

## Myriam Brixi

### Partner

Myriam Brixi practises in civil and commercial litigation, primarily in the areas of class actions, product liability and insurance law. She has participated in complex class actions raising important legal issues, including a wide range of multi-jurisdictional class actions. The experience she has gained in these major cases has enabled her to develop a comprehensive knowledge of the procedural and strategic aspects of class actions in Canada. She is also a member of the Executive Committee of the Class Action Section of the Canadian Bar Association, Québec Branch.

In addition, Ms. Brixi represents various insurance companies and their insureds in civil and professional liability matters, particularly in the construction industry.

She is also actively involved in her community. In particular, she has been appointed by the *Barreau du Québec* to sit on its Committee on Access to Justice and she is the co-chair of the Citizenship and Charters Committee of the Canadian Bar Association, Québec Branch. Based on her involvement in a number of good causes, she was nominated in the Pro Bono/Social Involvement category at the "Leaders of Tomorrow" Gala of the Young Bar of Montreal.

Ms. Brixi was called to the *Barreau du Québec* in 2010 after obtaining a law degree from the *Université de Sherbrooke* in 2008. She also holds a Juris Doctor degree and spent a semester at the *Université de Rennes I*, in France.

### Representative mandates

- Represented several major financial institutions in class actions alleging price-fixing cartels
- Represented a major player in the customer loyalty market in a class action concerning its right to amend the general conditions of its rewards program



## Partner, Lawyer Montréal

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### Languages

English

French

### Practice areas

**Class Actions**

## **Commercial Litigation**

## **Product Liability**

## **Professional Liability**

## **Insurance**

Represented an events promoter in a class action dealing with the scope of its obligations related to the holding of a festival

Represented several automobile manufacturers in a number of class actions dealing with manufacturer's liability

Represented the largest food processing company in Quebec in a class action concerning manufacturer's liability

Represented an electronic products company in a class action concerning manufacturer's liability

Represented a retailer of cellphone services in a class action involving the sale of extended warranties

Represented a major Japanese company in the Quebec portion of an international class action relating to a price-fixing cartel

Represented an energy drink company in a class action involving allegations of false and misleading

Represented clinics in a class action related to accessory fees in healthcare services

Represented a chemical products distributor in a class action instituted on behalf of the victims of a legionella outbreak in Quebec City

Represented a religious congregation in a class action involving allegations of vicarious liability

Represented a seaplane base in a class action for noise nuisance and neighborhood disturbances

Represented a construction contractor in a class action related to sources of nuisance and neighborhood disturbances

Represented a zinc refinery in a class action related to neighborhood disturbances.

## **Professional and community activities**

Member of the Executive Committee of the Class Action Section of the Canadian Bar Association, Québec Branch

- Co-Chair of the Citizenship and Charters Committee of the Canadian Bar Association, Québec Branch
- Coach, Pierre-Basile-Mignault Moot Court Competition, UQAM
- Member of the Committee on Access to Justice of the *Barreau du Québec*
- Member of the Young Advocates' Standing Committee of the Quebec chapter of the Advocates' Society
- Member of the board of directors of the Young Bar of Montreal (2015-16)
- Head of the Technology and Information Committee of the Young Bar of Montreal (2015-16)
- Pro Bono legal services for the *Fondation Mira*
- Writer for the Research and Legislation Committee
- Volunteer with the Small Claims Courlis hearing preparation service
- Volunteer with the *Éducaloi* justice workshops program

## Publications and Lectures

- Panelist at the National Conference on Class Actions: Recent Developments in Québec, in Canada and in the U.S., Environmental Class Actions, March 21, 2019
- Class Actions — Canada, Getting the deal through, 2016, 2017, 2018, 2019
- Churchill Falls (Labrador) Corp. v. Hydro-Québec I The Supreme Court rules in favour of Hydro-Québec: the interaction between good faith and the scheme of the contract, December 2018, Myriam Bixi, Emil Vidrascu and Dominique Vallières
- Speaker at the *Congrès des Services de Première Ligne, Palais des Congrès de Montréal*, class actions related to accessory fees in healthcare services, March 6, 2018
- Québec consumer law and the automotive industry: keep your hands on the wheel! November 2017, Myriam Bixi and Luc Thibaudeau,
- Quebec's distinctive class action regime, Defence research institute - Class Action seminar, July 2016, Myriam Bixi and Jean Saint-Onge
- Leave to Appeal by the Defendant at the Authorization Stage of the Class Action: the Québec Court of Appeal Adopts a Restrictive Approach, Need to Know - November 2016, Myriam Bixi
- The warranty of fitness for purpose in consumer law — Court of Appeal judgment, Need to Know - February 2016, Myriam Bixi and Luc Thibaudeau
- Mandatory mediation at the Small Claims Division: Merchants, be prepared! Need to Know - January 2016, Despina Mandilaras, Luc Thibaudeau, Benjamin David Gross and Myriam Bixi
- Consumer law and class actions : Beware of unilateral amendments to contracts involving

sequential performance, Need to Know - November 2015, Benjamin David Gross, Luc Thibaudeau, Myriam Brixi and Despina Mandilaras

Historic Quebec lawsuit against tobacco companies : The Superior Court award more than \$15 billion in damages, Need to Know - June 2015, Myriam Brixi

## Education

J.D., *Université de Sherbrooke*, 2009

LL.B., *Université de Sherbrooke*, 2008

*Université de Rennes I*, France, 2007

## Boards and Professional Affiliations

Member of the *Barreau du Québec* since 2010

Member of the *Barreau du Québec's* Committee on Access to Justice

Member of the Young Bar of Montréal

Member of the Advocates' Society

Member of the Canadian Bar Association