



**Vince DeRose** is a founding partner of Tereposky & DeRose LLP. He represents government and private sector clients in matters concerning public procurement, trade and investment before courts, tribunals and administrative agencies. His practice covers economic sanctions, export controls, global anti-corruption rules, customs, anti-dumping and countervailing duty investigations, energy regulation, and compliance investigations and programs. He has extensive experience in the defence and security sector. He regularly acts as counsel to both suppliers and purchasers in complex government procurement transactions and has assisted federal, provincial and municipal governments, Crown corporations, Crown agencies, corporations, hospitals, museums and suppliers on all aspects of tendering and contracting. This includes the application of the NAFTA, WTO-AGP and the Agreement on Internal Trade, formulation of procurement strategies, analysis of solicitation documents, assessments of contractual terms and conditions, development of procurement proposals, evaluation of bids, and conduct of bid challenges.

#### **Representative Work**

- Counsel for suppliers in more than 15 complex procurement challenges before the Canadian International Trade Tribunal. In 2017, acted as co-counsel in the case that resulted in the largest compensation recommendation ever made by the Tribunal. In that case, the Tribunal recommended that the Government of Canada pay in excess of \$25 million dollars to our client.
- Counsel in high value procurement claims brought before provincial and territorial superior court proceedings. In 2017, as lead external counsel for the Government of Nunavut, successfully obtained summary judgment which resulted in a dismissal of an action seeking over \$30 million in damages against the Government.
- Counsel and advisor to domestic and foreign suppliers on the full range of issues that arise in Canadian procurement processes including formulation of procurement strategies, analysis of solicitation documents, preparation of teaming agreements and subcontracting agreements, assessments of contractual terms and conditions and the development of procurement proposals. Advice provided has also addressed the applicability and impact of the *Defence Production Act*, and how to ensure compliance with the *Controlled Goods Regulations*.

- Counsel and advisor to prime contractors with respect to disputes with the government, and with subcontractors, during the performance of awarded contracts.
- Counsel and advisor to territorial and municipal governments, and to private sector purchasers, in numerous complex high-value procurements. The advice provided includes drafting or reviewing solicitation documents to ensure compliance with Canadian law and to bullet-proof procurements against successful challenges by bidders.
- Counsel for domestic industry and exporter/importer clients in numerous Canadian anti-dumping and countervailing duty investigations, including: *Dry Wheat Pasta, Polyethylene Terephthalate Resin, Fabricated Industrial Steel Components, Welded Large Diameter Carbon and Alloy Steel Line Pipe and Concrete Reinforcing Bar*. In 2017, our team secured commercially important exclusions in two investigations. In another investigation, we obtained for our client a dumping margin that was more competitive than other subject exporters by more than 35%.
- Counsel and advisor to foreign governments, financial institutions, and foreign and domestic businesses on the applicability and effect of Canadian economic sanctions, including advice on the applicability and scope of economic sanctions, how to ensure ongoing compliance with economic sanctions, and how to manage and voluntarily disclose breaches of economic sanctions while limiting the risk of administrative or criminal penalties.
- Counsel and advisor to domestic exporters on the applicability of export control laws, including performance of internal investigations/audits, the development of internal export control policies and procedures, and undertaking successful voluntary disclosures.
- Leader on Government Procurement for the CETA Market Access Program for EU Businesses.

### Rankings and Recognitions

- Recognized in the 2020 edition of *Chambers Canada – Canada's Leading Lawyers for Business* (International Trade/WTO, Band 3).
- Recognized in the 2020 edition (each year since 2016) of *Chambers Canada – Canada's Leading Lawyers for Business* (Public Procurement, Band 3).
- Recognized in the 2020 edition of *Chambers Global – The World's Leading Lawyers for Business* (International Trade/WTO, Band 4)
- Recognized in the 2015, 2014 and 2013 editions of *Chambers Global - The World's Leading Lawyers for Business* (Public Procurement).
- Recognized in the 2019 edition of *Who's Who Legal* (Trade & Customs).
- Recognized in the 2019 edition (each year since 2013) of *Who's Who Legal: Canada* (Public Procurement).

