

DR. A. NEIL CAMPBELL*

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

Neil Campbell is an internationally recognized authority in competition law, antitrust, foreign investment and international trade. He has extensive experience in regulated industries, including energy, financial services, oil and gas, pharmaceuticals, broadcast / telecom and transportation. Neil is the leader of the firm's Competition, Antitrust & Foreign Investment Group.

Well-known for his work in complex mergers and litigation matters, Neil has led over 300 merger clearances under the *Competition Act* and the *Investment Canada Act*, dozens of cartel cases and related class actions, as well as multiple abuse of dominance and other unilateral conduct investigations and proceedings. He represented defendants in the Supreme Court of Canada case that established the law on certification thresholds, umbrella purchaser claims and limitation periods for price-fixing class actions in Canada.

Neil represents clients in matters before the federal, Ontario and British Columbia courts, the Competition Tribunal, the Canadian International Trade Tribunal and the Canadian Transportation Agency, in addition to the Competition Bureau and the Canada Border Services Agency. He also advises on marketing and distribution, as well as grey market, joint venture and compliance issues.

Neil was appointed to the roster of the Canada-United States–Mexico–Agreement (formerly NAFTA) Chapter 19 (Trade Remedies) panellists in 2018. His vast experience in trade law includes acting in matters relating to anti-dumping, the Canada Free Trade Agreement and government procurement, export / import controls, economic sanctions, foreign corrupt practices, and investor-state disputes under trade agreements and bilateral investment treaties.

A former chair of the Market Surveillance Panel (2007–2012) which monitors Ontario's wholesale electricity market on behalf of the Ontario Energy Board, Neil also has significant experience on Market Rules compliance and enforcement issues.

Neil has appeared before Canadian parliamentary committees on competition policy matters and is a member of the C.D. Howe Institute's Competition Policy Council. He is the co-founder of the Merger Streamlining Group which has made dozens of submissions to government authorities in respect of compliance with the ICN Recommended Practices for Merger Notification and Review Procedures over the past two decades. He has also served as a co-author or coordinator for multiple CBA Competition Section, ABA Antitrust Law Section and

IBA Antitrust Section submissions to agencies and governments on competition law and enforcement policies.

Email: neil.campbell@mcmillan.ca

Expertise: Class Actions, Competition, Antitrust & Foreign Investment, International Trade, Media, Communications & Entertainment, White Collar Defence, Fraud & Investigations

LinkedIn: <https://www.linkedin.com/in/neil-campbell-89268212a/>

Location: Toronto

Phone: 416.865.7025

Position/Title: Partner, International Trade | Competition, Antitrust & Foreign Investment

Community Involvement:

- Volunteer and fundraiser for The Healing Cycling Foundation – (personally raised over \$50,000 in annual cycling ride donations between 2008–2015 to support hospice palliative care)

Directorships & Affiliations:

- American Bar Association – Antitrust Law Section – member of Competition Law Standards Task Force
- Canadian Bar Association – Competition Law Section – Secretary (2020-21); Chair of 2019 Annual Conference; former Chair of the Foreign Investment Review Committee and the International Committee
- International Bar Association – Antitrust Section former Co-chair (2010–2011); Co-chair of its Merger Working Group
- *Canadian Competition Law Review* – Chief Editor (2019–2020)
- Member of the CD Howe Institute's Competition Policy Council
- Member of the editorial advisory board of the IBA's *Business Law International* journal
- Non-governmental advisor to the International Competition Network
- Global Coordinating Editor for *Cartel Regulation* (Lexology Getting the Deal Through) (2014–present)

Publications:

- "[Carbon Tariffs – The Next Challenge in Canadian Climate Law and Policy?](#)", *Energy Regulation Quarterly*,

Volume 9, issue 3 (October 2021)

