DAVIES



Jean-Philippe Groleau
Partner

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Montréal

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Expertise
Litigation
Class Actions
Public Law

Bar Admissions
Québec, 2004

A determined and skilled litigator, Jean-Philippe acts for a highly diversified range of public sector clients.

Jean-Philippe specializes in complex and high-profile cases, with a particular emphasis on public law disputes, including constitutional challenges and judicial reviews of administrative actions. He also has a wealth of experience in class actions, having acted for plaintiffs and defendants alike, including in health law and consumer protection cases. Jean-Philippe has an excellent track record of success before administrative and arbitral tribunals and at all levels of court, including the Supreme Court of Canada, where he has appeared as lead counsel on multiple cases that addressed a range of legal issues.

Jean-Philippe is a member of the board of directors of Health and Education Now!, an organization involved in community development in Benin and Cameroon.

Representative Work

Brault & Martineau Inc., Corbeil Électrique Inc. and Sears Canada Inc.
Acting for Brault & Martineau Inc., Corbeil Électrique Inc. and Sears Canada Inc. in defence of various class actions instituted on behalf of consumers alleging that the sale of additional warranties breaches the provisions of the Consumer Protection Act.

Brault & Martineau Inc.
Acted successfully for **Brault & Martineau Inc.** in defence of a class action instituted on behalf of consumers who purchased goods with financing that was alleged to breach the provisions of the *Consumer Protection Act*.

Confidential Client
Acted successfully for a Québec-based gas retailer in connection with criminal charges laid by the Competition Bureau for alleged price-fixing and related class actions. Davies has succeeded in obtaining a stay of the criminal proceedings against its client based on a breach of its constitutional rights.

Société des casinos du Québec
Acting for the **Société des casinos du Québec** in connection with two class actions regarding electronic banking fees charged on certain transactions made in Loto-Québec's casinos.

McInnis Cement Inc.
Acted for **McInnis Cement Inc.** in defence of a motion to quash a permit issued by the Minister of Environment allowing McInnis to move forward with its project to build a $1 billion state-of-the-art cement plant in Port-Daniel, Gaspésie.

Concordia University
Acted successfully for **Concordia University** in the *Bisaillon v Concordia University* case before the Supreme Court of Canada. Davies argued that the Superior Court had no jurisdiction to entertain a class action initiated by Bisaillon claiming the payment by Concordia of well over $100 million to the pension fund of its employees.

Société de transport de Montréal (STM)
Acted successfully for the **Société de transport de Montréal** in a dispute with Bombardier Transport Canada Inc. and Alstom Canada Inc. concerning the $1.2-billion contract for the renewal of the cars of the Montréal subway. The Superior

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Court of Québec granted the STM's motion to dismiss the motion for declaratory judgement instituted by the subway car manufacturers.

Canadian Civil Liberties Association

Acted on a *pro bono* basis for the **Canadian Civil Liberties Association** as intervener in *S.L. v. Commission scolaire des Chênes*, in which the Supreme Court of Canada had to decide the circumstances under which parents may request that their children be excused from attending mandatory classes on the basis that they interfere with their freedom of religion.

Canadian Civil Liberties Association

Acted on a *pro bono* basis for the **Canadian Civil Liberties Association** as intervener in *Loyola High School* v. *Attorney General of Quebec*, 2015 SCC 12, where the Supreme Court of Canada had to determine, in the context of a mandatory pedagogical program, the proper balance between the objectives of promoting tolerance and respect for difference, on the one hand, and the religious freedom of the members of a particular community, on the other hand. The Supreme Court of Canada unanimously adopted the position advocated by the CCLA on the collective aspects of freedom of religion.

Corus Entertainment Inc.

Acted successfully for **Corus Entertainment Inc.** before the Federal Court of Appeal in connection with a third party's challenge of a CRTC decision approving the sale of certain Québec radio stations from Corus to Cogeco Inc.

Talisman Energy Inc.

Acted for **Talisman Energy Inc.** representing its interests in dealings with governmental authorities in connection with the legislative, regulatory and tax framework for shale gas exploration and exploitation.

