

# LIDSTONE & COMPANY

## *Law Letter*

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## ***Lidstone & Company***

***Rob Botterell*** focuses on major project negotiations for local governments (such as in relation to pipelines, LNG, dams and reservoirs, mines, oil and gas, and similar matters). He also deals with law drafting as well as local government matters in relation to aboriginal and resource law. Rob also advocates on behalf of local governments. Rob led a team that put together the Freedom of Information and Protection of Privacy legislation and advised on the Personal Property Security Act and others. He negotiated the key provisions of the Maa-nulth Treaty for Huu-ay-aht, has drafted over 500 pages of laws, and has negotiated with all levels of government and industry on major projects. He was a Trustee of the Islands Trust and in 2012 chaired a panel at the UBCM annual convention on "Voting on the Internet". Rob has an LL.B. from UVic and MBA from UBC, and is a Fellow of Institute of Canadian Bankers after having been the TD Bank Regional Comptroller in the 1980's. Rob has practiced law in British Columbia for 20 years.

***Colleen Burke*** studied municipal and land use planning law while attending UBC Law School and has been working with local governments in British Columbia since her articling days. Called to the Bar in 2000, she has practised law as in-house counsel and as an associate with Murdy & McAllister. Colleen regularly provides advice on local government power within the context of constitutional law as well as common law and legislation, with a particular focus on information and privacy, Charter rights, and regulation involving federal, provincial, aboriginal and local government bodies. She prepares bylaws dealing with fire, building, water and sewer services, marine and riparian areas, agriculture, animals, traffic, parks, cemeteries, business licensing, environmental protection, nuisance, fees, taxation, ticketing, council, delegation and meeting procedures. She also drafts agreements for occupation and services. Colleen is a member and past Chair of the Municipal Section of the Canadian Bar Association (B.C. Branch) and is also a member of the Association's Aboriginal, Environmental and Information and Privacy Sections. For many years, Colleen taught at Capilano University as a guest lecturer on the subject of "Municipal Dealings in Property" to students of Public Administration 203.

***Andrew Carricato*** advises and advocates for clients on a wide range of workplace law issues in both unionized and non-unionized environments. He advises clients on recruitment, discipline, terminations, attendance and disability management, accommodations, workplace investigations, human rights, freedom of information and privacy matters, as well as labour relations, the interpretation of collective agreements and grievance arbitrations. Andrew also helps clients navigate various local government issues and litigation processes, including at the courts, labour arbitrations, the human rights tribunal and other administrative tribunals.

***Rebecca Coad*** joined Lidstone & Company in 2018, after practicing in commercial litigation at a national firm since her call in 2015. Rebecca has a broad background in litigation, including constitutional and environmental issues, and has appeared in all levels of court in British Columbia. She has also represented clients in arbitrations and regulatory proceedings. Rebecca advises local governments on a wide range of matters including municipal contracts, property disputes, governance, and regulatory matters. With her background in politics, Rebecca understands both the legal and practical issues facing local governments and works with clients to achieve the best results.

**Marisa Cruickshank** advises local governments in relation to a variety of matters, with an emphasis on constitutional, administrative and environmental law issues. Marisa completed her law degree at the University of Victoria. She was awarded five major scholarships and academic awards. She also served as a judicial law clerk in the British Columbia Court of Appeal.

**Sara Dubinsky** is a graduate of the University of Victoria Faculty of Law. Sara summered with a boutique litigation firm in Vancouver and appeared at the Braidwood Commissions of Inquiry on behalf of the British Columbia Civil Liberties Association, where she articulated. Sara is a litigation lawyer and handles bylaw enforcement matters. She also provides legal opinions on a wide variety of issues, and is the go-to person in our firm for conflict of interest opinions. Sara received three awards in law school for her performance in the Wilson Moot Competition.

**Alison Espetveidt** is a municipal lawyer licenced in Alberta and British Columbia. She advises and advocates for clients on a wide range of municipal law issues, including land use planning and development, real estate, expropriation, governance and enforcement. Alison's interest in municipal issues began when she worked in the aldermanic office at the City of Calgary. She has appeared as an advocate before many different bodies in Alberta. She has experience with administrative tribunals such as subdivision and development appeal boards, assessment review boards, the Land Compensation Board, the Alberta Utilities Commission and the Environmental Appeals Board. She has also appeared in the Provincial Court of Alberta, the Court of Queen's Bench (Alberta) and the Alberta Court of Appeal. In addition to private practice, Alison has worked in-house for municipalities and businesses. She understands the complexities of the issues facing her clients. In her practice, she aims to provide practical solutions to immediate problems and to identify opportunities to develop best practices. Alison works hard to understand her clients' goals and priorities.

