



## Myriam M. Seers

*Senior Associate*

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### Education

LLB (*Cum Laude*), 2007, University of  
Ottawa

2001-2004, McGill University

### Bar Admission

Ontario, 2008

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Myriam Seers' practice focuses on litigation and dispute resolution. Her experience includes a wide range of corporate and commercial litigation, with a particular focus on investor-state arbitration, international commercial arbitration and administrative and regulatory proceedings. She has particular experience acting for clients in the energy, infrastructure, transportation, mining and natural resources industries. Myriam has appeared as counsel before the Supreme Court of Canada, all levels of court in Ontario, the Federal Court of Appeal, the Federal Court, the Ontario Energy Board as well as in domestic arbitrations and in international arbitrations conducted under the ICSID, ICC and UNCITRAL Rules.

Myriam has substantial experience with litigation funding agreements, including in acting for claimants whose claims are funded by a litigation funder and in advising litigation funders regarding the risk profile associated with prospective funded claims. She also regularly advises clients on matters involving compliance with Canadian economic sanctions.

Myriam is a native speaker of both English and French, has a reading knowledge of Spanish and Italian, and is currently learning Mandarin Chinese.

## Representative Work

- ExxonMobil and Murphy Oil in their response to an application by the Government of Canada to set aside a NAFTA arbitral tribunal award in connection with two petroleum extraction projects located off the coast of Newfoundland and Labrador
- Stans Energy in the enforcement of an existing US\$118 million international arbitration award from the Moscow Chamber of Commerce and Industry set aside by the Russian courts

- Windstream Energy, a U.S. offshore wind project developer, in its arbitral NAFTA investment claim against the Government of Canada in connection with Ontario's moratorium on offshore wind development
- Infinito Gold in its ICSID arbitral claim against the Republic of Costa Rica, under the Canada-Costa Rica Bilateral Investment Treaty (BIT), concerning the expropriation of the Crucitas gold mining project
- a Canadian mining company in its arbitral claim against the Republic of Ecuador in connection with the cancellation of its exploration permit
- a multinational mining company against a West African state and its state-owned mining company in connection with the cancellation of its exploration permit to develop of a nickel mine
- a major international natural resources company in an UNCITRAL arbitration in connection with the acquisition of certain assets
- a Canadian mining company in an ad hoc arbitration involving a mining concession in Argentina
- non-utility generators in a successful application and related appeal against the Ontario Electricity Financial Corporation (OEFC) in connection with the price escalation mechanism contained in certain power purchase agreements
- Ontario Power Generation in appeals from a rate decision of the Ontario Energy Board (OEB) before the Ontario Divisional Court, the Ontario Court of Appeal and the Supreme Court of Canada rate concerning payment amounts charged by OPG for the period 2011-2015
- Canada's largest telecommunications providers in an appeal to the Federal Court of Appeal challenging the Canadian Radio-television and Telecommunications Commission's jurisdiction to impose the new Wireless Code retrospectively
- Canadian Bankers Association, as an intervener, in appeals to the Supreme Court of Canada concerning the constitutionality of provincial regulation of bank-issued credit cards and the availability of class actions
- Metrolinx, the Ontario government agency responsible for transportation planning and delivery in the Greater Toronto and Hamilton area, in responding to an application for judicial review before the Divisional Court, relating to the Air Rail Link between Pearson International Airport and downtown Toronto

- an automotive parts manufacturer in an ICC arbitration involving a joint venture for the supply of automotive components
- a Canadian energy company in an ICC arbitration involving a petrochemical supply agreement
- Union Gas in a number of regulatory applications before the Ontario Energy Board
- Dufferin Wind Power in an appeal concerning the Renewable Energy Approval (REA) for its wind energy project in Dufferin County, Ontario
- Eli Lilly and Takeda in multiple proposed Ontario, Alberta and Québec product liability class actions concerning ACTOS® (pioglitazone), a prescription drug used to treat type 2 diabetes

## Professional Involvement

Myriam volunteers at Pro Bono Law Ontario's Law Help program, where she provides pro bono legal advice to unrepresented litigants involved in civil litigation matters before Toronto-area courts. She also volunteers as an advocacy skills adviser for Ryerson University's Law Practice Program.

## Memberships And Affiliations

The Advocates' Society

Association des juristes d'expression française de l'Ontario (AJEFO)

Toronto Commercial Arbitration Society

Young Canadian Arbitration Practitioners