for us to be more than just providers of legal services,” he says. “Our clients are looking to us to be advisers.”