

RYAN GALLAGHER*



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

Ryan Gallagher maintains a broad regulatory practice that encompasses transportation law, competition law, and foreign investment regulation. His industry expertise spans across mining, forestry, agriculture, chemicals and other industrial sectors.

With particular expertise in rail transportation, Ryan advises shippers, receivers, shortline railways, investors, rail users and other interested parties on all aspects of commercial negotiations, dispute resolution, regulatory and transactional matters. He also has extensive experience with competitive and strategic analysis in support of rail rate and service negotiations, as well as regulatory matters under the *Canada Transportation Act*. Clients also rely on his insights and in-depth knowledge of rail safety matters, public policy advocacy and government relations, financing and leasing of rolling stock, and contractual allocation of liability.

Ryan's broader transportation practice includes advising shippers and other interested parties on contractual

and regulatory issues in relation to trucking, terminal, and infrastructure development matters, including shipping and handling agreements at inland and seaborne terminal facilities.

As part of his regulatory practice, Ryan assists clients with merger reviews and other matters under the *Competition Act* and foreign investment matters under the *Investment Canada Act* through his involvement in significant transactions, including with cross-border acquisitions.

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Expertise: Competition, Antitrust & Foreign Investment, Mergers & Acquisitions, Mining, Transportation, Rail

LinkedIn: <https://www.linkedin.com/in/rcgallagher/>

Location: Vancouver

Phone: 604.691.6865

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

Directorships & Affiliations:

- Canadian Bar Association
- Vancouver Bar Association
- Canadian Transportation Research Forum
- Canadian Transport Lawyers Association

Publications:

- "[Setting the Record Straight: Fair Rail Coalition's Response to Public Claims and Analyses Regarding International Rail Freight Rate Comparisons](#)", Proceedings of the 59th Annual Conference of the Canadian Transportation Research Forum (May 2024)
- "[Consequences or conjectures: The impact of extending railway interswitching limits](#)", Proceedings of the 59th Annual Conference of the Canadian Transportation Research Forum (May 2024)
- "[Rail Fuel Surcharges - History and Recent Developments](#)", Proceedings of the 57th Annual Conference of the Canadian Transportation Research Forum (June 2022)
- "[Railway Line Capacity Metrics](#)", "Planning in Times of Unprecedented Change and Uncertainty, Proceedings of the 55th Annual Conference of the Canadian Transportation Research Forum (June 2020)

- "[Operating Ratio as a Measure of Railway Operating Efficiency](#)," Change, Disruption and Innovation in Canadian Transportation: Navigating the New Normal, 54th Annual Conference of the Canadian Transportation Research Forum, Vancouver, British Columbia (May 2019)
- "[Rail Level of Service Decisions and Shipper Service Requirements](#)," North American Transport Challenges in an Era of Change, Proceedings of the 51st Annual Conference of the Canadian Transportation Research Forum, Toronto, Ontario (May 2016)
- "[Risk Shifting as use of Market Power: Transportation of Dangerous Goods](#)," Another 50 Years: Where To From Here?, Proceedings of the 50th Annual Conference of the Canadian Transportation Research Forum, Montreal, Quebec (May 2015)
- "[Canadian Regulation of Cross-Border Mergers and Acquisitions in the Transportation Sector](#)," American Bar Association's Transportation and Energy Industries Committee Newsletter (Spring 2015)
- "[The Disclosure of Rail Carrier Costing Information](#)," North American Competitiveness in Global Trade: The Role of Transportation, Proceedings of the 48th Annual Conference of the Canadian Transportation Research Forum, Halifax, Nova Scotia (June 2013)
- "[Apportioning Potential Liability for the Rail Transportation of Hazardous Commodities](#)," Sustainable Transportation: Economic, Social and Environment Perspectives, Proceedings of the 47th Annual Conference of the Canadian Transportation Research Forum, Calgary, Alberta (June 2012)
- "[Shipper Incentives To Invest In Infrastructure And Operations](#)," Transportation and Innovation: the Roles of Governments, Industry and Academia, Proceedings of the 46th Annual Conference of the Canadian Transportation Research Forum, Gatineau, Québec (May 2011)

Education & Admissions:

Degree: Called to the British Columbia bar

Year: 2007

Degree: LLB

University: University of British Columbia

Year: 2006

Degree: B.Sc. (Honours), Biochemistry

University: University of British Columbia

Year: 2000

Rankings & Recognition:

- Recognized in the 2024 Lexpert Special Edition on Canada's Leading Infrastructure Lawyers
- Recognized in the 2024 Canadian Legal Lexpert Directory as a Consistently Recommended Lawyer in the area of Transportation (Road & Rail)
- Recognized by Chambers Canada (2024) as a leading lawyer in the area of Transportation: Rail & Road
- Recognized in the 2023 Lexpert Special Edition on Canada's Leading Infrastructure Lawyers as an Infrastructure Lawyer
- Recognized in the 2023 Canadian Legal Lexpert Directory as a Repeatedly Recommended Lawyer in the areas of Competition and Transportation
- Recognized by Chambers Canada (2023) as a leading lawyer in the area of Transportation: Rail & Road
- Recognized by Chambers Canada (2022) as a leading lawyer in the area of Transportation: Rail & Road
- Recognized by Chambers Canada (2021) as a leading lawyer in the area of Transportation: Rail & Road
- Recognized by Chambers Canada (2020) as a leading lawyer in the area of Transportation: Rail and Road
- Recognized by Chambers Canada (2019) as a leader in Transportation: Rail & Road

Speaking Engagements:

- Panelist, "The Mystery of the Blue Train Crossing, Rail Crossing 101", Canadian Transport Lawyers Association, Montréal
- October 21, 2023

Representative Matters: Ryan was a member of the firm's team on the following transportation matters:

- Meadow Lake Mechanical Pulp Inc. (MLMP) in its level of service complaint against Canadian National Railway Company (CN) culminating in Canadian Transportation Agency [Letter Decision No. CONF-R-2023](#), including successful defense of CN's motion for leave to appeal that decision, and the Agency's determination of expenses payable to MLMP due to CN's service failures in Agency Decision-CONF-R-9-2023 (2023)
- Teck Resources Limited, supported by the Western Grain Elevator Association and the Canadian Canola Growers Association, before the Canadian Transportation Agency in connection with its Consultation on [Cost of Capital](#) (2020) and [General Purpose Debt](#) (2021)
- [Gibraltar Mines \(NYSE/LSE/TSX: TKO\) 2020 final offer arbitration vs. Canadian National Railway and 2020 judicial review](#) (amount undisclosed)
- Fortress Transportation and Infrastructure Investors LLC in connection with its sale of the Central Maine & Quebec Railway to Canadian Pacific Railway (2019)
- [Gibraltar Mines \(NYSE/LSE/TSX: TKO\) 2018 final offer arbitration vs. Canadian National Railway and 2019](#)

[judicial review](#) (amount undisclosed)

- Teck Coal Limited in connection with a five year rail [agreement](#) for shipping of steelmaking coal from Teck's four B.C. operations from Kamloops to Neptune Terminals and other west coast ports (2019)
- Teck Resources Limited, supported by the Western Grain Elevator Association, the Canadian Canola Growers Association, the Mining Association of Canada and the Western Canadian Shippers Coalition before the Canadian Transportation Agency in connection with its Consultations on its [Regulatory Modernization Initiative](#) (2018) and [Approach to Setting Regulated Interswitching Rates](#) (2019)
- Teck Resources Limited, supported by the Western Grain Elevator Association, the Canadian Canola Growers Association and the Western Canadian Shippers Coalition, before the Canadian Transportation Agency in connection with its Consultation on the [Agency Regulatory Costing Model](#) (2017)
- Teck Resources Limited, supported by the Western Grain Elevator Association and the Canadian Canola Growers Association, before the Canadian Transportation Agency in connection with its Consultation on Capital Structure and Cost of Capital Methodology (2016)
- Fortress Investment Group (NYSE:FIG) in connection with the formation of Central Maine & Québec Railway and [purchase](#) of the assets of bankrupt Montreal, Maine & Atlantic railway, following derailment at Lac-Mégantic, Québec (July 6, 2013)
- Teck Resources Limited, [agreement](#) with Westshore Terminals Limited (2012)
- Teck Resources Limited and affiliates before the Federal Rail Freight Service Review, Transport Canada (2010-2013)
- Teck Coal vs. Canadian Pacific Railway, final offer arbitrations (May and June 2009)
- Canpotex Limited and related entities in rail transportation services with Canadian National Railway Company
- Canpotex Limited and related entities in rail transportation services with Canadian Pacific Railway Company
- Canpotex Limited and related entities in rail transportation services with Union Pacific Railroad
- (Not Publicly Disclosed) Numerous negotiations and final offer arbitrations on behalf of bulk shippers (forestry, mining, automotive, mineral and agricultural products) with Canadian National Railway, Canadian Pacific Railway, and others; numerous negotiations with export and domestic cargo terminals

Ryan was also a member of the firm's regulatory team on the following recent transactions:

- Paper Excellence in the [acquisition](#) of Domtar (NYSE/LSE/TSX:UFS) (US\$3 billion) (2021)
- West Fraser Timber Co. Ltd. In its [acquisition](#) of Norbord for approximately C\$4 billion (2020/21)
- Paper Excellence in the [acquisition](#) of Catalyst Paper Corporation (amount undisclosed) (2018/19)
- Aurora Cannabis in [acquisition](#) of MedReleaf (C\$3.2 billion) (2018)

- Aurora Cannabis in [acquisition](#) of an interest in Alcanna/Liquor Stores NA (C\$103 million) (2018)
- Great Canadian Gaming and Clairvest Equity Partners in [acquisition](#) of Ontario Lottery & Gaming West GTA Bundle (C\$134 million) (2018)
- Aurora Cannabis in [acquisition](#) of CanniMed (C\$1.2 billion) (2017/18)
- Great Canadian Gaming and Brookfield Business Partners in [acquisition](#) of Ontario Lottery & Gaming GTA Bundle (C\$170 million) (2017)
- Waterous Energy Fund (oil & gas) in [acquisition](#) of Northern Blizzard Resources Inc. (C\$244 million) (2017)
- Thoma Bravo, LLC, in its [acquisition](#) of TRADER Corporation (autoTRADER) (C\$1.575 billion) (2016)
- Tahoe Resources Inc. in its business [combination](#) with Lake Shore Gold Corp. (C\$945 million) (2016)
- Great Canadian Gaming in [acquisition](#) of Ontario Lottery & Gaming East Bundle (C\$51 million) (2015/16)
- Plentyoffish Media Inc. in its [acquisition](#) by The Match.com Group (US\$575 million) (2015)
- The WhiteWave Foods Company [acquisition](#) of Sequel Naturals Ltd. (US\$550 million) (2015)

Industries: Mining, Transportation, Rail

Practices: Competition, Antitrust & Foreign Investment, Mergers & Acquisitions