- Recognized in the 2019 edition (each year since 2016) of Who's Who Legal (Government Contracts).
- Recognized in the 2017 edition of Who's Who Legal - Compendium Edition.
- Recognized as a leading energy lawyer in the 2019 edition (each year since 2013) of the Lexpert®/Report on Business Special Edition on Energy.
- Recognized in the 2019 edition (each year since 2013) of The Canadian Legal Lexpert Directory (Energy - Electricity).
- Recognized in the 2016 edition of the Lexpert® Guide to the Leading US/Canada Cross-Border Corporate Lawyers in Canada (Energy: Electricity).
- Recognized as a recommended lawyer in the 2017 and 2016 editions of Legal 500 Canada (Public Procurement).
- Selected by peers for inclusion in the 2020 edition of *The Best Lawyers in Canada* (International Trade and Finance Law).
- Selected by peers for inclusion in the 2020 edition (and since 2006) of The Best Lawyers in Canada® (Public Procurement Law).
- Selected by peers for inclusion in the 2020 edition (and since 2006) of The Best Lawyers in Canada® (Energy Regulatory Law).

### Publications and Presentations

- Co-Author, ["Mexico Defeats Half a Billion ISDS Arbitration Claim Under NAFTA"](#), Tereposky & DeRose Bulletin, June 19, 2020
- Co-Author, ["COVID-19 UPDATE: Mandatory Closure of All Non-Essential Workplaces in Certain Provinces"](#), Tereposky & DeRose Bulletin, March 24, 2020
- Co-Author, ["Combatting COVID-19 through Expedited Supply Contracts with Canada"](#), Tereposky & DeRose Bulletin, March 23, 2020
- Co-Author, ["COVID-19 and Supply Chain Disruption"](#), Lexology, March 19, 2020
- Co-Author, ["Canada Expands Economic Sanctions Against Ukraine"](#), Lexology, February 18, 2020
- Co-Author, ["Canadian International Trade Tribunal Commences Second Steel Safeguard Exclusions Inquiry"](#), Lexology, January 15, 2020
- Co-Author, ["New Notice to Importers Published Concerning the Administration of the Safeguard Measures on Certain Imports of Heavy Steel Plate and Stainless Steel Wire"](#), Lexology, December 31, 2019
- Co-Author, ["CUSMA Protocol Signed in Mexico City, Paving the way for Ratification and Implementation Procedures to Continue"](#), Tereposky & DeRose Bulletin, December 11, 2019

- Co-Author, ["CBSA and CITT Initiate Expiry Review Proceedings Concerning Certain Steel Concrete Reinforcing bar \(Rebar\) from China, South Korea and Turkey"](#), Tereposky & DeRose Bulletin, December 10, 2019
- Co-Author, ["CBSA Initiates Trade Remedies Re-Investigation Concerning Certain Dry Wheat Pasta from Turkey"](#), Lexology, November 27, 2019
- Co-Author, ["Global Affairs Canada Opens Public Consultations Concerning how Steel Safeguard Quotas Should be Administered from 1<sup>st</sup> February 2020 Through 24<sup>th</sup> October 2021"](#), Lexology, November 25, 2019
- Co-Author, ["CBSA and CITT Initiate Trade Remedies Proceedings Concerning Certain Corrosion-Resistant Steel Sheet from Turkey, The United Arab Emirates and Vietnam"](#), Lexology, November 13, 2019
- Co-Author, ["CBSA Initiates Expiry Review Investigation Concerning Certain Carbon Steel Fasteners from China and Chinese Taipei"](#), Tereposky & DeRose Bulletin, October 29, 2019
- Co-Author, ["CBSA Initiates Anti-Dumping Investigation Concerning Oil Pump Sucker Rods from Argentina, Brazil and Mexico"](#), Lexology, October 1, 2019
- Co-Author, ["Federal Court of Appeal Upholds Canadian International Trade Tribunal's Finding That Dry Wheat Pasta from Turkey has Caused Material Injury to Canadian Pasta Producers"](#), Lexology, September 11, 2019
- Co-Author, ["15-Day Comment Period for Proposed Changes to Canada's Trade Remedies Regulations Concerning Distorted Input Costs & "Particular Market Situations" "](#), Lexology, July 19, 2019
- Co-Author, ["New CBSA Procedures for Re-investigations and Normal Value Reviews relating to Canadian Trade Remedy Measures"](#), Tereposky & DeRose Bulletin, July 19, 2019
- Co-Author, ["Law to Suspend Canada's WTO Obligations Concerning Safeguards Receives Royal Assent"](#), Lexology, June 22, 2019
- Co-Author, ["The Government of Canada Introduces Legislation to Temporarily Remove the Two-Year Prohibition Against Imposing Additional Rounds of Safeguard Measures on the Same Steel Products"](#) Tereposky & DeRose Bulletin, June 3, 2019
- Co-Author, ["Government of Canada Announces Refunds of Provisional Steel Safeguard Surtax"](#) Tereposky & DeRose Bulletin, May 29, 2019
- Co-Author, ["Legislation to Implement the CUSMA / USMCA / T-MEC Introduced in the Parliament of Canada for First Reading"](#) Tereposky & DeRose Bulletin, May 29, 2019
- Co-Author, ["Agreement to Eliminate the U.S. Section 232 Tariffs on Canadian Steel and Aluminum"](#) Tereposky & DeRose Bulletin, May 17, 2019
- Co-Author, ["Exclusion Inquiry Commenced Concerning Heavy Steel Plate and Stainless Steel Wire"](#) Tereposky & DeRose Bulletin, May 16, 2019
- Co-Author, ["Final Safeguard Measures Imposed on Imports of Heavy Steel Plate and Stainless Steel Wire"](#) Tereposky & DeRose Bulletin, May 15, 2019
- Co-author, "Department of Finance Announces Government's "Intent to Enact Final Safeguards" <https://www.lexology.com/library/detail.aspx?g=252576d2-70b7-457a-bb42-e19efef8b4ad> Lexology, April 26, 2019.

