

## JOSÉANE CHRÉTIEN



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

Joséane Chrétien is a leading litigation lawyer with extensive experience in complex class actions. She represents clients in disputes involving breaches of the *Consumer Protection Act* and the *Competition Act*, product liability issues, cartels, and false representations. Her broad industry knowledge spans the pharmaceutical, banking and finance, manufacturing and retail sectors. She worked several years for both plaintiffs and defendants, giving her a unique insight to develop practical and effective strategies.

Also highly experienced in general commercial litigation, Joséane acts in contract and shareholder disputes. She has appeared before the Court of Québec, the Superior Court of Québec, the Court of Appeal and the Régie de l'énergie. Her publications have been cited in various court judgments. The legal directory *Best Lawyers in Canada* consistently recognizes Joséane as a leading lawyer in corporate and commercial litigation.

**Email:** joseane.chretien@mcmillan.ca

**Expertise:** Class Actions, Litigation & Dispute Resolution, Manufacturing

**Language Spoken:** English, French

**LinkedIn:** <https://www.linkedin.com/in/joseanechretien/>

**Location:** Montréal

**Phone:** 514.375.5116

**Position/Title:** Partner, Class Actions

**Community Involvement:**

- Acting on behalf of women health care clinics in the constitutional challenge of the “bubble zone” implemented according to the *Act respecting health services and social services*

**Directorships & Affiliations:**

- Complaint revision committee, Quebec Bar, since September 2018
- Co-President, Oxford and Cambridge Society of Montréal (2015-2022)
- President, Town of Mont-Royal Figure Skating Club, since 2016
- President of the Young Bar of Montreal (2009-10)

**Publications:**

- "[Managing and Resolving Commercial Disputes; Good faith contractual performance chapter – 2022 Edition](#)," *Financier World* (2022)
- "*Secret d'état, Privilège parlementaire et Secret du délibéré*", in the Claude Marseille (dir.), *Les objections à la preuve*, chapter 9, 10 et 11, Montréal, *Lexis Nexis Canada*, pages 153 - 172. (2021)
- "*Recouvrement collectif ou individuel : commentaires sur la 3e étape d'une action collective.*" co-auteure avec K. Chênevert dans *Colloque national sur l'action collective, Développements récents au Québec*, au Canada et aux États-Unis, Vol. 480, Montréal, *Yvon Blais*, pages 223 - 251. (2020)
- "*Hypothèque légale de l'État ou de personnes morales de droit public.*" in the *JurisClasseur Québec Collection Droit civil – Sûretés*, Fascicule 12, Montréal, *Lexis-Nexis Canada*, Éd. feuilles mobiles.
- "*Contestation et défaut du défendeur.*" dans *JurisClasseur Québec – Collection Droit civil – Procédure*

civile 1, Fascicule 15, Montréal, *Lexis-Nexis Canada*, Éd. feuilles mobiles.

- "L'aveu." in the *JurisClasseur Québec – Collection Droit civil - Preuve et prescription*, fascicule 8, Montréal, *Lexis-Nexis Canada*, Éd. feuilles mobiles.
- "Proportionality and Québec Class Actions – Where do we Stand?" *Class Action Defense Quarterly*, Newsletter, *LexisNexis Canada* (March 2010)
- "*Les recours collectifs – la jurisprudence en évolution.*" coauthor with S. Conte and K. Taylor, in the *La réforme du Code de procédure civile, trois ans plus tard*, Service de formation continue du Barreau du Québec 2006, Montréal, Éditions Yvon Blais, pp. 21 - 60 (2006)

#### **Education & Admissions:**

**Degree:** Doctorate in Civil Law

**University:** McGill University

**Year:** In progress

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**Degree:** LLM

**University:** University of Montréal

**Year:** 2016

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**Degree:** Called to the Québec bar

**Year:** 2003

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**Degree:** Magister juris in Comparative and European Law

**University:** University of Oxford, Brasenose College (UK)

**Year:** 2003

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**Degree:** LLB

**University:** University of Montréal

**Year:** 2001

#### **Media Mentions:**

- "[\*Demande de recours collectif contre Samsung\*](#)" by Radio-Canada, *Droit Inc.*, February 27, 2020