The Honourable Morris J. Fish - Third Independent Review of the National Defence Act

Acted as counsel to **the Honourable Morris J. Fish**, former Justice of the Supreme Court of Canada and Jurist in Residence at Davies, in the preparation and drafting of his report to the Minister of National Defence on specified provisions of the *National Defence Act* and their operation. The 400-page report delivered on June 1, 2021 includes 107 wide-ranging recommendations, a majority of which address the military justice system, including the independence of its actors, the handling of sexual misconduct allegations, military policing and police oversight. The remainder of the recommendations relate to military grievances and to the independent review process. Upon tabling of the report in Parliament, the Department of National Defence described the review as "the most comprehensive independent review and far-reaching examination of the military justice system since the reviews led by the former Chief Justice of Canada, Brian Dickson, in the late 1990s".

Groupe BMTC Inc. (formerly Brault & Martineau Inc. and Ameublements Tanguay Inc.)

Acting for **Groupe BMTC Inc. (formerly Brault & Martineau Inc. and Ameublements Tanguay Inc.)** in defence of a class action instituted against large retailers in Québec claiming that their advertisement informing of the availability of consumer credit contravenes the provisions of the *Consumer Protection Act* and the *Regulation respecting the Application of the Consumer Protection Act.*

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René Allard, on behalf of retired management personnel of the Government of Québec and their spouses

Acting for class representative **René Allard** in a class action proceeding regarding constitutional damages against the government of Québec on behalf of retired members of Québec's public and parapublic sectors' management personnel, as well as their spouses, whose retirement pension indexing was unilaterally suspended and retrospectively modified by a statute adopted by the Québec National Assembly. The class action was authorized by the Québec Court of Appeal.

Fédération des médecins spécialistes du Québec

Acted for the **Fédération des médecins spécialistes du Québec (FMSQ)** in defence of a class action relating to fees charged to patients. The group representatives allege that the FMSQ prompted its members to charge certain fees to insured patients in violation of the *Health Insurance Act.*

Canadian Malartic GP

Acting for **Canadian Malartic GP**, an impleaded party in an application for judicial review to obtain the annulment of a governmental decree.

Association québécoise des pharmaciens propriétaires

Acting for the **Association québécoise des pharmaciens propriétaires** in its constitutional challenge of section 22.6 of the *Health Insurance Act*.

Association québécoise des pharmaciens propriétaires

Acting for the **Association québécoise des pharmaciens propriétaires** in a motion for leave to intervene produced in favour of an application for leave to appeal to the Supreme Court of Canada.

Healthcare Professionals

Acting for **healthcare professionals** in an investigation by a Québec governmental body into the practices of the medical products manufacturing industry. The investigation could give rise to administrative, civil, disciplinary and criminal prosecutions.

Confidential Clients

Acting on behalf of **confidential clients** against various media outlets in court proceedings in the context of the Public Inquiry on the Awarding and Management of Public Contracts in the Construction Industry (Charbonneau Commission) to obtain a publication ban on ITOs supporting several warrants.

Confidential Clients

Acted on behalf of various **confidential clients** regarding the investigation by the Public Inquiry on the Awarding and Management of Public Contracts in the Construction Industry (Charbonneau Commission).

Confidential Clients

Acting on behalf of various **confidential clients** regarding investigations by the Québec Permanent Anti-Corruption Unit.

Bluberi Group Inc.

Successfully acted for **9354-9186 Québec Inc.** and **9354-9178 Québec Inc.** (formerly known as Bluberi Gaming Technologies Inc. and Bluberi Group Inc.) with regards to (i) appellate proceedings before the Supreme Court of Canada and (ii) their restructuring efforts under the *Companies' Creditors Arrangement Act* (CCAA). The

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judges of the Supreme Court, on the bench, unanimously ruled in favour of our clients and overturned the Court of Appeal.

Association québécoise des pharmaciens propriétaires

Acting for the **Association québécoise des pharmaciens propriétaires** in a motion for declaratory judgment against the Attorney General of Québec and the Régie de l'assurance maladie du Québec concerning the interpretation of a recent statute adopted by the Québec legislature regarding certain obligations imposed upon all pharmacists in Québec.

