DAVIES




**Marc-André Boutin**
Partner

## Office
Montréal

## Tel
514.841.6527

## Email
maboutin@dwpv.com


## Expertise
Litigation
Environmental and Indigenous

## Bar Admissions
Québec, 1998
Ontario, 2025

## Marc-André applies a methodical approach to clients' complex commercial disputes.

Specializing in commercial litigation and arbitration, Marc-André handles a broad range of disputes related to contracts, real estate, construction and product liability. His practice extends to contested public calls for tenders, and he advises on issues involving administrative law as well as energy and environmental litigation.

Marc-André has extensive experience in the aerospace sector and is a trusted adviser in the interpretation and termination of a wide array of contracts. Known for his sharp and nimble courtroom skills, he represents clients before tribunals at all levels, including the ICC International Court of Arbitration.

Marc-André is on the board of directors and the executive committee of the Orchestre symphonique de Montréal.

### Representative Work

**Leonardo S.p.a.**
Acting for **Leonardo S.p.a.** in its lawsuit against Bombardier Inc. in which it seeks the judicial termination of the manufacturing contract for the CSeries horizontal and vertical tail stabilizers, as well as damages totalling $320 million.

**Domfer Metal Powders Limited**
Acted for **Domfer Metal Powders Limited** where the Supreme Court of Canada (SCC) granted leave to appeal to Domfer in the case of *Comité d'environnement de Ville Émard (C.E.V.E.)* and *Patrice Michaud v. Domfer Metal Powders Limited*(an environmental class action).

**General Woods & Veneers Ltd.**
Acted for **General Woods & Veneers Ltd** in relation to a class action suit for approximately $17.5 million for damages resulting from the alleged dust, noise and odour emission.

**A significant real estate investment fund**
Acted for **a significant real estate investment fund** in an arbitration relating to the termination of an offer to purchase a property to establish a crypto-mining facility and a dispute relating to the release of a purchase price of $3.5 million held in trust by a third party.

**Succession René G. Lépine**
Acting for **Succession René G. Lépine** in its defence to a $25-million claim by the syndicate of the co-owners of residential towers in downtown Montréal in relation to alleged construction defects.

**Confidential**
Acted for the plaintiff, **an operator of a globally ranked, leading amusement park and resort**, in connection with proceedings before the ICC International Court of Arbitration regarding a product liability claim against the defendant, an amusement park ride manufacturer.

**Kildair Service ULC**
Acting for **Kildair Service ULC**, a distributor of heavy fuel oil (among other things), before the Québec Superior Court in a multi-million dollar dispute involving the proper

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interpretation of a number of statutes and regulations related to the contributions payable to the Energy Transition Regime and the Green Fund.

### Faubourg Boisbriand Shopping Centre L.P.

Acting for **Faubourg Boisbriand Shopping Centre L.P.** and other entities in defence of a claim brought by the owner of a vacant land neighbouring a lifestyle shopping centre on the north shore of Montréal who seeks the cancellation of a non-construction servitude and the payment of damages in the amount of $12 million.

### Bona Realties Limited

Acting for **Bona Realties Limited** in connection with a $27-million indemnity claim following the City of Montréal's expropriation of a large vacant property in Griffintown in order to turn it into a public park.

### A large Canadian general contractor

Acted for **one of Canada's largest general contractors** making a $40-million claim in an arbitration relating to the construction of a hydro-electric dam.

### Carbonleo Real Estate Inc.

Acted for **Carbonleo Real Estate Inc.** and related entities in a litigation related to the termination of a forward sale agreement and the alleged refusal of the purchasers to proceed with the intermediate closing of the Cité Dix30 development, adjacent to Quartier Dix30, a mega retail centre located in Brossard on Montréal's South Shore.

### InnVest Real Estate Investment Trust

Acted for **InnVest Real Estate Investment Trust** and related entities in defense of a $3.5-million lawsuit brought by the purchasers of the former Delta Centre Ville Hotel in Montréal in respect of alleged water infiltration.

### Carbonleo Real Estate Inc.

Acted for **Carbonleo Real Estate Inc.** and related entities in defence of multiple actions brought by the neighbour of a mixed-use development project in downtown Montréal that features luxury condos, a Four Seasons luxury hotel, and approximately 25,000 sq.ft. of commercial space. These claims were all defeated and the last one was found to be abusive at the preliminary stage. They were instituted during the construction of the project and included a claim for the acquisition by prescription of a strip of land, a claim for the recognition of a servitude of view encompassing a servitude of non-construction, and a claim for the demolition of the building. We were successful in our defense of all of these claims.

