

EMILY HUSH



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Emily Rebecca Hush is a talented lawyer building her litigation practice with a focus on environmental law, construction law and complex civil disputes. Emily's vast legal experience includes legal research, cross-border discovery, and written advocacy in complex commercial litigation, investor-state arbitration and bankruptcy proceedings.

Prior to joining McMillan, Emily gained experience as a lawyer in New York representing domestic and international clients in complex disputes involving climate change litigation, trademark rights, international investment treaties, shareholder disputes, and constitutional law. From 2021 to 2022, she clerked for the Honorable Wendy Beetlestone at the United States District Court for the Eastern District of Philadelphia.

Emily is admitted to practice law in Ontario and in New York. She is also admitted to appear before the United States District Court for the Southern District of New York and the United States Court of Appeals for the Ninth

Circuit.

Email: emily.hush@mcmillan.ca

Expertise: Construction & Infrastructure, Environment, Intellectual Property, Litigation & Dispute Resolution

Language Spoken: English, French, Spanish

LinkedIn: <https://www.linkedin.com/in/emily-rebecca-hush-6a02297b>

Location: Toronto

Phone: 416.865.7948

Position/Title: Associate, Litigation and Dispute Resolution

Publications:

- "[Is the Cannabis Act nipping competition in the bud?](#)". Co-Authored with Joshua Chad & Karandeep Lall, Law 360 Canada (September 28th, 2023)
- "[Parody Chew Toys and the First Amendment](#)," Landslide Magazine 13:3 (2021)
- "[Comments on the Environmental Protection Agency's Proposed Action 'National Ambient Air Quality Standards for Particulate Matter'](#)," New York City Bar (June 26, 2020)
- "[Ninth Circuit Set to Clarify Aesthetic Functionality Doctrine](#)," IP Watch Dog (January 17, 2020)
- "[Let's Talk About Sex Discrimination at the Supreme Court](#)," Debevoise Women's Review (December 6, 2019)
- "[Brave Your Fear](#)," Debevoise Women's Review (July 12, 2019)
- "[The Valuation of Ecosystem Services in International Investment Arbitration](#)," Environmental Claims Journal 30:4 (2018)
- "[Where No Man Has Gone Before: The Future of Sustainable Development in the Comprehensive Economic and Trade Agreement and New Generation FTAs](#)," Columbia Journal of Environmental Law 43:1 (January 2018)
- "[Developing a European Model of International Protection for Environmentally-Displaced Persons: Lessons from Finland and Sweden](#)," Columbia Journal of European Law Blog (September 7, 2017)
- "[Trade, Investment, and Sustainable Development in CETA](#)," Columbia Journal of European Law Blog (March 26, 2017)

Education & Admissions:

Degree: Called to Ontario Bar

Year: 2023

Degree: Called to the New York bar

Year: 2019

Degree: J.D.

University: Columbia Law School

Year: 2018

Degree: Bachelor of Music in French Horn Performance (B. Mus.), Minor in Langue et littérature françaises

University: McGill University, Montréal

Year: 2011

Media Mentions:

- ["You Don't Know What You're Missing"](#), The Canadian Bar Association (August 23, 2023)

Rankings & Recognition:

- Winner, European Law Moot Court 2016
- James Kent Scholar
- Harlan Fiske Stone Scholar
- Lawrence S. Greenbaum Prize for best oral presentation at Columbia Law School Harlan Fiske Stone Moot Court
- Edwin Parker Prize
- Wilfred Feinberg Prize
- Simon H. Rifkind Prize
- Stephen E. Herrmann Environmental Writing Award, American College of Environmental Lawyers

Speaking Engagements:

- Environmental Case Law and Regulatory Update at the Ontario Legal Conference: Municipal, Planning & Environmental Law

- February 2023

- The Future of Sustainable Development in the Comprehensive Economic and Trade Agreement and New Generation FTAs, a presentation to the American College of Environmental Lawyers

- October 2018

Representative Matters:

- Counsel U.S. subsidiary of transnational oil company with respect to climate change litigation in the United States and Europe
- Defend Caribbean nation against investor-state arbitration brought by utility company pursuant to international investment treaty
- Represent South American oil company and manage cross-border document discovery in two languages in litigation brought by shareholders in New York following the expropriation of the company's capital stock
- Represent design build joint venture in P3 project in relation to numerous delay and cost overrun disputes arising during construction of light rail project, including storm conditions, soil contamination, strikes, supply chain disruptions, and COVID-19
- Represent buyer in dispute concerning environmental remediation of air contamination at the property and management of dedicated escrow funds
- Advise commercial service provider in construction defect dispute post-substantial completion pursuant to dispute resolution procedures of applicable Facility Management Agreement
- Represent financial services company in investigations conducted by U.S. regulators related to information security and cryptocurrency
- Counsel U.S. retailer on data breach response, including reporting obligations and forensic investigation management
- Represent plaintiff financial institution in trademark litigation before United States Court of Appeals

Teaching Engagements:

- The Future of Sustainable Development in the Comprehensive Economic and Trade Agreement and New Generation FTAs, American College of Environmental Lawyers (October 2018)

Industries: Construction & Infrastructure



Practices: Environment, Intellectual Property, Litigation & Dispute Resolution