Daisye Marcil

Acted for the plaintiffs in a class action involving all Québec parents who were required to pay fees for the purchase of school books or other didactic material even though these fees should have been assumed by the school boards.

Association québécoise des pharmaciens propriétaires

Acted for the **Association québécoise des pharmaciens propriétaires** (Québec Association of Owner Pharmacists [AQPP]) in connection with an application for arbitration against Québec's Ministry of Health and Social Services (MSSS). The AQPP claimed that the MSSS had breached an agreement between them, resulting in a loss of potential earnings of more than $150 million for pharmacists. The AQPP reached a settlement with the MSSS, thus saving its members several hundred million dollars in payments.

Karatbars International GmbH

Successfully acted for **Karatbars International GmbH** in connection with a motion filed by the Autorité des marchés financiers ("AMF") to obtain a cease trading order against the corporation. The Financial Markets Administrative Tribunal dismissed the AMF's motion in an important precedent-setting decision on investment contracts and network marketing that will have authority throughout Canada and possibly North America.

City of Lévis

Acted for the **City of Lévis** in defence of a class action and other related actions instituted by citizens who have built houses on land which they claim was unsuitable for traditional constructions.

Pharmascience Inc.

Acted successfully for **Pharmascience Inc.** and secured the dismissal of a $3.9-billion class action against manufacturers of generic medications in relation to allegations of improper pricing of medications subsidized under the provincial drug insurance system.

Pharmascience Inc.

Acted for **Pharmascience Inc.** before the Superior Court of Québec, the Québec Court of Appeal and the Supreme Court of Canada in proceedings against the Syndic of the Ordre des pharmaciens du Québec challenging the validity of requests for the production of documents.

Corus Entertainment Inc.

Acted successfully for **Corus Entertainment Inc.** in its representation before the Governor in Council who refused to quash a decision by the Canadian Radio-television and Telecommunications Commission approving the exchange of

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various radio stations (including CKAC) between Corus and Astral Media Inc.

Association for the rights of household and farm workers

Acting for the plaintiff **Association for the rights of household and farm workers** in seeking authorization to institute (certification) a class action that would challenge the constitutionality of “closed” work permits issued by the government of Canada, which restrict the ability of migrant workers to change employers and makes them vulnerable to several forms of exploitation, abuse, and human and labour rights violations, and to seek compensation on behalf of these migrants.

British Columbia Civil Liberties Association

Acting on a pro bono basis for the **British Columbia Civil Liberties Association** as intervener before the Supreme Court of Canada in *John Howard Society of Saskatchewan v. Saskatchewan (Attorney General)*, a constitutional challenge of certain provisions applicable to the adjudication of disciplinary offences in Saskatchewan correctional facilities.

Labsurface

Acted for the shareholders of **Labsurface**, a specialty epoxy coatings provider for commercial, industrial, and laboratory flooring, in the sale of a minority interest to Idealist Capital.

Recognitions

American College of Trial Lawyers
Fellow

Litigation Counsel of America
Fellow

Chambers Canada
Litigation, Administrative & Public Law: Québec
Band 1

Benchmark Canada
Class Action; Commercial; Public Law
Litigation Star

Benchmark Canada Awards
Impact Case of the Year
2020

Legal 500 Canada
Dispute Resolution: Québec
Leading Partner

Lexpert 500 Cross Border
Litigation: Corporate Commercial

Lexpert Special Edition
Litigation; Technology and Health Sciences

Lexpert Rising Stars
Leading Lawyers 40 and Under

Lexpert (CLLD)
Litigation: Corporate Commercial

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Most Frequently Recommended

Lexpert (CLLD)
Class Actions; Litigation: Securities; Litigation: Regulatory & Public Law

Best Lawyers Canada
Administrative and Public Law; Alternative Dispute Resolution; Appellate Practice

Best Lawyers Canada
Bet-the-Company Litigation; Class Action Litigation; Corporate and Commercial Litigation

Best Lawyers Canada
Bet-the-Company Litigation
Lawyer of the Year 2027, Montréal

Best Lawyers Canada
Appellate Practice
Lawyer of the Year 2023, Montréal

Best Lawyers Canada
Administrative and Public Law
Lawyer of the Year 2025, Montréal

