

JOAN M. YOUNG*

Categories: [People](#), [Lawyers](#)

Joan Young is a leading litigator, widely recognized for exceptional experience in complex litigation and dispute resolution matters, class actions, and product liability and regulation. She represents a wide variety of clients in industries such as the automotive, manufacturing and government sectors.

Joan is skilled in providing proactive advice to public and private sector businesses on preventing and resolving disputes. Expert in managing and reducing litigation risk for her clients, Joan is equally experienced in settling claims through alternative dispute resolution and mediation outside the court system. She represents clients at all levels of court in British Columbia, including civil jury trials, and appears before multiple administrative tribunals and boards. She is a leader of the firm's Litigation & Dispute Resolution Group.

One of British Columbia's most experienced legal professionals in public sector procurements, Joan has been appointed in over 15 high-profile and multi-million-dollar procurements, and is frequently sought out to oversee the entire public procurement process, from initial development of the bid opportunity through to selection of the preferred proponent. As a former legal advisor to the Office of the Premier and special assistant to the attorney general, Joan has significant public sector experience, having served on both the policy and legal sides of the Ministry of the Attorney General for eight years.

Joan is chairperson of the board of directors of the Museum of Vancouver and a past director of the Michael Smith Foundation for Health Research.

Email: joan.young@mcmillan.ca

Expertise: Automotive, Class Actions, Litigation & Dispute Resolution, Manufacturing, Product Liability & Regulation

Location: Vancouver

Phone: 604.893.7639

Position/Title: Partner, Litigation & Dispute Resolution

Community Involvement:

- Food Innovation Centre of B.C.
- Vancouver Island Multiple Sclerosis Society
- Children's Wish Foundation of Canada, volunteer Gala Committee member (2013-2014)
- Committee Member, Professional Development Committee, Canadian Bar Association (BC Branch) (2013-2015)
- Representative of the Advisory Committee to the Judicial Council of British Columbia
- Vice Chair, Civil Litigation Section, Canadian Bar Association (BC Branch) (2013-2015)
- Treasurer, Aboriginal Law Section, Canadian Bar Association (BC Branch) (2012-present)
- Treasurer, Class Action Section, Canadian Bar Association (BC Branch) (2014-present)
- Elected Representative, (Vancouver County) Canadian Bar Association (BC Branch) (2009-2012)
- Committee Member, Judicial Compensation Advisory Committee, Canadian Bar Association (BC Branch) (2004-2005)
- Chair, Civil Litigation Section (Vancouver Island), Canadian Bar Association (BC Branch) (2003-2004)
- Practice Advisory Panel member (Civil Litigation) (2002-present)
- Executive Member, Civil Litigation Section (Vancouver Island), Canadian Bar Association (BC Branch) (2001-2005)
- Committee Member, Government Relations Committee, Canadian Bar Association (BC Branch) (2000-2004)
- Member, Women's Legal Education and Action Fund (LEAF) (1990-1994)
- Senator, University of Victoria Senate (elected 2 terms) (1988-1990)
- Member, Senate Committee on Academic Standards, U.Vic (2 terms) (1988-1990)
- Member, President's Equal Rights and Opportunities Committee, U.Vic (1988-1989)
- Member, Dean's Women's Advisory Committee, Faculty of Law, U.Vic (1987-1988)

Directorships & Affiliations:

- Chair of the Board of Directors Museum of Vancouver
- Advocates' Society
- Vancouver Bar Association
- Canadian Bar Association, BC Branch
 - Class Action Section, Executive Member
 - Competition Law (National)
 - Vice-Chair of the Civil Litigation Section (past)
 - Provincial Council Member (elected), Vancouver County Representative (2009-2012)

- Products Liability Section
- Civil Litigation Section
- Aboriginal Law Section, Executive Member
- American Bar Association (Antitrust Section)
- Defence Research Institute (U.S.)
 - Products Liability Committee
 - Women in the Law Committee
- Board of Directors, Michael Smith Foundation for Health Research
- Victoria Airport Authority

Publications:

- "[Old Consideration Is No Consideration for Changes to Employee Contract](#)", Employment Labour Law Reporter (March 2020)
- "[Getting the Deal Through - Private Antitrust Litigation 2016, Canada Chapter](#)," Law Business Research (2016)
- "[It's a "Like": Facebook Class Certification Overturned by Appeal Court](#)", Canadian Privacy Law Review, Vol. 13, No. 1 (December 2015)
- "[It's Not Just a "Like": Court Certifies Facebook Class Action](#)," Internet and E-Commerce Law in Canada, Vol. 15, No. 11 (March 2015)

Education & Admissions:

Degree: Called to the British Columbia bar

Year: 1991

Degree: LLB

University: University of Victoria

Year: 1990

Degree: BA

University: University of British Columbia

Year: 1987

Media Mentions:

- "[City can't refuse pot greenhouse: Court](#)" by Megan Devlin, Richmond News, September 19, 2018
- "Treaty rights trump minerals rights: province" by Nelson Bennett, Business in Vancouver, January 17, 2017
- "[Treaty entanglements. China Minerals sues British Columbia over incremental treaty agreement](#)" by Eavan Moore, March-April 2016
- "[Mineral rights continue to clash with native land claims in B.C.](#)" by Nelson Bennett, Business in Vancouver, March 15, 2016
- "[Gold prospector sues B.C. over transfer of property over mineral claims](#)" by Derrick Penner, Vancouver Sun, February 1, 2016
- "[Junior miner takes B.C. to court over land transfer](#)" by Iain Marlow, The Globe and Mail, January 31, 2016
- "[Junior miner alleges de facto expropriation in treaty deal](#)" by Nelson Bennett, Business in Vancouver, January 25, 2016
- "[Supreme Court land title ruling may affect First Nations financing](#)" by Wendy Stueck, The Globe and Mail, July 2, 2013
- Quoted in article regarding HD Mining temporary foreign worker case
- Featured in article discussing Taseko Mines injunction case on Stockwatch.com
- Discussed 100-year-old surveying error in Squamish BC

Rankings & Recognition:

- Recognized in the *2021 Benchmark Litigation: Canada Guide* as a Litigation Star
- Received a "Martindale Distinguished 4.4/5" Peer Review Ranking from Martindale-Hubbell.