### Transdev Québec Inc.

Successfully represented **Transdev Québec Inc,** part of the Transdev Group which is active in 19 countries and is a worldwide reference for sustainable mobility and multi-module transport. Transdev and the local public transportation authority, Réseau de transport métropolitain, were sued by La Québécoise following a call for tenders for a transportation contract by bus, which was won by Transdev at $23 million.

### MSG Lac Mirabel s.e.c., Morgan Stanley Real Estate Fund (MSREF) IV Mirabel Trust and others

Acted for **MSG Lac Mirabel s.e.c.**, **Morgan Stanley Real Estate Fund (MSREF) IV Mirabel Trust** and others in defence of a $55-million lawsuit with respect to an alleged agreement for the purchase and sale of a 7.2-million square foot site in Mirabel, Québec, on which a large shopping centre and residential project are now

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underway.

### Canadian Royalties Inc.

Acted for **Canadian Royalties Inc.** before the Supreme Court of Canada and the Québec Court of Appeal in a matter involving the revocation of an order homologating an arbitral award as a result of an alleged conflict of interest of the arbitrator.

### Estate of Paul G. Desmarais

Acted for the **estate of the late Paul G. Desmarais** in connection with proceedings instituted by the late Louis R. Desmarais. The plaintiff claimed from the estate of his late brother, Paul G. Desmarais, the sum of $75 million on the basis of a promise allegedly made orally in the late 1970s to return shares of Power Corporation of Canada. On April 26, 2017, after the trial and while the case was under advisement, the plaintiff dropped the proceedings in their entirety.

### Canadian Tire Corporation, Limited

Acted for **Canadian Tire** in various expropriation matters against the City of Montréal, the Québec Ministry of Transport and the City of Québec in connection with the Réseau Express Métropolitain (REM), the extension of the blue line of the Montréal metro, the Pie-IX Bus Rapid Service (SRB) project and the Réseau structurant de transport en commun.

### Véolia Transdev

Acted for **Véolia Transdev Québec Inc.**and **Véolia Transdev Canada Inc.**against Richard Auger in connection with a dispute arising from the purchase and sale of a group of transportation companies and a balance on the purchase price.

### RSM Richter and Royal Bank of Canada

Acted for **RSM Richter** and **Royal Bank of Canada** in connection with a personal bankruptcy involving claims of $30 million and the validity of a protective trust.

### Samson Bélair/Deloitte & Touche Inc.

Acted for **Samson Bélair/Deloitte & Touche Inc.** as receiver in relation to the environmental aspects of the restructuring of AbitibiBowater (now known as Resolute Forest Products), including the sale of real estate properties in several provinces.

### Real estate holding company

Acted for a real estate holding company in relation to the litigious sale of a major development site in downtown Montréal worth $28 million.

### Real estate promoter

Acting for an important real estate promoter in a case relating to the construction of residential towers worth in excess of $100 million in downtown Montréal.

### Dessau inc.

Acted for **Dessau Inc.** in proceedings instituted against Duchesne & Fils inc. in connection with professional fees, disbursements and additional fees for the construction design and management of a nail and lattice facility located Yamachiche, Québec.

### Business Council on the Environment

Acted for the **Québec Business Council on the Environment** in connection with its intervention before the Supreme Court of Canada in St. Lawrence Cement, the first environmental class action case emanating from Québec which the Supreme Court agreed to hear since the inception of the class action regime in Québec.

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### Cinar Corporation

Acted on behalf of **Cinar Corporation** in significant litigation in Canada and elsewhere involving the recovery of in excess of $100 million in relation to certain unauthorized transactions effected by past directors and officers of the corporation. This litigation also involved multi-jurisdictional safeguard, enforcement and liquidation proceedings.

### Cinar Corporation

Acted for **Cinar Corporation** and its affiliates, in the context of a litigation for over $100 million in damages, where an *ex parte* worldwide asset freezing injunction was obtained against two defendants who were the companies' past directors, Ronald Weinberg and the Estate of his late wife Micheline Charest, and related parties. Leave to appeal this decision was denied by both the Québec Court of Appeal and the Supreme Court of Canada.