Best Lawyers Canada
Class Action Litigation
Lawyer of the Year 2026, Montréal

Young Bar Association of Montréal
Civil and Commercial Litigation
Lawyer of the Year Award 2013

ARISTA Provincial Competition
Young Professional Category
Finalist 2014

External Engagements

Speaking Engagement
Barreau du Québec, 2024 National Conference on Class Actions, “Les honoraires des avocats en actions collectives: un modèle d’affaires en évolution?”; Montréal, QC
Nov 28, 2024

Article
“Les honoraires en demande en matière d’actions collectives: comment éviter de jouer à l’apprenti-sorcier en vue de moduler le comportement des avocats”, co-author
May 3, 2019
Recent Developments in Québec, Canada and the United States, Vol. 455 (National Conference on Class Actions) (In French)
Read More

Speaking Engagement
Osgoode Professional Development, 16th National Symposium on Class

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Actions, "Case Study: The Biggest Case You've Never Heard Of"; Toronto, ON
Apr 4, 2019

Speaking Engagement
Barreau du Québec, National Conference on Class Actions, "Legal Issues Related to Multi-Jurisdictional Class Actions"; Montréal, QC
Mar 22, 2019

Speaking Engagement
Chair, Barreau du Québec, National Conference on Class Actions, "Class Actions and Privacy"
Mar 26, 2015

Speaking Engagement
Canadian Bar Association, "The Impact of the Supreme Court of Canada's Decision in *Imperial Oil v. Jacques* on the Disclosure of Evidence"
Mar 20, 2015

Insights

Davies Lawyers Recognized by *Best Lawyers*
Sep 3, 2026

Canadian Constitution Guarantees Judicial Review for Legality
Aug 6, 2026

Lexpert Affirms Davies' Position as a Leading Firm
Mar 17, 2026

Matthew Milne-Smith Named Fellow of the American College of Trial Lawyers
Mar 3, 2026

Lexpert 500 Guide Recognizes Davies
Jan 14, 2026

Lexpert Recognizes Davies' Excellence in Litigation
Nov 20, 2025

Supreme Court: Statutes Can Be Constitutionally Inapplicable Based on Potential Effects
Jun 18, 2025

Benchmark Litigation Recognizes Davies
May 1, 2025

Changes to Québec's Consumer Protection Regime: Monetary Administrative Penalties and Increased Penal Fines
Jan 14, 2025

Coherence over Deference: Regulations Are Subject to Same Standards of Judicial Review as Other Administrative Decisions
Nov 15, 2024

Striking the Balance of *Power*: Supreme Court Confirms Government Has No Absolute Immunity from *Charter* Damages When Adopting Unconstitutional Legislation
Jul 26, 2024

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Davies Recognized in *Lexpert Special Edition: Litigation*
Nov 29, 2021

Financial Times Shortlists Davies for Innovative Lawyers North America Awards 2021
Nov 16, 2021

The Legal 500 Canada Recognizes Davies as “Best in Class”
Nov 15, 2021

Nine Davies Lawyers Recognized as Leaders in Health Sciences
Jun 10, 2021

Davies Jurist in Residence Morris J. Fish Delivers Report on Canada’s Military Justice System
Jun 4, 2021

Davies Litigators Achieve Top Ranking in*Benchmark Canada* 2021
Apr 28, 2021

New Beacons of Administrative Law: Top Court Reviews the Approach to Judicial Review of Administrative Decisions
Jan 14, 2020

Education

University of Cambridge, LLM (International Law) (First Class Honours, Senior Harris Scholar), 2004
Université de Montréal, LLB (Dean’s List), 2002
Université Panthéon-Assas (Paris II), French Law Cert., 2002

Bar Admissions

Québec, 2004

Board Memberships

Health and Education Now!

Professional Affiliations

American College of Trial Lawyers, fellow
Litigation Counsel of America, fellow
Litigation Counsel of America, Trial Law Institute, member
Litigation Counsel of America, Diversity Law Institute, member