



## OFFICE

 Regina

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## PRACTICE AREAS

Civil Litigation

Appellate Advocacy

Administrative Law

Municipal Law

Lauren J. Wihak's practice focuses on administrative and public law, civil litigation, and appeals. Lauren previously clerked at the Saskatchewan Court of Appeal and the Supreme Court of Canada. Lauren has appeared before various trial courts, appeal courts in Saskatchewan, Manitoba, British Columbia, and the Supreme Court of Canada. Lauren received her King's Counsel appointment in 2024. She is fluent in English and French.

## Overview

Lauren J. Wihak, K.C., joined McDougall Gauley LLP in 2017, after spending the first seven years of her practice split between a Vancouver litigation boutique and a major national law firm in both Ottawa and Vancouver.

Prior to starting her career as a lawyer, Lauren had the privilege of clerking for the Honourable Mr. Justice Louis LeBel of the Supreme Court of Canada (2009-2010) and the Honourable Madam Justice Georgina R. Jackson of the Court of Appeal for Saskatchewan (2008-2009). She is called to the bar in Saskatchewan (2009), Ontario (2010), and British Columbia (2011). Lauren received her King's Counsel appointment in 2024. She is fully fluent in French and English.

Lauren's civil litigation practice focuses on public and administrative law, appellate litigation, and constitutional litigation. In addition to a vast array of representative work helping clients in any number of civil litigation matters, Lauren also has considerable experience dealing with appeals, and for application for leave to appeal and for leave to intervene, including before the Supreme Court of Canada.

Lauren has appeared before the Supreme Court of Canada, the Court of Appeal for Saskatchewan, the Court of Appeal for British Columbia, the Court of Appeal for Manitoba, and various trial courts across Canada including the Court of King's Bench for Saskatchewan. She has also appeared before a number of administrative boards and tribunals.

Lauren has designed an upper year law school course entitled Appellate Advocacy and Principles, which she has taught at the College of Law at the University of Saskatchewan since 2018. She has also authored a number of papers and articles, some of which have been cited by Canadian courts including the Supreme Court of Canada and the Court of Appeal for Saskatchewan. Lauren has spoken and presented at numerous conferences and seminars both in Saskatchewan and across Canada on administrative law, legal writing, and appellate advocacy.

Accordingly, Lauren has been recognized by her peers across the Country as a Best Lawyer in Canada (Administrative and Public Law), and has been listed in the Canadian Lexpert Legal Directory in the area of Regulatory and Public Law since 2023. Lauren was featured in the Lexpert Special Edition: Litigation, in both 2023 and 2024.

Lauren continues to be an active member of her profession. She served for five years on the Canadian Bar Association's Supreme Court of Canada Bench and Bar Committee, including two years as its Chairperson. She also served three years on the Executive for the Advocate's Society's Appellate Advocacy Practice Group. Including as its Chairperson in 2023-2024. Lauren has been involved in a volunteer capacity with the Wilson Moot, a national moot bringing together law students from across Canada to address important questions of constitutional litigation, since 2011, as a team coach, volunteer judge and, since 2024, factum grader.

Lauren received her Juris Doctor in 2008 from Queen's University, where she was a member of the Dean's list during each of her three years of study and was awarded the Dean's Key at graduation. Lauren also holds a degree in Communication and Psychology from the University of Ottawa, where she was awarded the Silver Medal.

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## Achievements

### BAR ADMISSION

- British Columbia, 2011
- Ontario, 2010
- Saskatchewan, 2009

### EDUCATION

- Juris Doctor, Queen's University, 2008
- Bachelor of Arts (magna cum laude), University of Ottawa, 2005

### AWARDS & RECOGNITION

- Appointed King's Counsel, 2024
- "Best Lawyers in Canada", Administrative and Public Law, 2025
- Featured in Lexpert Special Edition: Litigation, 2024 and Litigation (Lawyer to Watch), 2023
- Canadian Legal Lexpert Directory
  - Litigation - Regulatory & Public Law, 2024-2025
  - "Lawyer to Watch" in Litigation - Regulatory & Public Law, 2023

