OSLER

Jennifer Fairfax

Partner, Litigation; Regulatory, Indigenous and Environmental

Co-Chair: Environmental Disputes and Enforcement

Toronto

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Bar Admission: Ontario, 2003

Areas of Expertise

Strategic Antitrust Guidance and Risk Management

Real Estate

Manufacturing

Power and Utilities

Agribusiness

Energy

Infrastructure

Mining and Natural Resources

Indigenous

Environmental

Regulatory

Disputes

Environmental Disputes and Enforcement

Construction

Regulatory, Indigenous and Environmental

Climate Change, Carbon Markets and Environmental Finance

Corporate and Commercial Disputes

Risk Management and Crisis

Jennifer Fairfax provides business-critical environmental and regulatory advice, with a specialty in environmental law and litigation. Jennifer also practices commercial and construction litigation and dispute resolution.

Jennifer has significant experience conducting negotiations with, and making representations to, regulatory bodies, including the Ontario Ministry of the Environment, assisting clients with inspections, investigations and reporting obligations, as well as conducting environmental litigation, including civil actions/applications, judicial reviews, administrative tribunal proceedings, and defence of prosecutions.

Jennifer also provides regulatory and environmental advice relating to environmental assessments, regulatory orders, corporate transactions, permits and approvals, waste and soil, contaminated lands, renewable energy projects, and regulatory compliance.

Jennifer litigates business-critical issues in environmental law, construction disputes, complex contractual / negligence disputes, insurance disputes, commercial arbitrations, and constitutional law. She has broad advocacy and trial experience and has appeared before the Ontario Superior Court of Justice, the Ontario Divisional Court, the Ontario Court of Appeal, the Federal Court of Canada, the Federal Court of Appeal, and the Ontario Environmental Review Tribunal. Jennifer has also acted as lead appellate counsel in constitutional litigation. Jennifer is the past Chair of the executive of the OBA Environmental Law Section. Prior to joining Osler, Jennifer clerked for The Honourable Justice Edgar Sexton with the Federal Court of Appeal.

Response

Awards and Recognition

- **Chambers Canada: Canada's Leading Lawyers for Business:** Recognized in Environmental Law
- **Chambers Global: The World's Leading Lawyers for Business:** Recognized in Environmental Law
- **The Canadian Legal Lexpert Directory:** Recognized in Environmental Law; Canada's top environmental lawyers in 2021
- **Lexpert's Leading 500 Cross-Border Lawyers: A Guide to Doing Business in Canada:** Recognized in Environment
- **Best Lawyers in Canada:** Recognized in Environmental Law
- **Legal 500:** Recognized as a Leading Individual in Environment
- **Who's Who Legal:** Recognized in Canada – Environment
- **Lexpert Special Edition:** Recognized in Energy

Community Involvement

- Two separate appeals to the Federal Court of Appeal regarding the constitutional validity of the medical expense tax credit, per s. 15 of the *Charter*
- Representation of a parent/child in a dispute with a school board relating to the child's special education and required accommodation for Autism
- Canadian Celiac Association, Legal Assistance
- Law Help Ontario/Pro Bono Law Ontario, Duty Counsel Volunteer
- Amnesty International

Credentials

Education

- Osgoode Hall Law School, LL.B.
- Queen's University, B.A. (Hons.)

Languages

- English

Professional Affiliations

- Canadian Bar Association
- Canadian Bar Association, Chair, Environmental, Energy and Resources Law Section
- Ontario Bar Association, past Chair, Environmental Law Section Executive
- Law Society of Ontario
- Advocates Society
- York University, Osgoode Written Advocacy Workshop
- York University, Osgoode Intensive Trial Advocacy Workshop