

TIMOTHY CULLEN



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Timothy Cullen is a skilled commercial and regulatory litigation lawyer known for his practical advice for clients dealing with government. He is a partner in McMillan's transportation (automotive) group, and complex disputes and regulatory regimes group, where he is a co-leader of the public procurement practice. Timothy advises clients in a range of industries, including heavily regulated sectors such as automotive and defence, on public procurement, regulatory inspections and investigations, and compliance with lobbying and election laws, and motor vehicle safety and emissions regulations.

In addition to advising clients on compliance with Canada's political and integrity laws, Timothy defends clients who are being investigated or prosecuted for breaches of the federal Lobbying Act, the Canada Elections Act, and provincial, municipal and territorial lobbying and election laws. He was appointed to City of Ottawa's Election Compliance Audit Committee, which he chairs, for the 2022-2026 Term.

Timothy's automotive regulatory expertise relating to the Motor Vehicle Safety Act, and the Canadian Environmental Protection Act make him a regular advisor and advocate on behalf of manufacturers advancing their interests with Transport Canada and Environment and Climate Change Canada (vehicle emissions) and responding to requests for information from regulators and law enforcement. He has represented automotive clients being investigated and prosecuted by Transport Canada/ECCC and the Public Prosecution Service of Canada (PPSC).

As co-leader of McMillan's public procurement group, Timothy acts for clients in procurement challenges before the Canadian International Trade Tribunal and in procurement-related litigation in court. He provides advice on the design and conduct of modern competitive procurement processes, and the preparation of procurement solicitation documents. He writes and speaks often about public and private procurement, especially the intersection between procurement and Canada's integrity laws and policies.

As a commercial and regulatory advocate, Timothy has been involved in complex commercial, regulatory and quasi-criminal regulatory proceedings before the Supreme Court of Canada, the Federal Courts, various Ontario courts, the Supreme Court of Yukon, and numerous tribunals. His colleagues seek him out to provide counsel in applications for judicial review before the Federal Court and the Federal Court of Appeal. He has also represented clients in cross-border and domestic commercial arbitrations, and in sport-related appeals and proceedings before the Court of Arbitration for Sport, the Dispute Resolution Secretariat (Tribunal) of the Sport Dispute Resolution Centre of Canada. Timothy has also been retained as an arbitrator in National Sport Organization and Provincial Sport Organization disciplinary and appeal proceedings.

For nearly a decade prior to joining the firm, Timothy served in various roles on Parliament Hill. Over that time, he provided political and policy advice to members of parliament and senators on a range of issues, particularly foreign affairs and international trade. Drawing on this valuable experience, he also serves as a Senior Advisor and General Counsel at [McMillan Vantage Policy Group](#), a full-service, national public affairs firm affiliated with McMillan LLP.

Timothy proudly serves on the Board of the Ottawa Food Bank, and champions fundraising efforts in McMillan's Ottawa office that support the food bank and other local initiatives tackling food insecurity.

Email: timothy.cullen@mcmillan.ca

Expertise: Aerospace & Defence, Automotive, Government & Public Policy, Litigation & Dispute Resolution, Procurement

Language Spoken: English, French

LinkedIn: <https://www.linkedin.com/in/timothy-cullen/>

Location: Ottawa

Phone: 613.691.6112

Position/Title: Partner, Litigation & Dispute Resolution

Twitter: <https://twitter.com/timothycullen>

Directorships & Affiliations:

- County of Carleton Law Association
- Coaching Association of Canada
- Canadian Bar Association (Law of Lobbying and Ethics Committee Member)
- Ottawa Food Bank Board of Directors (Secretary, Chair of the Governance & Nominating Committee)
- Government Relations Institute of Canada
- City of Ottawa's Election Compliance Audit Committee (Chair)

Publications:

- "[Anti-Corruption 2023 Guide \(Canada Chapter\)](#)" Chambers and Partners (January 2023)
- "[Anti-Corruption 2021 \(Canada Chapter\)](#)," Chambers and Partners (January 2021)
- "[Anti-Corruption 2019 Second Edition \(Canada Chapter\)](#)," Chambers and Partners (December 2019)
- "[Anti-Corruption 2019 Guide Chambers and Partners](#)," Chambers and Partners (December 2018)
- "[TIPTOE THROUGH THE TTIP: Lessons from the Comprehensive Economic & Trade Agreement \(CETA\) for Negotiators in the Transatlantic Trade & Investment Partnership](#),"(TTIP)International Trade Bulletin (November 2015)
- "[The Impact of New Transatlantic Trade Agreements on Commercial and Investment Transactions](#)," Business Law International (September 2015)
- "[Social Media and Off-Duty Misconduct: Where are we @?](#)," CACE 12th Annual Conference, 2015 Presentation Paper (June 2015)

