



Tamara Farber

Partner | Toronto

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Biography

Tamara Farber is a partner, civil litigation lawyer and a national leader in environmental litigation at Miller Thomson. Her focus combines her interest in environmental matters with civil litigation as well as commercial transactions involving environmental issues. From 2017-2020, she served as Chair of Miller Thomson's National Administrative Law Practice Group and sat on the Firm's Executive Committee.

Tamara provides expertise on real estate and business transactions involving brownfield redevelopment and contaminated land sale and acquisition including investigating contaminated lands, environmental due diligence, audits, property remediation, site decommissioning, waste management, environmental compliance matters, environmental risk management, representations, warranties, indemnities, and interactions with environmental regulators. On civil claims, Tamara acts on various matters including contaminated land migration claims, spills, consultant negligence, remedial option and cost disputes, director and officer liability in relation to environmental liabilities, and environmental issues in insolvency matters.

Prior to joining Miller Thomson LLP, Tamara worked as an environmental consultant. This background in environmental sciences allows Tamara to understand complex technical reports in a number of fields including environmental assessments, risk assessments, and site decommissioning parameters.

Tamara has acted for private and public companies, condominium corporations, REITs, investment groups, individuals, and municipal and provincial governments. She has appeared before the provincial and federal courts, the Environmental Review Tribunal and other provincial tribunals. She has written and presented many papers on provincial and federal environmental issues including brownfield redevelopment, environmental insurance, directors' and officers' liabilities in environmental cases, environmental compliance approvals, expert retainers, transactional advice, cross-border environmental issues, condominium redevelopment of contaminated lands, and other topics.

Tamara is a Certified Specialist in Environmental Law by the Law Society of Ontario. She has been recognized on the Best Lawyers in Canada list

RELATED SERVICES

Administrative & Public Law
Commercial Litigation
Environmental Law

RELATED INDUSTRIES

Energy & Natural Resources
Mining

RELATED FOCUS AREAS

ESG and Carbon Finance

for environmental lawyers and is a former recipient of “Canada's Top 40 lawyers under 40” by Lexpert Magazine. Tamara also sits on the executive of the Environmental Law Section of the Ontario Bar Association.

Professional achievements & leadership

- *The Best Lawyers in Canada* - Environmental Law, 2014 – 2024
- Chambers Canada, Environment, 2017 - 2024
- *Chambers Global*, ranked lawyer, Environment, 2021-2024
- *Lexpert / American Lawyer Guide to the Leading 500 Lawyers in Canada* – Environmental Law, 2022-2024
- *The Canadian Legal Lexpert Directory* - Environmental Law, 2012 - 2024; Environmental, Social & Governance (ESG), 2024
- *Benchmark Canada*, Litigation Star, 2022, 2024
- *Who's Who Legal*, Canada Guide - Global Leader; Environment, 2020, 2022-2023
- *Who's Who Legal*, Canada Guide - National Leader - Canada; Environment, 2020, 2022
- *Who's Who Legal*, Canada Guide - Thought Leader; Environment, 2020
- Martindale-Hubbell, BV® Distinguished™ Rated Lawyer
- Certified Specialist, Environmental Law, The Law Society of Ontario

Notable matters

- Represents various insurers in environmental litigation claims, on coverage, liability and damage issues on both defence and subrogation side.
- Environmental spill/disaster management adviser to insurers on municipal and provincial civil claim and regulatory issues.
- Represents insured claims involving allegations of professional negligence in environmental claims.
- Represents clients in large area contamination claims and overlap of insolvency with environmental matters.
- Represents several big box developers in identification of Brownfield opportunities and related transactions.
- Represents clients involved in petroleum, dry-cleaning, solvent, metal, and other contaminant-related litigation.

Thought leadership

- Environmental Law Forum January 2023 – Contaminated Land: Are Emerging Contaminants Putting the Sword of Damocles Over our Heads?
- Moderator, Sidley Austin LLP and Miller Thomson LLP on Doing Business in Canada or the US: Navigating environmental regulatory business risks, October 2022
- Speaker, Environmental Due Diligence for Mergers & Acquisition Transactions, Practical Law Canada Corporate and M&A, Fall 2022
- Environmental Consultant Liability - Paper and presentation at Law Society of Ontario – Six Minute Environmental Lawyer, 2022
- Speaker, Settlement Strategies for Resolving Environmental Disputes, Ontario Bar Association, May 2022
- Speaker, Top Ten Environmental Cases 2021, 2022 OBA Institute Conference, February 3, 2022
- Speaker, Resource Recovery and the Circular Economy, September 2021
- Program Chair, Environmental Passport Series: Who's on the Hook? Contaminated Site Litigation, Ontario Bar Association, April 2021
- Environmental Law Issues for Lenders – published paper, Practical

Law

- Insolvency and Environmental Law Collide in Canada: Supreme Court of Canada Rules in Favour of Environmental Protection Over the Interests of Secured Creditors – International Corporate Rescue, Volume 16, Issue 4, 2019 Chase Cambria Publishing
- Insolvency and Environmental Law Collide: Supreme Court of Canada Rules in Favour of Alberta Energy Regulator in Redwater Decision – Tamara Farber and Sherry Kettle - Ontario Bar Association, EnviroNotes!, March 30, 2019
- Creative Claims under s. 99 of the EPA: A case review of *MVL Leasing Limited v. CCI Group Inc.* – The Six-Minute Environmental Lawyer 2018, L.S.O., October 3, 2018
- Environmental Liability Of Commercial Landlords: Limited Landlord Liability For Acts/Omissions Of Its Tenants, *Sorbam v. Litwack*, Mondaq, February 22, 2018
- Climate Change Progress in 2015, COP21 and What's Next?, EnviroNotes!, December 2015 – Climate Change Special Issue
- Does Ontario Court of Appeal Midwest Decision Signal Big Changes to Environmental Civil Litigation in Ontario?, EnviroNotes!, December 2015
- Testimony in Environmental Claim, Environmental Science & Engineering Magazine, July/August, 2015
- Expert Testimony in Environmental Claims: Participant vs Litigation Experts, Lexology, May 2015; Ontario Bar Association Environmental Publications, April, 2015
- Expert Testimony in Environmental Claims: Participant vs Litigation Experts, EnviroNotes!, May 2015
- Environmental Matters, Condo Business, 2014
- Environmental Matters, MTCondoLaw—Ontario, May 2014
- Addressing Environmental Issues in Negotiating Purchase and Sale Agreements, Ontario Bar Association, May, 2014
- Summary Judgment—A Potential Tool in Defending Contaminated Land Litigation, EnviroNotes!, April 2014
- Contaminated Land: Transactional Tools—the Record of Site Condition, Ontario Bar Association's Institute 2014, February 6-8, 2014
- Northstar directors and officers settlement: does \$4.75m buy certainty?, Lexology 2013; EnviroNotes! September, 2013

Community involvement

- Past Chair, Miller Thomson's United Way Campaign
- Past Chair, Miller Thomson's Law Challenge Participation in support of Camp Oochigeas
- Past Co-Chair, Legal Expert Assistance Program/Citizen Support Program, Environmental Defence Canada

Professional memberships

- Law Society of Ontario
- Canadian Bar Association
- Ontario Bar Association
- The Advocates' Society
- Toronto Lawyers' Association
- American Bar Association, Section of Environment, Energy, and Resources
- Executive Member, Environmental Law Section, Ontario Bar Association

Bar admissions & education

- Ontario, 1995
- LL.B., Osgoode Hall Law School, York University, 1993
- B.Sc., (environmental sciences), University of Toronto, 1990