

CURRICULUM VITAE

HONOURABLE ROBERT MAINVILLE, LL.L., LL.M.

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Personal information and education

I was born in Montreal on November 27, 1953. My mother was born and raised in Saskatchewan and my father was born and raised in Quebec. I have a bilingual English and French linguistic and cultural background. I have been married for many decades to a judge of the Quebec Superior Court.

I attended high school and completed my college education in Quebec, and thereafter pursued university studies at the Université de Montréal (law degree, LL.L.), and McGill University (Master of Laws, LL.M.). I was admitted to the Quebec Bar in 1976.

Current Position

I am currently a partner at one of Canada's largest law firms with a strong international presence, GOWLING WLG. I am principally involved in strategic legal advice to clients, negotiations of major transactions and in an arbitration/mediation practice.

Career within the judiciary

I was a federally appointed appellate Canadian judge for over 15 years.

I was a judge of the Federal Court from June 2009 to June 2010. The Federal Court holds extensive jurisdiction over federal matters, including the review of federal administrative action, aboriginal law, maritime law, intellectual property law, national security, citizenship, and immigration, to name a few. While I was at the Federal Court, I was also appointed as a judicial member of the Canadian Competition Tribunal, which deals with such matters as business mergers, abuse of dominant market position, price maintenance and restrictive trade practices in matters usually of national interest and large in scope and complexity that can involve significant financial stakes.

From June 2010 to July 2014, I was a judge of the Federal Court of Appeal. The Federal Court of Appeal has extensive jurisdiction over matters of federal law, including appellate jurisdiction over the Federal Court and the Canadian Tax Court. The Federal Court of Appeal also has judicial review authority over important federal bodies and tribunals such as the Canadian Radio-television and Telecommunications Commission, the Canadian Energy Regulator, the Canadian International Trade Tribunal, the Canada Industrial Relations Board, the Competition Tribunal, and the Specific Claims Tribunal, to name a few.

From July 2014 to April 2025, I was a federally appointed judge of the Quebec Court of Appeal. The Quebec Court of Appeal has been in continuous existence since 1849 and is the highest court in Quebec. In almost all cases, the Quebec Court of Appeal is the final arbitrator of the matters brought before it upon appeal from the Quebec Superior Court, the Court of Quebec and other tribunals. It stands as one of the primary bastions of the rule of law in Quebec. In my capacity as a judge of this court, I have been called upon to render judgments in numerous cases comprising a vast array of matters, involving notably constitutional and administrative law, business law, as well as civil and criminal law.

During my tenure in the Quebec Court of Appeal, I also chaired for a few years the Judicial Advisory Committee for Quebec-West, which recommends to the federal minister of justice candidates for the appointments to the Quebec Court of Appeal, the Superior Court of Quebec, and the Federal Courts.

I was also a member of the Court Martial Appeal Court of Canada from November 2009 to April 2025. That court holds appellate jurisdiction over military courts.

Practice as a Lawyer

At the time I was appointed to the federal judiciary, I was a partner with the Gowling Lafleur Henderson law firm. Before joining this firm, I practised law in various mid-size firms.

During my career as a lawyer than spanned more than 32 years, I worked extensively in numerous cases and files involving administrative law, constitutional law, labour law, civil law, and commercial law. I have acquired substantial experience in litigation and advocacy in complex litigation. I have pleaded numerous times as lead counsel before the Supreme Court of Canada, the Federal Courts, the Quebec Court of Appeal and the Quebec Superior Court.

I participated in the emergence of a new field of law known as the doctrine of aboriginal rights, which is now at the forefront of constitutional and administrative law.

I also acted for many years as the spokesperson for provincial government bodies regarding public sector labour negotiations.

I also participated in numerous commercial projects and financial transactions, notably in the energy and natural resource sectors, and I have provided advice to numerous business enterprises acting as corporate secretary or as legal counsel. I was, moreover, the promoter and principal investor in a project involving technology transfers in the petroleum refining sector between the United States and Russia.

I was deeply involved in all aspects of the regulation of electricity markets in Quebec. Since electricity markets are core to the Quebec economy, my work required a clear understanding of the economic, financial, and political aspects of electricity production, transmission, distribution, and export.

Regarding the energy sector and other natural resources development, I have been involved as lead counsel in a variety of transactions, including negotiations at the highest levels regarding hydroelectric, forestry and mining development projects and partnerships, advice and numerous opinions concerning electricity markets (both domestic and export).

I have acted over the years as either corporate secretary or lead counsel to a variety of holding companies and businesses, involving at various times petroleum distribution, construction, bottling and distribution of soft drinks, trucking, etc. I have also been involved in many banking and financing transactions.

I participated in some of the largest settlements in Canada involving aboriginal groups, including the 2002 *Paix des braves* agreement between the Quebec Crees and the Government of Quebec.

Other Activities and Committee Participation

I was a member (2003 to 2009) of the Standing Liaison Committee acting at a deputy-minister level between the Quebec government and the Cree Regional Authority. This committee was entrusted with the coordination of the relationship between Quebec and the Cree Nation following the *Paix des braves* Agreement.

I was also a member (2007 to 2009) of the James Bay Advisory Committee on Justice and, in this capacity, provided guidance to the Quebec government on the administration of justice in the James Bay Territory. The activities of the committee resulted, notably, in the construction of numerous courthouses and the establishment of new programs for aboriginal offenders.

At the time of my appointment as a judge, I was also a member of the McGill Law Faculty Advisory Committee.

In addition to my professional activities, I also worked for many years as the principal promoter of a technology transfer project in the petroleum-refining sector. This project involved meetings and negotiations with leading Russian scientists and engineers as well as with American businesses involved in petroleum refining. The successful promotion of an international business venture is difficult and comprises high risks. Such an endeavour requires important organizational and communication skills considering the cultural, linguistic, and commercial hurdles involved.

University Teaching Experience

McGill University – 1999 and 2001 to 2004 Lecturer at the Law Faculty.

Université du Québec à Montréal - 1993 Lecturer the Law Department.

Publications

I have written two books concerning aboriginal law (of which one had a second edition) and many articles. One of my books, *An Overview of Aboriginal and Treaty Rights and Compensation for Their Breach*, was cited approvingly and extensively by the Supreme Court of Canada in both *Quebec (Attorney General) v. Pekuakamiulnuatsh Takuhikan*, 2024 SCC 39 and *Southwind v. Canada*, 2021 SCC 28. I have also participated in many conferences.

Books

B. A. Crane, R. Mainville, M.W. Mason, *First Nations Governance Law, Second Edition*, Markham, LexisNexis, 2008

Robert Mainville, *An Overview of Aboriginal and Treaty Rights and Compensation for Their Breach*, Saskatoon, Purich Publishing, 2001