

Curriculum vitae

Marie Annik Grégoire, Associate Professor

Education

2008 Doctor of Laws (LL.D., D.C.L.) – McGill University

Thesis successfully defended on May 14, 2008

Title of the thesis: *Liberté, responsabilité et utilité : la bonne foi comme instrument de justice contractuelle*

Directors: Nicholas Kasirer & Adrian Popovici

2008 Prix Minerve from Éditions Yvon Blais

2001 Master of Laws (LL.M.) – Université de Montréal

Title of the thesis: *L'impact de l'obligation de bonne foi : étude sur ses rôles et sanctions lors de la formation et l'élaboration du contrat.*

Director: Didier Lluellas

Citation of Excellence by the Jury (first 5%)

Dean's Honour Roll – Faculty of Graduate Studies

2008 Prix Minerve from Éditions Yvon Blais

1994 Professional Lawyer Certificate – École du Barreau du Québec

1993 Bachelor of Laws (LL.B.) – Université de Montréal

Faculty Medal, Faculty of Law (Top student in the cohort)

Dean's Honour Roll – Faculty of Law

Took part in the Montréal-Poitiers exchange program, winter 1993

1990 Diploma of Collegial Studies – Collège Jean-de-Brébeuf

Affiliations

Quebec Research Centre for Private and Comparative Law

Barreau du Québec

Association Henri Capitant

Québec Society of Comparative Law

Areas of Interest

Private rights of individuals (particularly contractual status of vulnerable persons, discrimination [including breast feeding], integrity, consent to care and custody, respect of privacy and reputation, seniors, inaptitude)

Law of obligations (general theory and foundations, good faith, contractual justice)

Contracts (residential rental agreements, indemnity bond, mortgages)

Courses Lectured

DRT 1001 – Introduction to Law

DRT 1223 – Law of Obligations III

DRT 3221 – Rights of Individuals - Advanced Civil Law

Experience

Since November 2008 – Faculty of Law, Université de Montréal

- Associate Professor in private law (individuals and obligations) – as of June 1, 2013

January-November 2008 – McGill University Faculty of Law

- Wainwright Junior Fellow
- Courses lectured: *Rights of Individuals and Rental Agreements, Companies and Indemnity Bonds*
- Researcher at the Quebec Research Centre for Private and Comparative Law: Collaborated in drafting a new edition of *Dictionnaire de droit de la famille*

Lecturer (2003)

Course lectured: *Rental Agreements, Companies and Indemnity Bonds*

2000-07 – Faculty of Law, Université de Montréal

Lecturer

Graduate and postgraduate courses lectured:

- *Workshop in law* (Master's programme in electronic commerce)
- *Québec and Canadian Legal System*

Undergraduate courses lectured:

- *Obligations III*
- *Rights of Natural Persons and the Family*
- *Introduction to Law* (intensive course)
- *Introduction to Law* (Programmes d'études internationales et de sécurité et police – Faculty of Arts and Science)

2000-02 – Research Assistant to Professor Didier Lluellas

Conducted research on various civil law issues and coordinated research assistants with the goal of publishing a book on the law of obligations

1996-99 – Holmsted & Associés, Barristers & Solicitors

- Litigation lawyer
- Civil law, third-party liability insurance; indemnity bonds; banking and commercial law

1994-95 – McDougall, Caron, Avocats

- Intern and student – litigation; litigation lawyer
- Civil law; commercial law; mortgage collection; mandate

Grants

2011: Grant from Fondation Claude Masse (in partnership with Option consommateurs): *Contrat d'hypothèque mobilière parapluie: les consommateurs sont-ils bien informés?*
\$22,000

2009: BLG Scholarship: *Le louage résidentiel et les personnes âgées : une approche réflexive sur l'effectivité des droits*
\$12,000 to hire a first-year law student

Awards, Scholarships and Distinctions

January-November 2008: Wainwright Junior Fellow, McGill University

Courses lectured:

- Rights of Individuals
- Rental Agreements, Companies and Indemnity Bonds

Researcher at the Quebec Research Centre for Private and Comparative Law

2001-08: Doctorate Awards, Scholarships and Distinctions:

2008 Prix Minerve from Éditions Yvon Blais

Wainwright Scholarship for Law of the McGill University Faculty of Law (Excellence of academic record and specialization in private law; maximum scholarship renewed twice on merit through a competition)

SSHRC Fellowship (3 years)

FQRSC Fellowship (3 years) (Declined because of prohibition to combine with the SSHRC Fellowship)

Skill Development Grant, Bureau du personnel enseignant of Université de Montréal

McGill Principal's Award for a doctoral dissertation

1999-2002: Master's Awards, Scholarships and Distinctions:

FCAR Scholarship (2 years)

Admission Scholarship, Université de Montréal

André-Savoie Scholarship (Excellence of academic record and specialization in civil law)

Master's Scholarship, Faculty of Law

Dean's Honour Roll, Faculty of Graduate Studies

2002 Prix Minerve from Éditions Yvon Blais

1990-93: Awards for excellence of academic record – Bachelor of Laws:

Faculty Medal, Faculty of Law (Top student in the cohort)

Donald N. Byers Award (Top student in the cohort)

Dean's Honour Roll, Faculty of Law

Spiegel Sohmer Award (Excellence in fiscal and commercial law)
Desjardins, Lapointe, Delage, Mousseau, Bélanger Award (Excellence in securities law)
Pelletier, Poirier, Leroux & Kimmel Award (Top first-year law student)
Carswell Award (Top first-year law student)
Wilson & Lafleur Award (Excellence in civil law)
Phillips & Vineberg Award (Excellence in law of obligations)

Publications

BOOKS

GRÉGOIRE, MARIE ANNIK. *Liberté, responsabilité et utilité : la bonne foi comme instrument de justice*, coll. Minerve. Cowansville: Éditions Yvon Blais, 2010.

GRÉGOIRE, MARIE ANNIK. *La bonne foi dans la formation et l'élaboration du contrat*, coll. Minerve, Cowansville: Éditions Yvon Blais, 2003

COLLECTIVE WORK (by invitation)

GRÉGOIRE, MARIE ANNIK. "Ces fous qui dérangent" in Benoît MOORE (ed.). *Mélanges Jean-Louis Baudouin*, Cowansville: Éditions Yvon Blais (2012): 41-57

GRÉGOIRE, MARIE ANNIK. "L'équité contractuelle au service du consommateur : quand l'idéalisme ne suffit pas à contrer la réalité" in Pierre-Claude LAFOND & Benoît MOORE (eds.). *L'équité au service du consommateur*. Cowansville: Éditions Yvon Blais (2010): 19-43

GRÉGOIRE, MARIE ANNIK. "Articles 6 et 7 du Code civil du Québec : chapeau noir et chapeau melon ou les Dupont et Dupond de la bonne foi" in Benoît MOORE & Génèrosa BRAS MIRANDA (eds.). *Les couleurs du droit, Mélanges Adrian Popovici*. Montréal: Thémis (2010): 261-280. [Article adapted in part from my doctoral thesis]

GRÉGOIRE, MARIE ANNIK. "Réparation à la suite d'une atteinte aux droits à l'honneur, à la dignité, à l'égalité, à la réputation et à la vie privée" in *JurisClasseur Québec*, coll. "Droit civil", *Obligations et responsabilité civile*, fasc. 27 (loose sheets). Montréal: LexisNexis Canada, 2009, 29 p.

GRÉGOIRE, MARIE ANNIK. "Atteinte à la vie privée et à la réputation" in *JurisClasseur Québec*, coll. "Droit civil", *Personnes et famille*, *JurisClasseur Québec - fascicule 4*, (loose sheets). Montréal: LexisNexis, 2010, 23 p.

GRÉGOIRE, MARIE ANNIK. "La protection de l'obligation" in P.-C. LAFOND (ed.). *Obligations et responsabilité civile*, *JurisClasseur Québec - fascicule 12* (loose sheets). Montréal: LexisNexis, 2009, 20 p.

ARTICLES

GRÉGOIRE, MARIE ANNIK & SOPHIE GRATTON. "La légalité des baux de résidences privées pour personnes âgées : Étude réflexive sur l'effectivité des droits dans un contexte de vieillissement de la population." *Revue du Barreau* 70 (Fall 2011): 473-508.