Speaking Engagements:

- Defending Innovation Defence Research Institute Products Liability Seminar, New Orleans
- February 2020

-
- Preparing for Mediation Advocates Society, Mediation Advocacy
 - May 2018

-
- Sharing Offices: Playing Nice & Protecting Yourself Presenter, Canadian Bar Association British Columbia Branch
-

- Social Media in the Workplace: Employment Law Update presentation to Corporate Counsel Series
- June 2011

- Access to Information, Record Keeping and Privacy Issues Presenter, Association of Canadian Port Authorities
- 2007

- How to Run a Fair Procurement Presenter, Vancouver Port Authority
- 2007

- Defending a Product Liability Claim Continuing Legal Education
- November 2017

- Managing Regulatory Risks: Compliance, Inspections and Investigations Course Leader, Lexpert Seminar, St. Andrews Club, Toronto
- December 2, 2015

- Privacy Law Presenter, Federated Press 3rd Mini LLB for Aboriginal Leadership Workshop, Calgary
- March 2015

- The Duties of Loyalty and Confidentiality Civil Litigation Basics—2015 Update Paper 6.2, Continuing Legal Education Society of British Columbia
- March 2015

- Code of Professional Conduct Presenter, CLEBC Civil Litigation Basics 2015 Course, Vancouver, BC
- March 2, 2015

- Indigenous Rights – Right in Your Backyard: The Post Tsilhqot'in World Presenter, CBABC 9th Annual Branch Conference
- November 15, 2014

- "Privacy Law" Federated Press Mini LLB for Aboriginal Leadership, Vancouver, BC
- March 2014

Representative Matters: Joan Young has been counsel to the following:

- Defending a global chemical supplier in connection with a multi-million dollar product liability claim brought by a pulp mill operator
- Counsel to global auto-parts manufacturer defending civil cartel/conspiracy class action proceedings relating to Ignition Coils
- Counsel to a global shipping company defending civil cartel/conspiracy class action proceedings relating to "Roll-on, Roll-off" Car Carriers
- Counsel to a leading electronics manufacturer defending civil cartel/conspiracy class action proceedings relating to Capacitors
- Counsel to a joint-venture electronics manufacturer defending civil cartel/conspiracy class action proceedings relating to Optical Disk Drives
- Representing Avanti Mining in Federal Court and Supreme Court judicial review proceedings related to its environmental assessment certificate and related Fisheries Act permits for the Kitsault Mine project
- Advising a mining company on aboriginal and injunction issues associated with a coal exploration project
- Counsel to global auto-parts manufacturers defending civil cartel/conspiracy class action proceedings relating to Automotive Wire Harness Systems and Heating Control Panels.
- Counsel for Google Inc. in a Class Action for Competition Act consumer claims and breach of privacy.
- Counsel for a pharmaceutical company to protect trade secrets and confidential information from disclosure under access to information laws.
- Counsel for the Province of British Columbia in successfully opposing a certification of a Class Action involving medical services to children with Autism.
- Counsel to a foreign exchange company regarding protection of confidential information and enforcement of restrictive covenants.
- Counsel for a fire products manufacturer in multiple claims involving product liability claims by both consumers and commercial parties.
- Representing a forestry company to oppose an injunction related to their harvesting activities in a First Nation's traditional territories.
- Counsel for the Province of British Columbia in defending a multi-plaintiff claim of historic sexual and physical abuse at a former Boys Industrial School culminating in the dismissal of all claims after a six and a half month trial in B.C. Supreme Court and the abandonment of related pending class proceedings.
- Counsel for an insurance agent in defending claims of civil conspiracy, breach of fiduciary duty and misuse of confidential information.
- Representing a mining company in an appeal of various environmental permits.
- Representing an international mining company to obtain an injunction to prevent the continued

blockade of the company's operations.

- Counsel for Marriott Hotels of Canada Ltd in successfully defending a wrongful dismissal lawsuit brought by a senior manager with 22 years seniority.
- Counsel for the Insurance Corporation of British Columbia representing the defendants in a five week jury trial in which the Plaintiff was claiming approximately \$1.5 million in damages. The Jury awarded less than \$40,000 to the Plaintiff.
- Counsel for the Attorney General of British Columbia in representing the Ministry of Children and Families, the Ministry of Education and the Medical Services Commission in a constitutional challenge.
- Counsel for the Ministry of Transportation and Highways in a procurement dispute over a highways tender.

Joan has been appointed in over 18 high profile, multi-million dollar procurements, including:

- Fairness Auditor on the \$700 million City of Calgary West LRT expansion project providing arm's length advice and independent assurance to the City of Calgary as to the fairness and appropriateness of project management activities related to the procurement process.
- Fairness Auditor on the \$200 million Fort St. John Hospital project providing arm's length advice and independent assurance to the Northern Health Authority and Partnerships BC as to the fairness and appropriateness of project management activities related to the procurement process.

Teaching Engagements:

- Instructor, Camosun College, School of Business (past)

Industries: Automotive, Manufacturing

Practices: Litigation & Dispute Resolution, Class Actions, Product Liability & Regulation