#### **Rankings & Recognition:**

- Recognized in the 2024 Lexpert Special Edition on Technology and Health Sciences Guide as a Leading Health Sciences Lawyer
- Recognized in the 2024 Benchmark Litigation: Canada Guide
- Recognized in the 2024 Canadian Legal Lexpert Directory as a Repeatedly Recommended Lawyer in the areas of Class Actions, Competition Law and Litigation - Corporate Commercial
- Recognized in the 2023 Lexpert Special Edition on Canada's Leading Litigation Lawyers as a Leading Litigation Lawyer
- Recognized by *Best Lawyers in Canada (2024)* as a leading lawyer in the area of Class Action Litigation and Corporate and Commercial Litigation
- Recognized in the *2023 Benchmark Litigation: Canada Guide* as a Litigation Star
- Recognized in the 2023 Canadian Legal Lexpert Directory as a Repeatedly Recommended Lawyer in the areas of Class Actions
- Recognized by *Best Lawyers in Canada (2023)* as a leading lawyer in the area of Corporate and Commercial Litigation
- Recognized by *Best Lawyers in Canada (2017-2022)* as a leading lawyer in the area of Corporate and Commercial Litigation

**Speaking Engagements:**

- Panelist, 'Private Access – A New Frontier in Canadian Competition Law?', Canadian Bar Association Competition Law Spring Conference, Montréal

- May 2, 2024

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- Panelist, "The Hound of the Class Action: Recent Class Action Development", Canadian Transport Lawyers Association, Montréal, Québec

- October 21, 2023

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- Mise en quarantaine et isolement sanitaire, de quel droit? Colloque "Les pandémies et le droit" organized by University of Sherbrooke

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- L'autorisation d'un recours collectif – au-delà des automatismes, co-speaker with Jean-Philippe Groleau, Congrès du Jeune Barreau de Montréal

- May 28, 2015

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- L'art du recours collectif et nouvelles tendances, co-speaker with Violette Leblanc, Grands rendez-vous de la

formation

- February 13, 2014

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- Jurisprudence marquante de 2012-2013 en matière de recours collectifs, co-speaker with Jean-Philippe Lincourt,

- October 1, 2013

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- Jurisprudence marquante de l'année 2012 en matière de recours collectifs, co-speaker with Jean-Philippe Lincourt, Colloque sur les recours collectifs

- March 21, 2013

- Upload File

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- Moderator of the panel of judges with Donald Bisson and Paul Crampon, La gestion particulière de l'instance en action collective en Cour supérieure du Québec (Division de Montréal) ainsi qu'en Cour fédérale du Canada, Colloque national sur l'action collective 2021

- October 21, 2021

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- Speaker, Démystifier l'action collective, Webinar, Québec Bar Professional

- January 20, 2021

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- Speaker, Le jugement et l'exécution comme troisième étape de l'action – un guide pratique. Co-presenter with Karine Chênevert, Gabrielle Gagné and Marie-Anaïs Sauvé, Colloque national sur l'action collective 2020

- October 23, 2020

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- Speaker, Actions collectives en santé : État des lieux, Québec Bar Professional Education

- 2019

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- Critical disability studies, Health law and human enhancement Doctoral school of health law annual seminar, Neuchâtel, Switzerland

- May 17, 2018

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- Designer Babies: Creating the Children of our Dream McGill-Ottawa Health Law & Policy Graduate Student Colloquium, Ottawa, Canada

- May 4, 2018



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- Legislation of Human Enhancement in the post-darwinian era Doctoral school of health law annual seminar, Florence, Italy

- May 18, 2017

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- Legislation of Human Enhancement: a Healthy Concern? McGill-Ottawa Health Law & Policy Graduate Student Colloquium, Montréal, Canada

- May 4, 2017

**Representative Matters:**

- Acting as Québec counsel to major global manufacturers in connection with their product liability and consumer protection litigations;
- Representing leading pharmaceutical companies in class proceedings involving product liability allegations and misrepresentation;
- Counsel in class actions alleging false representations and damages claims;
- Acting in national class actions based on price fixing and antitrust allegations;
- Advising clients on highly complex commercial litigation

**Industries:** Manufacturing

**Practices:** Class Actions, Litigation & Dispute Resolution