### MEMBERSHIPS & ASSOCIATIONS

- Canadian Bar Association

- Association des Juristes d'Expression Francaise de la Saskatchewan
- Canadian Institute for the Administration of Justice
- Law Society of British Columbia
- Law Society of Saskatchewan
- Law Society Ontario
- Regina Bar Association
- Saskatchewan Trial Lawyers Association
- The Advocates Society

## LANGUAGES

- English
  - French
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# Representative Work

## Entitlement to statutory benefits – statutory interpretation

**2024** | *Custer v Saskatchewan Government Insurance*, 2024 SKCA 18

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## Human rights – discrimination in employment on the basis of disability

**2024** | *Baildon (RM) v Gronvold*, 2024 SKCA 73

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## Assessment of lawyers accounts under The Legal Professions Act

**2024** | *Duboff Edwards Schachter Law Corporation v Buffalo River Dene Nation*, 2024 SKKB 193

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## Judicial review – duty to consult with Aboriginal peoples

**2023** | *Waterhen Lake First Nation v Saskatchewan*, 2023 SKKB 230

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## Judicial review – program requirements of the College of Medicine

**2023** | *Cantos v University of Saskatchewan*, 2023 SKKB 211

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## Off-duty professional misconduct – professional discipline sanctions – standard of review

**2023** | *College of Physicians and Surgeons of Saskatchewan v Leontowicz*, 2023 SKCA 110

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## Fresh evidence on appeal and new issues on appeal

**2023** | *Zunti v Saskatchewan Government Insurance*, 2023 SKCA 82

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## **Scope of duty to consult aboriginal peoples in context of licence renewal**

**2023** | *Chaboyer v Saskatchewan*, 2023 SKQB 62

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## **Sanctions available in response to code of ethics violations by municipal councillor**

**2023** | *Kaiser v Rural Municipality of Baidon*, 2023 SKKB 50

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## **Availability of the tort of misfeasance in public office**

**2022** | *Slater v Pedigree Poultry Ltd.*, 2022 SKCA 113

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## **Whether arrests for purposes of keeping the peace in context of public protests violate the Charter**

**2022** | *Dubois v Saskatchewan*, 2022 SKCA 100

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## **Striking pleadings – civil vs administrative law remedies**

**2022** | *Solgi v College of Physicians and Surgeons of Saskatchewan*, 2022 SKCA 96

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## **Administrative delay and availability of stay of proceedings**

**2022** | *Law Society of Saskatchewan v Abrametz*, 2022 SCC 29

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## **Enhanced costs**

**2022** | *Pastuch v The Queen*, 2022 TCC 72

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## **Res judicata, abuse of process and collateral attack**

**2022** | *Pastuch v The Queen*, 2022 TCC 36

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## **Civil appeals – mootness**

**2022** | *Dubois v Saskatchewan*, 2022 SKCA 15

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## **Judicial review of denial of workplace injury benefits for PTSD**

**2022** | *Mercer Estate v Moose Jaw Board of Police Commissioners*, 2022 SKQB 8

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## **Extrinsic evidence admissible on judicial review**

**2021** | *Chaboyer v Saskatchewan*, 2021 SKQB 200

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## **Evidence needed to establish entitlement to a preservation order – appeal remedies**

**2021** | *Yorkton (City) v Mi-Sask Industries Ltd.*, 2021 SKCA 43

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## **Procedural fairness obligations for employment decisions in education – administrative law remedies**

**2021** | Oberg v Saskatchewan (Board of Education of the South East Cornerstone School Division No. 209), 2021 SKCA 28

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## **Judicial review of demotion of high school principal in breach of procedural fairness**

**2020**

| Oberg v Saskatchewan (Board of Education of the South East Cornerstone School Division No. 209), 2020 SKQB 96

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## **Judicial review of denial of workplace injury benefits for PTSD**

**2020** | Pierson v Estevan Board of Police Commissioners, 2020 SKQB 144

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## **Application for leave to appeal decision denying preservation order**

**2020** | Yorkton (City) v Mi-Sask Industries Ltd., 2020 SKCA 109

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## **Constitutionality of provisions of the Criminal Code**

**2019** | R v Robb, 2019 SKQB 295

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## **Dismissal of bankruptcy appeal by judgment creditor on the basis of delay**

