



TOP 10 ONTARIO REGIONAL FIRMS

CHANGE BREEDS OPPORTUNITY

Ontario's top regional firms have benefited from a booming economy, cannabis and a labour law overhaul

By Aidan Macnab

Despite a rollercoaster stock market, tariffs and trade renegotiations and a new provincial government, Ontario's top regional firms have had a prosperous year and expect more of the same for 2019.

After a month-long survey with hundreds of participants from the legal profession across the country, *Canadian Lawyer* has determined the top 10 Ontario regional firms of 2019. They are: Torkin Manes LLP, Pallett Valo LLP, WeirFoulds LLP, Blaney McMurtry LLP, Minden Gross LLP, Fogler Rubinoff LLP, Lerner LLP, Gardiner Roberts LLP, Loopstra Nixon LLP and Nelligan O'Brien Payne LLP.

Jeffrey Cohen, managing partner of Torkin Manes LLP, says clients and those at the firm have an optimistic perspective on the future and 2017 and 2018 were

the firm's two best years to date. Cohen says he expects, if not growth, at least stability in the firm's 2019 economic performance. A diversity in types of clients, great performance by those clients and the most talented collection of lawyers the firm has ever had is what he attributes to the successful streak.

"And I don't see anything in front of me right now that would lead 2019 to be anything other than another great year," he says.

Started in 1974 by Larry Torkin and Ron Manes, the firm, Cohen says, originally emphasized its commercial litigation practice. Now, he says, the firm's largest areas are corporate commercial, real estate and commercial litigation, but it is also known for strong sub-speciality groups, such as trusts, estates, family and health law.

Recently, Wayne Egan, managing partner at WeirFoulds LLP, has seen an independence streak among clients, much more willing to handle tasks on their own which they may have sent to their lawyers in the past. This is increasingly prevalent due to cost containment and a push for greater efficiency, he says. This requires firms to automate, stepping up the use of technology so they can cut down on work done by clerks, students and lower-level associates and even pass on work back to the client, he says.

“They’re looking for ways where they can become truly partners with us and try to take on some of that role and responsibility that isn’t pure legal work; things that they could be doing to make things move more quickly and as cost effective as possible,” he says.

Like free agents before the trade deadline, the legal marketplace has seen a lot of mobility recently and Egan says WeirFoulds has been a beneficiary of a few well-established lawyers who landed at the firm.

“I think being a mid-size firm in Toronto and Ontario presents a great opportunity that way. And I think there are lots of chances for us to meet with lawyers out there who are looking for exactly what we have in terms of what it can bring their clients and what it can bring their practice,” he says.

Older than the country it is in, WeirFoulds LLP has been in operation for more than 160 years. Egan says the firm was originally known for having top-notch litigators, the go-to for other law firms when it came to Court of Appeal or Supreme Court litigation. Over the last 60 years, the corporate law practice has grown, now making up around half of the firm’s business.

The firm is “locally focused,” having decided to be a “prominent and relevant regional firm,” which means focusing on municipal law, construction, real estate and leasing, he says, adding that the firm is strong in commercial and construction litigation, has a regulatory group looking after self-governing bodies in the province and has recently added a group that has a strong IP practice.

Though still fresh from the first hand-off of power in the province for 15 years, those interviewed at Ontario’s top regional firms said the recent change in provincial government has yet to have much of an impact on business and that of their clients, with Egan saying everyone has a “wait-and-see” attitude toward the new regime.

One area, however, where the new government’s policies have had an effect has been in labour and employment. Cohen says that Torkin Manes has seen “lots of activity” from the see-sawing of labour and employment changes brought by the provincial government. In October 2018, the Doug Ford government put the Fair Workplaces, Better Jobs Act, also known as Bill 148, under review. In November, the Making Ontario Open for Business Act was passed by the legislature. The PC riposte kept some of the Liberal reforms, such as paid vacation requirements, the introduction of domestic or sexual violence leave and increased parental leave, but it axed other reforms, including the minimum wage increase and rules giving employees more control of shift scheduling.

“There was lots of activity in education by our labour and employment group in terms of just getting our clients up to speed with the new employment framework and then some of those changes were rolled back and not implemented,” Cohen says.

Since last time *Canadian Lawyer* featured the top Ontario regional firms, the most significant change for Cohen’s clients has been the federal government’s altering of the tax framework. In 2017, the Liberal government instituted tax reform to prevent income splitting for small businesses and self-employed profes-

sionals, where income would be split among family members to be taxed at a lower rate. Cohen says the tax changes have lowered the amount of work the firm was doing in tax reorganization and tax planning for “entrepreneurial owner-operated businesses.”