- Co-author, “On May 2<sup>nd</sup> Canadian Companies doing business in Cuba Could be Exposed to Substantial US Civil Liability under Title III of the U.S. LIBERTAD Act”, <https://www.lexology.com/library/detail.aspx?g=82cea91a-197e-4f35-953c-4ac53de77c62>, Lexology, April 18, 2019.
- Co-author, “Canadian International Trade Tribunal Finds Safeguard Measures Warranted for 2 of 7 Classes of Steel Goods: Heavy Steel Plate and Stainless-Steel Wire”, <https://www.lexology.com/library/detail.aspx?g=3bc657d5-e399-462d-a5a7-c92d6c786c38>, Lexology, April 3, 2019.
- Co-author, “What’s Next in the Canadian Steel Safeguards Action”, <https://www.lexology.com/library/detail.aspx?g=afaf04b1-154d-4d60-92fc-37f24259ff13>, Lexology, April 1, 2019.
- Co-author, “Canada Expands Economic Sanctions Against Russia”, <https://www.lexology.com/library/detail.aspx?g=9022fa15-2bb4-435e-93ae-958489d6f44b>, Lexology, March 19, 2019.
- Co-author, “Changes Announced to the Administration of the Provisional Steel Safeguard Measures in Canada”, <https://www.lexology.com/library/detail.aspx?g=c8370e32-0c1a-42bf-9da6-0b89de78b241>, Lexology, February 5, 2019.
- Co-author, “And they’re off... CPTPP Commission concludes its first meeting”, <https://www.lexology.com/library/detail.aspx?g=d4b8574f-2d03-4512-957d-6b88ae74e75b>, Lexology, January 19, 2019.
- Co-Author, “[Mexico, Canada and the United States sign the “T-MEC” \(and the CUSMA and the USMCA\)](#)”, *Lexology*, November 30, 2018
- Co-Author, “[Canada Publishes New Regulations and Regulatory Amendments to Implement the CPTPP](#)”, *Lexology*, November 14, 2018
- Co-Author, “[Australia Makes Six, Triggering the Countdown to The CPTPP’S Entry Into Force on 30th December](#)”, *Tereposky & DeRose Bulletin*, October 31, 2018
- Co-Author, “[Canada Ratifies the CPTPP – Is Australia Next?](#)”, *Tereposky & DeRose Bulletin*, October 29, 2018
- Co-Author, “[Canada Passes Federal Legislation to Implement CPTPP](#)”, *Tereposky & DeRose Bulletin*, October 25, 2018
- Co-Author, “[Canada Announces Provisional Steel Safeguard Measures](#)”, *Tereposky & DeRose Bulletin*, October 11, 2018
- Co-Author, “[The New Modernized NAFTA – The United States-Mexico-Canada Agreement \(USMCA\)](#)”, *Lexology*, October 1, 2018
- Co-Author, “[Canada Initiates Anti-Dumping Investigation Against Swedish Nitisinone Capsules](#)”, *Lexology*, September 21, 2018
- Co-Author, “[Important Information Session on Anticipated Canadian Global Safeguard Action Against Steel Products](#)”, *Tereposky & DeRose Bulletin*, September 20, 2018
- Co-Author, “[Importers and Users of Imported Steel Products Need to Be Wary of Potential “Provisional” Safeguard Duties Immediately Upon Initiation of The Anticipated Safeguard Action](#)”, *Lexology*, September 19, 2018