Education & Admissions:

Degree: Called to the Ontario bar

Year: 2015

Degree: Certificate in Advanced Procurement Law and Practice: Major Projects and Tendering

University: Osgoode Hall Law School

Year: 2018

Degree: Certificate in Public Procurement Law and Practice

University: Osgoode Hall Law School

Year: 2017

Degree: JD (option in international law) cum laude

University: University of Ottawa

Year: 2014

Degree: MA International Affairs, Norman Paterson School of International Affairs

University: Carleton University

Year: 2014

Degree: BA Political Studies and French, First Class Standing

University: University of Prince Edward Island

Year: 2010

Media Mentions:

- "[What employers should know about election time](#)", by John Dujay, Canadian HR Reporter (April 26, 2022)
- "[B.C.'s proposed UNDRIP action plan may cause potential cross-border issues, lawyers say](#)" by Bernise Carolino, Canadian Lawyer Magazine (June 22, 2021)
- "[Benefits agreement or influence peddling?](#)", Business in Vancouver (June 18, 2021)
- "[Here's how a new escape route could open up for SNC-Lavalin](#)", by Gabriel Friedman, Financial Post (February 22, 2019)
- "[Review of Integrity rules opens door for SNC](#)," by Steven Chase, The Globe and Mail (February 24, 2019)

Rankings & Recognition:

- Queen Elizabeth II Diamond Jubilee Medal
- 2012–2013 Dean's Research and Writing Fellow (University of Ottawa Faculty of Common Law)

Speaking Engagements:

- Canadian Institute for Procurement and Material Management (CIPMM) 33rd Annual National Workshop
- June 6-8, 2023

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- Canadian Public Procurement Council's "Forum 2023"
 - May 2, 2023

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- Hot Topics: A Comparative take on the Federal, Ontario and Quebec Regimes - The Commons Seminar on Mastering Public Procurement, Webinar

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- bids&tender's Digital Speaker Series: Trade Treaty Obligations in Canadian Public Sector Procurement
 - April 27, 2021

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- Bill 142 – *The Construction Lien Amendment Act* - Ontario Public Buyers Association/Cooperative Purchasing Group of Waterloo Region
 - November 2017

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- Buying Into Change: Updating Your Procurement Process for CETA/CFTA Compliance - Ontario Public Buyers Association/Cooperative Purchasing Group of Waterloo Region
 - November 2017

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- Buying Into Change: Updating Your Procurement Process for CETA/CFTA Compliance - Confidential Client (public sector)
 - October 2017

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- Buying Into Change: Updating Your Procurement Process for CETA/CFTA Compliance - Ontario University Procurement Management Association
 - October 2017

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- Buying Into Change: Updating Your Procurement Process for CETA/CFTA Compliance - Confidential Client (public sector)
 - June 2017

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- One of These Things Looks a Lot Like the Other: Procurement Under CETA and the CFTA - eSolutions Group

Quarterly User Group Meeting

- May 2017

- All Hands on Deck: Navigating the Tricky Waters of the Federal Government's New Integrity Regime of Public Procurement - The Canadian Bar Association, Webinar

- April 2017

Representative Matters: Selected Decisions:

- [The Canada Soccer Association Incorporated v. Association de Soccer de Brossard, 2023 ONSC 4317](#)
- [The Canada Soccer Association Incorporated v. Association de Soccer de Brossard, 2023 ONSC 1367](#)
- [45787 Yukon Inc./Mobile Solutions and Research Inc. v ALX Exploration Services Inc., 2021](#)
- [Doumouras v. Chander, 2019 ONSC 6056](#)
- [Adham Sharara v. Table Tennis Canada, SDRCC 18-0376](#)
- [Kileel Developments Ltd. v. Department of Public Works and Government Services, PR-2018-042](#)
- [K. L. v. Minister of Employment and Social Development, 2015 SSTGDIS 38](#)
- [Gypsum Board, Reference No. GC-2016-001](#)

Arbitrations:

- Represented a cannabis company in an arbitration dealing with the alleged repudiation of a licence, supply and distribution agreement.
- Represented a municipality in an arbitration dealing with a breach of contract.

Industries: Aerospace & Defence, Automotive

Practices: Government & Public Policy, Litigation & Dispute Resolution, Procurement