Tax policy south of the border is also influencing legal business in Ontario. Arlene O’Neill, a partner at Gardiner Roberts LLP, says there also is a windfall coming to Canada from U.S. investors with more money to play with.

“And that has increased or at least continued to fuel the engine of U.S. investors interested in Canada,” she says.

Gardiner Roberts has been operating since Frederick Gardiner and Fred Parkinson teamed up in the 1920s. O’Neill says the firm began with a vigorous municipal law practice — which fits with Gardiner in 1953 becoming the first chairman of the municipality of metropolitan Toronto.

The strong economic performance of the Greater Toronto Area has been the “bread and butter” for Minden Gross LLP,

says managing partner Raymond Slattery. Minden Gross has a strong “corporate commercial, entrepreneurial, family-owned local business practice,” but its core specialty is commercial real estate, he says, adding the GTA continues to drive business in commercial real estate, bolstered by immigration and economic growth.

Like businesses across the continent, the top regional firms are strategically positioning themselves to elevate business with a hit of legal cannabis.

“Cannabis has been strong for us on a variety of fronts . . . from taking companies public to dealing with workplace policies [and] renting out to dispensaries,” Slattery says. “It covers the whole gamut of the practice.”

Cannabis legalization has created a “burst” of businesses jockeying for position and lawyers offering cannabis specializations to build proper business structures, provide regulatory and workplace-policy advice and enter that burgeoning marketplace, O’Neill says.

“It’s like a mini tech boom, but it’s cannabis,” she says. ☼

How we did it

To come up with our top 10 Ontario regional firm list, *Canadian Lawyer* asked lawyers, in-house counsel and clients from across Canada to nominate firms worthy of being ranked. We took that list, created a survey and pushed that survey through all our channels to summon the widest participation possible. Respondents’ rankings were based on firms’ regional service coverage, client base, notable mandates, service excellence and legal expertise, and we included an opportunity for respondents to suggest a firm not already on the list. To be included, firms had to have offices in Ontario exclusively and offer a wide range of legal services. Voters ranked firms from one to 10, with first-place votes earning 10 points and points decreasing by one up to one point for a 10th-place vote. Points were added up and firms ranked accordingly.



TOP 10 ONTARIO REGIONAL FIRMS

8 GARDINER ROBERTS LLP

GRLLP.COM

Total lawyers: 68

Office: Toronto

Core practice areas: corporate-commercial law; securities; commercial litigation; real estate; tax; health; IP; employment and labour; class actions

Key clients: Conundrum Capital; LawPro; Pharmascience Inc.; Castlepoint Investments Inc.; Toronto Real Estate Board; E.I. du Pont Canada Co.; Open Text Corp; Metro Toronto Regional Conservation Authority; TD Canada Trust; Scotiabank; First National Financial LP

Notable mandates: successfully represented former Toronto mayor Rob Ford in a libel and defamation action; representing former Liberal MP Borys Wrzesnewskyj in litigation proceeding contesting election in Etobicoke Centre; acting on the establishment of a large residential real estate private equity fund; acted on a complex reorganization of an existing real estate private equity fund into private REIT in a matter involving investors such as Canada's largest pension plans and mutual funds; acted for the purchaser in excess of 230 quick-service restaurants in Ontario, B.C. and Quebec.

Star alumni: former Metropolitan Toronto chairman "Big Daddy" Frederick Gardiner; former Superior Court justices Fitzpatrick and William J. Anderson; former Ontario Court of Appeal justice Lloyd Holden; Ronald J. Farano, who worked on policies preceding a significant overhaul to Canada's federal taxation

Affiliations: MSI Global Alliance & Consulegis

Firm history: Founded in the 1920s, the firm has become a mid-size, full-service law firm with a diverse client base that includes several of Canada's largest banks, numerous medium- to large-size municipalities, agencies, boards and commissions, government entities, high-tech and software companies, real estate developers, lenders and investors. Gardiner Roberts is involved in numerous charitable and community initiatives, including the Heart and Stroke Foundation, Peacebuilders International, Prostate Cancer Canada, LAWS program at the University of Toronto, Humber College Advisory Consortium for a legal course, Ride to Conquer Cancer, Hope for Children Foundation – Adopt-a-Family Program, Juvenile Diabetes Research Foundation, The National Ballet School of Canada, the Toronto International Film Festival, the Canadian International Documentary Film Festival, Hot Docs and various research ethics boards affiliated with SickKids and the Bloorview Research Institute.

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