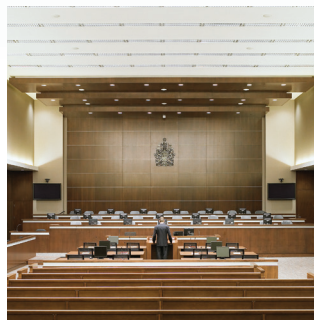


# ★★★ Top boutiques ★★★

# Strong, confident, competitive

*Canadian Lawyer's* top corporate law and litigation boutiques have the bench strength to go head to head with Big Law.

By Yamri Taddese



Litigation boutiques once thrived on the work big law firms couldn't keep for conflict of interest reasons, but today, specialized litigation firms say they're going head to head with those same big shops on some of the most complex and high-stakes files. "It seems that the market has recognized that it's not the number of lawyers that matters, it's the quality and the knowledge of a very specialized area," says Richard Vachon, managing partner at Quebec-based Woods LLP, one of the top 10 vote-getters in this

year's *Canadian Lawyer* survey of litigation boutiques.

While they maintain good relationships with large firms that still refer work to them, some of the top 10 boutiques tell us they compete on much the same level as national firms for the rest of their mandates. "One of our goals when we started in 2001 was to quickly scale up to the point where we'd never feel that our clients were at a disadvantage when we were going toe to toe with the [large], full-service firms and their litigation departments," says Rob Centa, managing partner at Paliare Roland

Rosenberg Rothstein LLP. "We're absolutely at that place now."

He notes his 34-lawyer firm is now "larger than the litigation departments of several of the big firms. We have all the technological resources necessary, we have the relationships with the forensic firms, [and] we are fully capable of engaging in any mandate."

Unlike the big firms, Centa says his firm's largest mandates are one-off files. It doesn't do large commodity work for banks or insurance companies; instead, it's brought in on specific litigation mandates often when the stakes are very high and the pressure to achieve good results is enormous. "Our size allows us to be nimble, to staff our files appropriately, to keep our overhead reasonable, and to provide very attentive and responsive client service," he says.

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**How we did it:** *Canadian Lawyer* selected Canada's top litigation and corporate law boutiques by asking readers to rank a long list of notable firms in each area, which was whittled down to a short list through votes drawing on input from our editorial team. The results on the following pages are an alphabetical list of the 10 boutique firms in each area that are rated most highly by other lawyers.

As companies recognize boutiques' expertise to take on major files, Vachon says his firm has seen more class action defence work in the last few years. On the other hand, things have been slower in areas like insolvency, which is cyclical work and will, he points out, "come back eventually."

At Vancouver's Nathanson Schachter & Thompson LLP, partner Irwin Nathanson says his firm is seeing a trend toward more arbitration as complex commercial contracts increasingly contain arbitration clauses and clients look for the best out-of-court resolution of matters. There's more pressure to find such resolutions in tougher economic conditions, says Nathanson.

Clients nowadays are demanding more communication from lawyers, according to Vachon. "They're obviously looking for very high-quality service, no compromise on what you're going to do. They're asking lawyers to talk with them to be able to provide better service, to understand their needs, to avoid surprises," he says.

Boutiques are especially well positioned to meet that demand, says Nathanson, who adds lawyers in a small firm know the status of all their files and are readily aware of the steps necessary to progress those files to a timely resolution. "The clients of our firm are kept current on the status of their matter and can be confident that their particular files are being dealt with in a timely manner," says Nathanson.

For the first time this year, *Canadian Lawyer* conducted a survey of Canada's top 10 corporate law boutiques. The top vote-getters in this category were equally confident of their ability to match Big Law's strength in corporate finance, mergers and acquisitions, and securities work. "If you take our firm and put it inside any of the Seven Sister law firms, you'd have a corporate finance department that's equal to theirs — maybe not in size but certainly in calibre, in execution, and in expertise," says Perry Dellelce, managing partner of Wildeboer Dellelce LLP. "When we left the large firms — and most of the partners here

were at large, Seven Sister firms — we didn't leave our brains behind," says Dellelce. "But we knew we wouldn't take the large multi-national Canadian and foreign corporations as clients [to our new firm]."

His firm knew, from the get-go, that it had to cater to the small- to mid-cap client base and "grow our business with theirs. And frankly, it's more interesting; it's more fun."

Debbie Weinstein, of LaBarge Weinstein LLP, expresses a similar intention to grow alongside her clients. "As a boutique, we don't tend to get the big, multi-national companies coming to us seeking representation and that's OK because the very nature of our firm has been to represent the underdog," she says. "When we started out, we were the underdog; we were this little firm that people said wouldn't last."

Now, Weinstein says, large firms are competing with hers to score companies for work in corporate finance, licensing, M&A, and public offering work. "As the economy changes, we see different national firms coming into the knowledge-based business area. Depending on the economy, firms come in and out. We've seen many firms trying to establish their own spin-offs. They just waver because they can't help themselves; they're so large [and] they need the large, multi-billion-dollar clients."

Although her firm isn't the biggest business law firm in Canada "by any stretch of the imagination," Weinstein says the work she and her team does every day is unmatched by any other law firm, large or small.

A firm like LaBarge Weinstein was a response to "a great need" for pragmatic dialogue between lawyers and clients, she says. While her clients are intelligent professionals such as engineers and entrepreneurs, they are not business experts and need simple, plain-language advice, she says. "In other words, clients want advice that they can understand, and they want alternatives presented to them that are solutions rather than roadblocks," says Weinstein.

# Top 10 Litigation boutiques



## Babin Bessner Spry LLP Toronto *babinbessnerspry.com*

Ed Babin, formerly a senior partner and litigator with Torys LLP and Davies Ward Phillips & Vineberg LLP, founded the firm in 2009. In 2010, Cynthia Spry, formerly of Osler Hoskin & Harcourt LLP and Davies, joined the partnership to form Babin Barristers LLP. Later, Ellen Bessner, who practised for more than 20 years at Gowling Lafleur Henderson LLP and Cassels Brock & Blackwell LLP, also joined the firm to form Babin Bessner Spry LLP. The firm's clients include Rogers Communications Inc., Wal-Mart Canada, Sleep Country Canada, the Competition Bureau, and SunEdison. Among its notable mandates, it has successfully represented a group of 62 investors of modest means, many of whom were retired or approaching retirement, in a mass tort case for breach of fiduciary duty and negligence by their investment, legal, and tax advisers. The firm also acted for Rogers Communications Inc. in connection with a number of advertising disputes under the Competition Act, and represented a major Canadian retailer in connection with international anti-trust class action proceedings dealing with credit card interchange fees charged by Visa, Mastercard, and others.



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