- "[Canada's Expanding Approach to National Security in Foreign Investment Reviews](#)", Co-author with Joshua Chad, CPI Antitrust Chronicle (July 2021)
- "[Should the Competition Act Go Green?](#)," Article Part One by Neil Campbell and Sarah Stirling-Moffet, CD Howe Institute (August 23, 2021)
- "[Should the Competition Act Go Green?](#)," Article Part Two by Neil Campbell and Sarah Stirling-Moffet, CD Howe Institute (August 24, 2021)
- "[Opinion: Can competitors collaborate on sustainability without being criminal?](#)," Article by Neil Campbell and Sarah Stirling-Moffet, iPolitics (April 21, 2021)
- "[Anti-Corruption 2021 \(Canada Chapter\)](#)," Chambers Global Practice Guide (January 2021)
- "[Getting the Deal Through - Merger Control 2021](#)," Lexology, (November 2020)
- "[Getting the Deal Through \(Canada Chapter\) – Cartel Regulation 2020](#)," Lexology (February 2020)
- "[2020 Canadian Chapter of Getting the Deal Through - Cartel Regulation](#)," Lexology (November 2019)
- "[Gun Jumping in Merger Control: A Jurisdictional Guide](#)" (Chapter on Canada) (September 2019)
- "[Getting the Deal Through – Cartel Regulation 2019](#)," Contributing Editor (January 2019)
- "[Anti-Corruption 2019 Guide \(Canada Chapter\)](#)," Chambers and Partners (February 2019)
- "[A Competition Law Analysis of Common Shareholdings](#)," CPI Antitrust Chronicle (October 2018)
- "Book Review of A Guide To Energy Market Manipulation," The Energy Law Journal, Vol. 39, No.1 (May 2018)
- "Bringing the Home State Back In: The Case for Home State Control in Investor-State Dispute Settlement," Business Law International, Vol. 19, No. 1 (January 2018)
- "[International Protection of Foreign Investment \(Second Edition\) - Canada Chapter](#)," Juris Legal Information (May 2017)
- "[The Impact of New Transatlantic Trade Agreements on Commercial and Investment Transactions](#)," Business Law International (September 2015)
- "[Holding Some Separate and Scrambling the Rest: The Competition Tribunal's Split Decision on a Retail Gasoline Merger Injunction](#)," (Summer 2015)
- "[Group Buying - A Canadian Case Study](#)," The Antitrust Source (December 2013)
- "[Monopsony Power and the Relevance of the Sell-Side Market Canadian](#)," Competition Law Review (Fall 2013)
- "[Foreign Corrupt Practices - The Growth and Limitations of Canadian Enforcement Activity](#)," Indiana International & Comparative Law Review, Vol. 23 No.1 (August 2013)
- "[Competition and Foreign Investment Reviews of Asian Investments into Canada](#)," China International Institute of Antitrust and Investment, First Annual Antitrust Symposium, Chapter 34, LexisNexis (2013)

Education & Admissions:

Degree: Called to the Ontario bar

Year: 1991

Degree: SJD (Competition and Trade Law) (Governor General's Medal; study of Canada's merger review system won the Alan Marks Medal for best graduate thesis)

University: University of Toronto

Year: 1993

Degree: LLB (gold medalist and Governor General's Medal)

University: Osgoode Hall Law School

Year: 1989

Degree: MBA (Accounting and Public Administration) (gold medalist)

University: York University (Schulich School of Business)

Year: 1989

Degree: Certified Management Accountant (national gold medalist)

Year: 1988

Degree: HBA (gold medalist)

University: University of Western Ontario (Ivey Business School)

Year: 1982

Media Mentions:

- "[Criminalise wage-fixing and no-poach agreements, Canadian parliamentary committee urges](#)," by Charley Connor, *Global Competition Review*, June 18, 2021
- "[Perfect storm for Canadian jobless, Part III: the role of national champions](#)," by Julius Melnitzer, *Legal Writer*, May 19, 2021
- "[Perfect storm for Canadian jobless, Part I: M&A uptick and unemployment growth](#)," by Julius Melnitzer, *Legal Writer*, May 12, 2021
- "Manitoba grain-storage elevator purchase will prevent future competition, CCB claims", *PaRR Global*, January 23, 2020
- "[Tribunal denies request to sue Québec bureau](#)", *Global Competition Review*, August 1, 2019
- "CCB's revised abuse of dominance guidelines raise new questions, lawyers say", *PaRR-Global*, May 2019

- "CCB's revised IP guidelines take balanced positions - analysis", *PaRR-Global*, May 2019

Rankings & Recognition:

- Recognized by Chambers Canada (2022) as a leading lawyer in the area of Competition / Antitrust Law
- Recognized by *Best Lawyers in Canada* (2022) as a leading lawyer in the areas of Competition / Antitrust Law and International Trade and Finance Law
- Recognized in the 2021 Canadian Legal Lexpert Directory as a Most Frequently Recommended Lawyer in the area of Competition Law
- Recognized in the 2021 Lexpert Special Edition on Finance and M&A as one of Canada's Leading Finance and M&A Lawyers
- Recognized by Chambers Global (2021) as a leading lawyer in the area of Competition / Antitrust
- Listed in *Who's Who Legal: Canada 2021* as a leader in M&A and Governance
- Recognized by *Chambers Canada* (2021) as a leading lawyer in the area of Competition / Antitrust Law
- Recognized by the *Best Lawyers in Canada* (2021) as a leading lawyer in the areas of Competition / Antitrust Law and International Trade & Finance Law
- Recognized in the *2020 Canadian Legal Lexpert Directory* as a Most Frequently Recommended lawyer in the area of Competition Law
- Listed in *Who's Who Legal: Canada 2020* as a leader in Competition
- Recognized in the *2020 Lexpert Special Edition on Finance and M&A* as one of Canada's Leading Finance and M&A Lawyers
- Recognized by Chambers Global (2020) as a leading lawyer in the area of Competition / Antitrust
- Recognized in the *2019 Lexpert/ROB Litigation – Special Edition* as one of Canada's Leading Litigation Lawyers
- Ranked as one of the "Global Elite" by *Who's Who Legal: Thought Leaders (Competition) - 2019*
- *Chambers Global 2021 (Band 1)* and *Chambers Canada 2021 (Band 1)* as a leading lawyer in the area of Competition / Antitrust
- *Lexpert Guide to the Leading US/Canada Cross-Border Lawyers 2019*
- *Lexpert / American Lawyer Guide to the Leading 500 Lawyers in Canada 2020* (Competition Law)
- *Lexpert Report on Business on Litigation 2018 – Special Edition*
- *Global Investigation Review's* 2017 survey of the investigations bar in Canada
- Named *Global Competition Review's* "Dealmaker of the Year" in 2016
- Ranked as the leading competition lawyer in Canada and one of the world's top 20 competition lawyers