### 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.

### Ernst & Young Orenda Corporate Finance Inc.

Acted for **Ernst & Young Orenda Corporate Finance Inc**, appointed as trustee to conduct a divestiture of a business pursuant to a Consent Order issued by the Competition Tribunal. Also acted on behalf of the Trustee in contested proceedings before the Competition Tribunal in respect of that Order.

### EcoPro BM

Acting for Korea-based **EcoPro BM** in its C$1.2-billion joint venture with Ford and SK On to build a cathode manufacturing facility to produce electric vehicle (EVs) battery materials in Bécancour, Quebec.

### Terrapure

Successfully represented **Terrapure** in a judicial review before the Federal Court, challenging a direction issued by ECCC under the *Fisheries Act* that alleged the company had discharged deleterious effluent into waters frequented by fish.

## Recognitions

Chambers Canada
Litigation, General Commercial: Québec

Benchmark Canada
Commercial; Environmental; Insolvency
Litigation Star

Legal 500 Canada
Dispute Resolution: Québec
Leading Partner

Lexpert Special Edition
Infrastructure; Litigation

Lexpert (CLLD)
Litigation: Corporate Commercial; Construction

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Best Lawyers Canada
Administrative and Public Law
Lawyer of the Year 2027, Montréal

Best Lawyers Canada
Administrative and Public Law; Alternative Dispute Resolution; Aviation Law; Construction Law; Corporate and Commercial Litigation

## External Engagements

Speaking Engagement
**Association de planification fiscale et financière, Seminar on Trusts, "Asset Protection in the Context of COVID-19: Is a Trust Effective?"; Differed Webcast**
Feb 4, 2021

Speaking Engagement
**Québec Business Council on the Environment (CPEQ), "Le pouvoir d'ordonnance et autres modifications aux SAP et procédures pénales ainsi que les recours devant le TAQ"; Webinar**
Dec 17, 2020

Speaking Engagement
**Annual Convention of the Canadian Association of Paralegals, "Spoken Words Remain, Writings Fly Away"; Montréal, QC**
Jun 1, 2018

Speaking Engagement
**Le Conseil des Syndics de faillite du Québec, seminar, "Recent Developments in Insolvency and Environment"**
Feb 3, 2015

Speaking Engagement
**The Canadian Institute, Restructuration – Insolvency and Bankruptcy seminar, "Recent Developments in Insolvency and Environment"**
Oct 1, 2014

Speaking Engagement
**Canadian Bar Association, 2014 National Environmental, Energy and Resources Law Summit, Regional Hot Topics**
May 29, 2014

Speaking Engagement
**Association de planification fiscale et financière, Fiducies seminar, "Les fiducies de protection d'actifs: toujours efficaces?" (with Pierre Marchand, Richter Groupe Conseil Inc.); Montréal, QC**
Feb 6, 2014

Speaking Engagement
**Association de planification fiscale et financière, Fiducies seminar, "Les fiducies de protection d'actifs: toujours efficaces?" (with Pierre Marchand, Richter Groupe Conseil Inc.); Québec City, QC**
Jan 29, 2014

Speaking Engagement
**Canadian Bar Association, 9th Annual Pan-Canadian Insolvency Conference, "A**

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**‘Supreme’ Year – Indalex and AbitibiBowater”; Calgary, AB**
Sep 20, 2013

Speaking Engagement
**Canadian Corporate Council Association, National Spring Conference, “Bracing for Canada’s New Product Liability Legislation”; Montréal, QC**
Apr 16, 2012

## Insights

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

*Lexpert* Recognizes Davies’ Infrastructure Expertise
May 6, 2026

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

*Lexpert* Recognizes Davies’ Excellence in Litigation
Nov 20, 2025

*Benchmark Litigation* Recognizes Davies
May 1, 2025

Protection de l’environnement: le gouvernement du Québec veut légaliser l’expropriation déguisée
Dec 11, 2023

Major Expropriation Reform in Québec
Dec 5, 2023

Major Expropriation Reform on the Horizon in Québec
May 30, 2023

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

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

## Education

Université de Montréal, LLB, 1997

## Bar Admissions

Québec, 1998
Ontario, 2025

## Board Memberships

Orchestre symphonique de Montréal, Executive Committee

## Professional Affiliations

Litigation Counsel of America, Fellow