- Co-Author, "[Decision on Steel Safeguards Action Expected Within Weeks](#)", *Lexology*, September 10, 2018
- Co-Author, "[The CETA Does Not Exclude Eu Steel Products from Canadian Global Safeguard Measures](#)", *Lexology*, September 6, 2018
- Co-Author, "[Notice to Steel Users, Importers and Exporters: Is Your Company Ready If Canada Initiates A Global Safeguard Action Against Steel Products?](#)", *Lexology*, September 5, 2018
- Co-Author, "[Anti-dumping investigation against certain US 54-inch gypsum board terminated at preliminary stage](#)", *Lexology*, August 23, 2018.
- Co-Author, "[Canada initiates anti-dumping investigation of corrosion-resistant steel sheet](#)", *Lexology*, July 27, 2018.
- Co-Author, "[Canada Initiates Anti-dumping Investigation of CWS Pipe from Pakistan, the Philippines, Turkey, and Vietnam](#)", *Lexology*, July 20, 2018
- Co-Author, "[Protecting the Canadian Steel Industry: Is it Safe to Safeguard?](#)", *Lexology*, July 5, 2018
- Co-Author, "[Canada initiates anti-dumping investigations against certain 54-inch gypsum board from the United States](#)", *Lexology*, June 21, 2018
- Co-Author, "[New Process to Update Normal Values in Anti-Dumping Investigations](#)", *Lexology*, June 14, 2018
- Co-Author, "[The Morning After: U.S. Allies Taking Retaliatory Measures Against Trump's Tariffs](#)", *Lexology*, June 1, 2018
- Co-Author, "[Nothing Good Happens After Midnight: Canada, Mexico and the EU Hit with Tariffs on Steel and Aluminum](#)", *Lexology*, May 31, 2018
- Co-Author, "[Elections in Venezuela Trigger Further Economic Sanctions by Canada](#)", *Lexology*, May 30, 2018
- Co-Author, "[Canada initiates ad and cvd investigations against certain cold-rolled steel from China, South Korea and Vietnam](#)", *Lexology*, May 28, 2018
- Co-Author, "[Canada Initiates AD and CVD Investigations Against Certain Sucker Rods from China](#)", *Lexology*, May 18, 2018
- Author, "[Opportunity Knocks: Canadian Public Procurement Opportunities for EU Suppliers](#)", *Lexology*, March 29, 2018
- Co-Author, "[U.S. Doc Issues Preliminary Determination on Uncoated Groundwood Paper from Canada](#)", *Tereposky & DeRose Bulletin*, March 14, 2018
- Co-Author, "[USITC Issues Preliminary Determinations on Large Diameter Welded Pipe](#)", *Tereposky & DeRose Bulletin*, March 7, 2018
- Co-Author, "[Expiry Review Decision Released for Certain Hot-Rolled Carbon Steel Plate](#)", *Lexology*, March 6, 2018
- Co-Author, "[President Trump announces intention to impose new tariffs on steel and aluminum](#)", *Lexology*, March 1, 2018
- Co-Author, "[CBSA Statement of Reasons Issued for Expiry Review in Certain Steel Piling Pipe](#)", *Lexology*, February 9, 2018