**Paul Hildebrand** is Associate Counsel at Lidstone & Company. Paul is the head of the law firm's Litigation Department. He won the Gold Medal in law at the University of British Columbia in 1980. Paul has a Doctorate in Economics in addition to his Law Degree and Master of Science degree in mathematics. For nearly 29 years, Paul Hildebrand has practiced law in the area of complex litigation, including a 12 year stint with McAlpine & Company, one of the leading complex litigation firms in Canada. Paul is responsible for the conduct of our local government clients' litigation matters, including defense of claims, insurance matters, suing other parties, injunctions, appeals, and other litigation related matters. He also has expertise in regard to arbitration, mediation and conciliation. He has done securities work, including financings for public and private companies, and real estate transactions.

**Don Lidstone Q.C.** practices generally in the area of local government law. His municipal law focus is in the areas of governance, finance and taxation, land use and development, environmental law, aboriginal law and bylaw/legislative drafting. Invited to speak regularly at conferences, symposia and SPRING 2017 Edition Lidstone & Company {00407617; 1 } 23 universities, he has chaired the Sustainable Region Initiative (Governance and Finance), Liquid Waste Expert Review Panel, Fire Services Review Panel, Whistler Waste Blue Ribbon Panel, and the Municipal Law Section of the British Columbia Branch of the Canadian Bar Association. Don has published numerous papers and manuals and consulted on the development of the Community Charter and other municipal statutes in a number of provinces. He was designated Queen's Counsel in 2008.

**Michael McAllister** is Senior Counsel. He has practised law exclusively on local government matters since 1988. Michael was born in Nelson, B.C. and is a lifelong British Columbia resident. Michael attended the University of British Columbia where he received a Bachelor of Social Work in 1977 and his Bachelor of Law Degree in 1987. After articling with Davis & Company and being called to the Bar in British Columbia in 1988, he joined Murdy & McAllister. Michael's practice has evolved over his many years at Murdy & McAllister. Over the past decade, Michael's practice has narrowed to working exclusively on solicitor matters, focusing on general advice to local government and complex land development. Michael is also active in the Municipal Law Section of the Canadian Bar Association.

**Ian Moore** practices broadly in the areas of local government and public interest environmental law. He advises local governments on a variety of matters, including: environmental sustainability and climate change, land use planning, contracts, liability, governance, and reconciliation with Indigenous peoples. Ian was called to the bar in September 2017 after completing his articles with the firm. He is licensed to practice in both Alberta and BC. Prior to joining the firm, Ian spent a decade being involved in a variety of community and public policy initiatives, including helping develop Edmonton's climate change and food strategies; co-founding the student legal newspaper, *Juris Diction*; and running the University of Alberta Students' Union's sustainability office.

**Christopher Murdy** has practised law exclusively on behalf of local government since 1984. Chris is a lifelong resident of B.C. and attended the University of British Columbia where he received a Bachelor of Commerce Degree and then his Bachelor of Laws Degree. After articling and being called to the Bar in British Columbia in 1983, he attended the University of Oxford where he received a Graduate Degree in Law. Chris has a mixed practice of solicitor's and barrister's work, advising on all areas of municipal law and in particular has provided advice and acted as counsel in matters involving conflict of interest, public-private partnerships, complex developments, bylaw challenges and subdivision appeals. He has appeared in all levels of Court in Canada, including the Supreme Court of Canada on behalf of local government clients. Chris is also active in the Canadian Bar Association, the Municipal Law Section of the Canadian Bar Association and with the Continuing Legal Education Society of British Columbia as a speaker in courses involving municipal and real estate law issues.

**Lindsay Parcels** practices municipal law with a particular interest in land use, real property, corporate, commercial, mediation and environmental matters. Lindsay has 20 years of legal experience. He was called to the Alberta bar in 1992 and the British Columbia bar in 1995. Lindsay completed a Master's degree in Municipal Law from Osgoode Hall Law School in 2009 and a combined Bachelors of Laws and Masters of Business Administration degree from Dalhousie University in 1991. Before attending Law School, he served for one year as a legislative intern at the Alberta Provincial Legislature. Lindsay is currently Co- Chair of the Municipal Law Section of the BC Branch of the Canadian Bar Association.