**2018** | Ross v Day, 2018 SKQB 153

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## **Municipal law - civil procedure - application to strike pleadings**

**2018** | Kaiser v RM of Baidon, 2018 SKQB 292

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## **Whether foreign default judgment can survive discharge from bankruptcy**

**2017** | Lang v. Lapp, 2017 BCSC 670

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## **Strike pleadings – whether corporate law claims are personal or derivative**

**2017** | Wang v. Epoch Press Ltd., 2017 BCSC 136

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## **Whether constitutional challenge to tendering policy should be heard by courts or by labour board**

**2016** | Millen et al v Hydro Electric Board (Man), 2016 MBCA 56

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## **Constitutionality of legislative changes to class size and composition**

**2015** | British Columbia Teachers' Federation v British Columbia, 2015 BCCA 184

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## **Application for injunction to remove defamatory postings**

**2014** | Richardson v. Hunter, 2014 BCSC 1960

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## **Application for leave to intervene in Charter challenge**

**2014** | British Columbia Teachers' Federation v. British Columbia, 2014 BCCA 341

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## **Conflicts of interest**

**2013** | Canadian National Railway Co. v. McKercher LLP, 2013 SCC 39

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## **Constitutionality of the right to strike**

**2013** | R v. Saskatchewan Federation of Labour, 2013 SKCA 43

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## **Public interest standing**

**2012**

| Fédération des parents francophones de Colombie-Britannique v. British Columbia (Attorney General), 2012 BCCA 422

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## **Constitutionality of restrictions on election spending in context of fixed election dates**

**2012** | Reference re Election Act (BC), 2012 BCCA 394

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## **Conflicts of law and assumption of jurisdiction**

**2012** | Club Resorts Ltd. v. Van Breda, 2012 SCC 17

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## **Enforceability of foreign choice of forum clauses and private international law**

**2012** | Momentous.ca Corp. v. Canadian American Association of Professional Baseball Ltd., 2012 SCC 9

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# **Insights**

**JUNE 17, 2021** | Lauren J. Wihak, K.C.

**Workplace Injury Benefits for First Responders Suffering from PTSD: A Look at Pierson v Estevan Board of Police Commissioners**

**APRIL 8, 2019** | Lauren J. Wihak, K.C.

**Left Behind Charter Rights under the New Impaired Driving Regime**

**MARCH 13, 2019** | Lauren J. Wihak, K.C.

**Principled Limitations? or Just Path Dependency?**

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# Speaking Events & Presentations

**OCTOBER 30, 2024** | Panelist

CANADIAN INSTITUTE, ADVANCED ADMINISTRATIVE LAW AND PRACTICE CONFERENCE, OTTAWA

**The Review of Government Regulations Post-Katz: Reading the Tea Leaves of *Auer* and *TransAlta***

**OCTOBER 11, 2024** | Speaker

SASKATCHEWAN TRIAL LAWYERS ASSOCIATION, FALL CONFERENCE, APPELLATE ADVOCACY AND THE TRIAL LAWYER, REGINA, SASKATCHEWAN

**Courts of Appeal: What they do, don't do, can't do, and why this matters to effective appellate advocacy**

**JUNE 13, 2024** | Panelist

ADVOCATES SOCIETY, SUPREME COURT ADVOCACY (ONLINE)

**Tips for Getting Leave to Appeal at the SCC**

**JUNE 6, 2024** | Moderator

CANADIAN INSTITUTE FOR THE ADMINISTRATION OF JUSTICE, ANNUAL ROUNDTABLE ON ADMINISTRATIVE LAW, OTTAWA, ONTARIO

**The Legacy of Two Great Jurists in Administrative Law: Justice Louis LeBel and Ron Ellis**

**MAY 8, 2024** | Panelist

SASKATCHEWAN ADMINISTRATIVE TRIBUNALS ASSOCIATION, ANNUAL CONFERENCE (ONLINE)

**Too Much or Not Enough? Responsive Reasons, Information Management and Administrative Tribunals**

**DECEMBER 6, 2023** | Panelist

ADVOCATES SOCIETY, WRITTEN APPELLATE ADVOCACY (ONLINE)