- Co-Author, "[CBSA Statement of Reasons Issued for Preliminary Determination in Certain Copper Pipe Fittings](#)", *Lexology*, February 9, 2018
- Co-Author, "[Preliminary Determination Made for Certain Copper Pipe Fittings](#)", *Lexology*, January 26, 2018
- Co-Author, "[Expiry Review Decision Released for Certain Steel Piping](#)", *Lexology*, January 26, 2018
- Co-Author, "[Canada's Consolidated Sanctions List - Life's a Little Easier](#)", *Lexology*, October 27, 2017
- Co-Author, "[CBSA Commences New Investigation on Copper Pipe Fittings](#)", *Lexology*, October 27, 2017
- Co-Author, "[Justice for Victims of Corrupt Foreign Officials Act Comes Into Force](#)", *Lexology*, October 27, 2017
- Co-Author, "[Canada Imposes Economic Sanctions Against Venezuela](#)", *Lexology*, October 3, 2017
- Co-Author, "[U.N. Security Council's resolution toughens its sanctions regime against North Korea](#)", *Lexology*, August 15, 2017
- Co-Author, "[Parliamentary Standing Committee Calls for Improvements in Canada's Sanctions Regime](#)", *Lexology*, July 10, 2017
- Co-Author, "[Boeing Targeting Bombardier in ADCVD Investigation Raises Global Systemic Concerns](#)", *Lexology*, April 29, 2017
- Co-Author, "Back to Business (Almost) As Usual: Changes to Canadian Economic Sanctions Against Iran," *BLG International Trade and Arbitration Bulletin*, February 10, 2016.
- Co-Author, "Softening Sanctions Against Iran: A Canadian Perspective," *BLG International Trade and Arbitration Bulletin*, January 27, 2016.
- Co-Author, "Christmas Comes Early for Canadian Exporters," *BLG International Trade and Arbitration Bulletin*, December 1, 2015
- Co-Author, "The Grinch Doesn't Live in Canada," *BLG International Trade and Arbitration Bulletin*, December 18, 2014.
- Co-Author, "Canada Introduces Economic Sanctions for South Sudan," *BLG International Trade and Arbitration Bulletin*, November 18, 2014.
- Co-Author, "Update on Canadian Economic Sanctions Against Ukraine," *BLG International Trade and Arbitration Bulletin*, July 24, 2014.
- Co-Author, "Update on Canadian Economic Sanctions Against Russia," *BLG International Trade and Arbitration Bulletin*, July 24, 2014.
- Co-Author, "Update on Canadian Economic Sanctions Against Ukraine," *BLG International Trade and Arbitration Bulletin*, July 16, 2014.
- Co-Author, "Update on Canadian Economic Sanctions Against Central African Republic," *BLG International Trade and Arbitration Bulletin*, July 11, 2014.
- Co-Author, "Update on Canadian Economic Sanctions Against Ukraine," *BLG International Trade and Arbitration Bulletin*, June 21, 2014.
- Co-Author, "Update on Canadian Economic Sanctions Against Russia," *BLG International Trade and Arbitration Bulletin*, June 21, 2014.

- Co-Author, "Canada Enforces Sanctions Laws for First Time with SEMA Conviction," BLG International Trade and Arbitration Bulletin, May 2014.
- Co-Author, "Coming Soon: Amendments to Canada's Export Control List and an Updated Version of "A Guide to Canada's Export Controls"," BLG International Trade and Arbitration Bulletin, May 2014.
- Co-Author, "Update On Canadian Economic Sanctions Against Russia," BLG International Trade and Arbitration Bulletin, May 1, 2014.
- Co-Author, "Update on Canadian Economic Sanctions Against Ukraine," BLG International Trade and Arbitration Bulletin, May 1, 2014.
- Co-Author, "Update On Canadian Economic Sanctions Against Russia," BLG International Trade and Arbitration Bulletin, May 8, 2014.
- Contributor, Pocketbook on Canadian Export Controls, BLG, February 2012.
- Author, "Conflicts of Interest: Bidders Beware," Frontline Defence, November 2008.
- Author, "Canadian International Trade Tribunal Adjudicates Procurement Disputes," The Lawyers Weekly, April 1, 2005.
- Author, "Canadian International Trade Tribunal Adjudicates Procurement Disputes," The Lawyers Weekly, April 1, 2005.
- Speaker, "Legal Aspects of Government Contracting Panel," Federal Government Procurement Conference of the Americas, Vancouver, November 15-17, 2004.
- Co-Author, "Government Procurement," International Trade and Investment Law in Canada, Thomson Carswell, 2003.
- Author, "The Tort of Negligence and Pre-Contractual Negotiations," Professional Liability and Discipline Litigation, 2000, VII(3).
- Regularly presents at seminars on government contracting and procurement, export controls, economic sanctions and energy related matters.

#### **Education and Bar Admission**

- Admission to the Bar (Ontario), 2001
- LLB, University of Ottawa, 1999
- MA in International Relations, McMaster University, 1996
- BA (Hons.) in Political Science, University of Manitoba, 1994

#### **Professional Involvement**

- Member, Law Society of Ontario
- Member, Law Society of Nunavut
- Member, American Bar Association