**Anthony Price** was born and raised in the beautiful Bulkley Valley in northern British Columbia. Since 2010, his practice has focused exclusively on providing advice and representation to local governments in civil litigation, judicial review and regulatory law proceedings, with an emphasis on bylaw enforcement through injunctions, civil litigation defence, expropriations, and human rights complaints. Anthony has appeared at all levels of court in British Columbia and the Supreme Court of Canada and has also served as a Judicial Law Clerk at the Supreme Court of British Columbia in 2006/2007.

**Olga Rivkin**, a former partner in the local government department of a national law firm, has joined Lidstone & Company as a senior associate lawyer. She advises municipalities and regional districts on a variety of topics, including aboriginal law, land development, subdivision, real estate, highways, remediation, water, infrastructure, governance and operations. Olga has represented local governments across British Columbia in numerous negotiations, drafted a variety of agreements and assisted with project management.

**Robert Sroka** provides legal opinions and drafts agreements on all local government matters with an active interest in land use planning and real estate development. Robert came to Lidstone & Company from The City of Calgary Law Department, where he served as a bylaw prosecutor, drafted real estate transactions, and advised on planning issues. Robert obtained his JD from The University of British Columbia and spent two summers as an Ottawa intern in the offices of federal cabinet ministers. He is currently a LLM Candidate at the University of Calgary, where his work on urban brownfield redevelopment financing has been presented at several law conferences.

**Lynda Stokes'** practice consists predominantly of solicitor and advisory work with an emphasis on real property, land use regulation and development, municipal services and environmental issues. Since 2014, she has served on the executive of the Municipal Law Subsection of the BC Branch of the Canadian Bar Association. She also serves on the board of the Vancouver East Cultural Centre (the "Cultch") and is a past board member of the Public Dreams Society and MovEnt, a contemporary, Vancouver-based dance organization. Lynda joined Lidstone and Company as part of its merger with Murdy & McAllister. She began practising at Murdy & McAllister in 2011 after spending five years as in-house legal counsel with the Metro Vancouver Regional District. Before working at Metro Vancouver, Lynda spent several years with the federal Department of Justice where she provided advice on a range of First Nations' matters to the Specific Claims Branch of Indigenous and Northern Affairs Canada. She began her career articling and working in private practice with large corporate law firms, first in Edmonton and then in Vancouver. Lynda was called to the Bar in Alberta in 1999 and in British Columbia in 2000.

**Rachel Vallance** provides legal opinions, agreements and bylaws on all local government matters. She completed her law degree at the University of Victoria, where she participated in the law co-op program. Rachel has worked at the Ontario Securities Commission in Toronto, the Ministry of Justice in Victoria, Chimo Community Services in Richmond, and Chandler & Thong-Ek, a business law firm with offices in Thailand and Myanmar. During law school, Rachel received awards both for academic performance and involvement in student affairs. Prior to her law degree, Rachel completed an Honours BSc in Psychology and Ethics, Society & Law at the University of Toronto.

**Matthew Voell** acts for local government clients on a wide variety of civil and commercial matters, including disputes involving breaches of contracts and agreements, real estate development and insurance defence. Matthew also provides litigation services for clients on a wide variety of public and administrative law matters, including judicial review of administrative decisions and bylaw enforcement. Matthew has represented clients at all levels of Court in British Columbia, as well as before numerous administrative tribunals, including the BC Human Rights Tribunal, the Office of Information and Privacy Commissioner, and BC Assessment. Matthew also sits on the BC Cancer and Providence Health Care Research Ethics Boards.

**James Yardley's** practice mainly involves litigation and dispute resolution, although he also provides advice on a broad variety of local government matters. James has practised law involving local

governments since his call to the Bar in 1991. He was born and raised in Prince George, has a law degree from the University of Toronto, and a Masters degree in Community and Regional Planning from UBC. James has appeared in numerous trials, appeals, petitions, mediations and arbitrations on matters that involve administrative law, judicial review, construction disputes, planning law, expropriation and injurious affection claims, bylaw challenges, bylaw enforcement, constitutional law, claims alleging misfeasance in public office and bad faith, environmental law disputes and prosecutions, contract disputes, insurance coverage disputes, election challenges, human rights complaints, property taxation disputes, and claims involving police forces. James has been involved in proceedings before tribunals that include the B.C. Utilities Commission, the National Energy Board, the Environmental Appeal Board of British Columbia, the Property Assessment Appeal Board of British Columbia, the B.C. Human Rights Tribunal, the B.C. Comptroller of Water Rights and the former Expropriation Compensation Board.



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