**Getting Leave to Appeal – How to Put Your Best Foot Forward**

**OCTOBER, 2023** | Speaker

OSGOODE HALL LAW SCHOOL 18TH ANNUAL NATIONAL FORUM ON ADMINISTRATIVE LAW & PRACTICE (ONLINE)

**Current Topics in Standard of Review: Review of Regulations; Procedural Fairness; and the latest word from Abrametz (with Ewa Krajewska, Henein Hutchison Robitaille LLP)**

**JUNE, 2023** | Speaker

CANADIAN INSTITUTE FOR THE ADMINISTRATION OF JUSTICE ANNUAL ROUNDTABLE ON ADMINISTRATIVE LAW

**What are unconscious and conscious biases? What do they mean in the context of administrative tribunals?**

**APRIL, 2023**

LAW SOCIETY OF ONTARIO WEBINAR

**L'essentiel de la pratique en droit administratif: Le délai en droit administratif**

**FEBRUARY, 2023** | Moderator

ADVOCATES SOCIETY APPELLATE ADVOCACY PRACTICE GROUP

**How to Get Leave to Appeal: A View from the Bench**

**NOVEMBER, 2022**

INVESTIGATIVE AND DISCIPLINARY FORUM

**Principles of Administrative Law (with Amanda M. Quayle, K.C.)**

**OCTOBER, 2022**

OSGOODE HALL 17TH ANNUAL NATIONAL FORUM ON ADMINISTRATIVE LAW & PRACTICE

**W(h)ither Doré? The Uncertain Place of “Charter Values” after Vavilov**

**SEPTEMBER, 2022** | Panelist

COUNCIL OF CANADIAN ADMINISTRATIVE TRIBUNALS

**Abrametz: What it means for Administrative Justice Proceedings**

**MAY, 2022** | Speaker

CANADIAN INSTITUTE FOR THE ADMINISTRATION OF JUSTICE ANNUAL ROUNDTABLE ON ADMINISTRATIVE LAW

**Promoting Mental Health in the Justice System for Both Professionals and Users: The Obligations of Court Officers and Court Council**

**NOVEMBER, 2021**

CANADIAN BAR ASSOCIATION (SASKATCHEWAN) CRIMINAL JUSTICE SOUTH

**Introduction to Criminal Appeals**

**OCTOBER, 2021**

LERNERS/TORYS

**Agree to Disagree: Dissent in Canada’s Appeal Courts – Supreme Court Dissents in Administrative Law**

**OCTOBER, 2021**

OSGOODE HALL 16TH ANNUAL NATIONAL FORUM ON ADMINISTRATIVE LAW & PRACTICE

**Procedural Fairness Update: post Covid-19 and Other Developments**

**JUNE, 2021**

CANADIAN BAR ASSOCIATION (SASKATCHEWAN) CIVIL LITIGATION SOUTH

**Administrative Law 101: the Top 5 things every civil litigator needs to know about administrative law**

**2021** | Presenter

ADVOCATES SOCIETY, DELIVERED ONLINE

**“Abrametz v Law Society of Saskatchewan: Top Administrative and Regulatory Cases of 2020”**



**2020** | Speaker

UNIVERSITY OF OTTAWA PUBLIC LAW CENTRE, DELIVERED ONLINE

**“Vavilov: in Perspective,” Vavilov’s First Birthday, The implications of Vavilov for various areas of administrative decision making**

**2020** | Speaker

CIAJ NATIONAL ROUNDTABLE ON ADMINISTRATIVE LAW, DELIVERED ONLINE

**“Introduction: Towards a Unified Theory of Administrative Law?”**

**2020** | Moderator

CIAJ WEBINAR ON ADMINISTRATIVE LAW, DELIVERED ONLINE

**“Vavilov, où en sommes nous six mois plus tard?”**

**2020** | Moderator

CIAJ WEBINAR ON ADMINISTRATIVE LAW, DELIVERED ONLINE

**“Six months of Vavilov, where are we now?”**

**2017** | co-presented with Benjamin J. Oliphant

2017 CIAJ NATIONAL ROUNDTABLE ON ADMINISTRATIVE LAW, VANCOUVER, BRITISH COLUMBIA

**“Plus ça change...The Record on Judicial Review”**