in the *Who's Who of International Competition Lawyers (2014)*

- *Euromoney's International Expert Guides - The World's Finest Lawyers Chosen by Their Peers - International Trade Lawyers - 2016*
- Recognized by *Lexpert Report on Business Magazine, Energy Law Special Edition* leading energy lawyers 2014

Speaking Engagements:

- New NAFTA and CPTPP vs. Protectionism: An International Trade and Investment Update for Business Lawyers and Professionals, Osgoode CPD Trade Law Webinar
- September 24, 2020

- Merger Working Group Workshop on Joint Ventures, IBA 24th Competition Conference
- September 10, 2020

- Collaborating but Not Gouging – Competition Law in the COVID Business Environment, Osgoode PD COVID-19 Webinar Series
- May 12, 2020

- Conference Co-Chair for the CBA Competition Law Fall Conference, Canadian Bar Association Competition Section
- October 2019

- Common Shareholdings: A Legal Analysis CRESSE Annual Conference - Special Policy Session
- July 2019

- CBA Competition Law: Spring Conference Abuse and Monopolization in a Digital Age: New Dog or Old Tricks?, Toronto, Ontario
- May 2018

- Abuse and Monopolization in a Digital Age: New Dog or Old Tricks?, CBA Competition Law: Spring Conference Toronto, Ontario
- May 2018

Representative Matters:

- Counsel to defendants in *Pioneer Corp. v. Godfrey*, 2019 SCC 42, the leading case on certification of competition law class actions as well as umbrella purchaser claims and limitation periods
- Numerous merger cases involving phase two investigations or negotiated remedies (including the *Novartis / Alcon*, *Coca-Cola Company / Coca-Cola Enterprises and Transcontinental / Quebecor* consent agreements) as well as the leading recent failing firm case, *AIM / TMR*
- Various proceedings before the Competition Tribunal including *Ultramar / Coastal* (merger), *AIM / SNF* (merger injunction), *UCDA v. IBC* (refusal to supply and price maintenance), and *Paradise Pharmacy v. Novartis* (refusal to supply)
- High profile cartel and/or related class action proceedings including vitamins (BASF), rubber chemicals and related products (Crompton), air cargo (Air France and KLM), retail gasoline in Quebec (Olco), auto parts (Sumitomo Electric and Bosch), optical disc drives (Philips and Lite-On), chocolate confectionery (Hershey), car carriers ("K" Line) and foreign exchange (RBS)
- Counsel to parties in various dumping and subsidy proceedings before the CBSA and/or CITT including in the *Carbon Steel Plate (VII, VIII and IX)*, *Copper Tubing*, *Grain Corn and Gypsum Wallboard (I and II)* cases
- Counsel to the IESO in *Rayonier Advanced Materials v. Independent Electricity System Operator, Ont. Div. Ct.*, September 2020
- Counsel for IATA in *International Air Transport Association v. Nav Canada*, Canadian Transportation Agency, Decision 10-A-2020.
- Reduced a C\$33 million levy of civil ascertained forfeiture penalties in an export controls case to C\$25,000 (*CBSA v. Leblanc and Lafrance*) and settled related criminal proceedings
- Settled a threatened prosecution of a chemical company for violations of export controls related to dual-use products without financial penalty
- Represented the auto sector (both industry associations and their members) in the "Ethyl" NAFTA, AIT and constitutional proceedings related to the MMT fuel additive
- Counsel to the Canadian Radio-Television and Telecommunications Commission (CRTC) on the foreign ownership reviews for the *Canwest / Alliance Atlantis* and proposed *BCE Privatization* transactions
- Counsel to the Commissioner of Competition on the review of *BHP Billiton / Potash Corporation of Saskatchewan*
- Member of the Competition Bureau's External Working Group on Reform of the Conspiracy Offence
- Member of the Regulatory Issues Advisory Group for the federal government's Payment Systems Task Force
- As Chair of the Ontario Energy Board (OEB) Market Surveillance Panel, conducted investigations involving alleged abuses of market power and gaming and issued 12 semi-annual reports on the

operation of the wholesale electricity market

- Counsel to the Independent Electricity System Operator (IESO) on the development of its General Conduct Rule

Teaching Engagements:

- Guest Lecturer in Osgoode Hall Law School (York University) LLM Competition Law & Policy course
- Taught at the University of Western Ontario (Ivey Business School), York University (Atkinson College), University of Toronto (Faculty of Law) and Osgoode Hall Law School (part-time LLM program)

Industries: Media, Communications & Entertainment

Practices: Class Actions, Competition, Antitrust & Foreign Investment, International Trade, White Collar Defence, Fraud & Investigations