



Stephan H. Trihey

Partner | Montréal

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Biography

Stephan H. Trihey is a seasoned commercial and civil litigation partner with over 25 years of experience. He provides counsel, advocacy, and dispute resolution strategies to a diverse range of clients, including large and small domestic and international companies, individuals, insurers, universities and public institutions.

Stephan has extensive expertise in a broad range various commercial matters. His experience includes cases dealing with shareholders' rights and oppression actions, trusts and estates, extraordinary remedies, contractual disputes, professional and product liability, insurance defense litigation and large-scale construction and industrial project claims.

A skilled trial attorney, Stephan is adept at guiding clients during all stages of their legal issues, always seeking tailored solutions through a pragmatic, versatile and business-minded approach. As such, he understands the value of a practical and cost-effective resolution to a dispute, including through a negotiated settlement. He has appeared before all levels of the Quebec courts, the Federal Court of Canada and various arbitration panels. He is also regularly sought by his peers to act as co-counsel and a strategic advisor in complex litigation matters involving multi-faceted and prohibitive court orders, such as Anton Piller and Mareva injunctions.

His expertise and contributions have been recognized on a pan-Canadian level, including in *Benchmark Canada* as a Litigation Star since 2020, and in *Best Lawyers in Canada* in the area of construction law, since 2022. He is also one of the keynote speakers at the firm's Annual Construction Super Conferences held in Montreal, and he has delivered several presentations on real estate, shareholder remedies and trusts and estate related subjects in other forums.

Stephan is actively involved in Quebec's legal community and recently completed a three-year term as a member of the liaison committee of the Bar of Montreal with the Court of Appeal. On an individual level, he is a strong believer in the value of mentoring and enjoys serving as a mentor and a coach to the younger associates in the firm.

He is also active outside the legal community. Stephan was the President of the Town of Mount-Royal's Senior Hockey League for several years and continues to sit on the Board of Directors of the Mount-Royal Old-timers

RELATED SERVICES

Commercial Litigation
Competition / Antitrust
Construction Litigation
Insurance Defence

RELATED INDUSTRIES

Construction and Infrastructure
Insurance & Risk Management

Hockey League (VMRO), a non-profit association that he helped co-found in 2008, whose mission is to encourage mixed gender senior players to continue enjoying the sport. He is also a contributing member of the Atlantic Salmon Federation.

Professional achievements & leadership

- Benchmark Canada "Litigation Star"– 2020-2024
- *The Best Lawyers in Canada* – Construction Law – since 2022

Notable matters

- Guardian Industries, a Koch company based in Auburn Hills, Michigan, in a multi-million dollar bankruptcy and shareholder oppression dispute involving multiple parties before the Superior Court and the Court of Appeal of Quebec.
- Savage family of companies, headquartered in Utah, in connection with the recognition and enforcement of an arbitration award involving multi-jurisdiction and international law issues.
- A multinational steel and mining company before the International Court of Arbitration seated in New York City, regarding a contractual dispute valued at over \$500 million relating to the performance of equipment procured at an iron ore facility in Northern Quebec.
- A prominent Canadian commercial real estate and property management company with assets around the globe in various commercial real estate, bankruptcy, injunction and construction related matters.
- Dream Industrial REIT, an important owner and manager of industrial assets totaling approximately 70.6 million square feet of gross leasable area in key markets across Canada, Europe, and the U.S., regarding various real estate matters.
- A consortium of architects and engineers with respect to a professional service contract dispute valued at approximately \$120 million with a provincial government agency regarding a billion dollar superhospital modernization project.
- Canadian Broadcasting Corporation regarding a multi-million dollars project for the construction of their new broadcast headquarters in Montreal for media and digital production.
- A public transport company serving the greater Montreal area and satellite cities in various contractual and injunctive relief matters.
- Jacquet Montreal Inc., a subsidiary of Jacquet Metals of Lyon, France, regarding contractual matters relating to the procurement of liquid nitrogen and other claims.
- The Canadian subsidiary of a foreign multinational engineering and electronics company, in complex multi-party construction claims relating to hospital modernization projects.
- One of the principal liquidators and trustees of the succession of the Late Dickie Moore, a Montreal Canadiens Hockey Hall of Fame player and accomplished entrepreneur in an important estate and shareholder dispute.
- An important Montreal real estate developer in multiple shareholder and oppression proceedings before the Superior Court and Court of Appeal of Quebec involving pre-judgment seizures of personal and company assets, Mareva type orders, derivative actions and the issuance of a corporate investigation order, leading to several judgments over a seven-year period.
- Concordia University in various civil and contractual matters relating to calls for tender, expropriation proceedings, and construction claims.

- Major insurance and reinsurance carriers based in London and Paris in complex insurance proceedings relating to one of the largest professional liability and construction litigation claims in Quebec's history commonly known as the "Pyrrhotite Case", involving multiple landmark Superior Court and Court of Appeal of Quebec judgments regarding important coverage and enforcement issues.
- Environmental E360 Solutions Ltd., a waste management and recycling company backed by funds managed by BlackRock and other private investors, in a post-transaction case involving purchase price adjustments, breaches of representations and jurisdictional issues and in seizure and safeguard proceedings concerning the ownership of valuable company assets.
- A.H. Lundberg Systems Limited, a professional engineering firm based in Vancouver, regarding a highly technical and complex claim in the pulp and paper industry.
- Shareholder and partnership disputes in closely-held in various businesses including windows and glass, lighting, welding, retirement homes, notarial firms, private medical and fertility clinics, real-estate development, remote cellular and satellite communications, gaming and telecommunications engineering.
- Litigation concerning estates and trusts of certain high-value individuals.
- Several owners, general contractors and subcontractors in mid-sized and large scale construction litigation involving multi-million dollar claims.

Thought leadership

- *Overview of the 2023 Construction Case Law Developments*, Miller Thomson's Annual Construction Law Conference, October 5, 2023, co-presented with Me Camille Beaudry and Me Jérôme Coderre
- *The Scope of Disclaimer Clauses in Construction Contracts: Recent Developments*, Miller Thomson's Annual Construction Law Conference, March 11, 2020, co-presented with Me Gerry Argento
- *The Three Most Common Estate Litigation Issues*, June 2019, co-presented with Me Lucie Lanctuit
- "Recent Developments on the Duty to Inform in Construction Law: Scope and Limits", *Collected Texts, Miller Thomson 2019 Construction Law Conference*, co-authored with Me Gerry Argento, March 2019
- *Recent Developments in Construction Professional Liability*, Miller Thomson's Annual Construction Law Conference, March 20, 2018, co-presented with Me Gerry Argento
- "Defamation and Construction Professionals; Select Words Carefully", *Journal Constructo*, September 2017
- "Work Completion Remains a Matter of Fact", *Journal Constructo*, November 2016
- "Legal Hypothecs and Healthcare Establishments: Vigilance Is Essential", *Journal Constructo*, September 2015
- "Insufficient Notices of Termination and Releases", *Journal Constructo*, May 2015

Professional memberships

- Bar of Québec
- Canadian Bar Association
- Lord Reading Law Society
- The Advocates' Society

Languages spoken

- English
- French

Bar admissions & education

- Quebec, 1999
- LL.B., University of Montreal, 1997
- BSc., University of Montreal, 1994
- Canadian Securities Course, Canadian Securities Institute (CSI)