GRÉGOIRE, MARIE ANNIK. "Économie subjective c. Utilité et intérêt du contrat : réflexions sur les notions de liberté, responsabilité et commutativité contractuelles suite à la codification du devoir de bonne foi." *Revue juridique Thémis* 44 (2010): 11-48.

GRÉGOIRE, MARIE ANNIK. "La lésion qualifiée : est-il possible de nuire impunément à autrui en droit québécois?" *Les Cahiers de droit* (2009): 301-325.

GRÉGOIRE, MARIE ANNIK. "Les sanctions de l'obligation de bonne foi lors de la formation et de l'élaboration du contrat." *Revue du notariat* 104 (2002): 173-230.

NOTES OF RULINGS

GRÉGOIRE, MARIE ANNIK. "Commentaire sur la décision *Roy c. Roy* – Quand la fin de non-recevoir fondée sur la bonne foi doit suppléer les articles 1405 et 1406 C.c.Q." *Repères* EYB2010REP947 (June 2010), 4 p.

GRÉGOIRE, MARIE ANNIK. "Commentaire sur la décision *Corbeil c. Ladouceur* (Boutique Enigma) - Papa doit-il autoriser un perçage de langue?" *Repères, La Référence Droit civil* EYB2012REP1215 (August 2012).

OPEN LETTERS TO NEWSPAPERS

GRÉGOIRE, MARIE ANNIK. "L'euthanasie n'est pas un meurtre!" *La Presse*, December 17, 2013.

GRÉGOIRE, MARIE ANNIK. "Allaitement en public: une pétition inutile" *Cyberpresse*, February 8, 2011.

ARTICLE FOR THE GENERAL PUBLIC

GRÉGOIRE, MARIE ANNIK. "Le droit à l'allaitement en public : comment faire valoir son droit?" *Revue La Voie Lactée: Ligue LaLèche Québec* (Fall 2012).

Lectures

GRÉGOIRE, MARIE ANNIK. "La personne vulnérable." Colloque Les oubliés du Code civil, Chaire Jean-Louis Baudouin en droit civil. Montréal, May 1, 2014.

GRÉGOIRE, MARIE ANNIK. "La preuve et le respect des droits fondamentaux." Colloque Preuve entre injustice et désordre, L.R. Wilson Chair in Information Technology and E-Commerce Law & Chaire Jean-Louis Baudouin en droit civil. Montréal, March 27, 2014.

GRÉGOIRE, MARIE ANNIK. "Les clauses illégales dans les baux en résidence pour personnes âgées." CADED. Montréal, February 7-8, 2014.

GRÉGOIRE, MARIE ANNIK. Panellist, "Table ronde sur le film *Le Prix des mots*." Syndicat général des professeurs de l'Université de Montréal & Faculty of Law. Montréal, October 8, 2013.

GRÉGOIRE, MARIE ANNIK. "Preuve civile et respect des droits fondamentaux." Association Henri Capitant, Journées internationales. Amsterdam, June 2013.

GRÉGOIRE, MARIE ANNIK. "Les baux dans les résidences de personnes âgées: une étude réflexive." Training conference, Canadian Bar Association. Montréal, January 31, 2013.

GRÉGOIRE, MARIE ANNIK. "La personnalité juridique." Lecture series: Les grands classiques du droit civil, Chaire Jean-Louis Baudouin en droit civil. Montréal, November 29, 2012.

GRÉGOIRE, MARIE ANNIK. "Le mandat donné en prévision de l'inaptitude : l'importance de bien se préparer." Annual conference, Association des retraités et des préretraités du Québec (AQDR). Longueuil, November 1, 2011.

GRÉGOIRE, MARIE ANNIK. "Le mandat donné en prévision de l'inaptitude en droit québécois." Conference on the rights of seniors, Les Entretiens Jacques Cartier. Montréal, October 3, 2011.

GRÉGOIRE, MARIE ANNIK. "La bonne foi et l'imprévision." Training conference, Canadian Bar Association. Montréal, April 5, 2011.

GRÉGOIRE, MARIE ANNIK. "La responsabilité extracontractuelle du propriétaire." Journées Belgique-Espagne-Québec, Association Henri Capitant, University of Barcelona. Barcelona, September 28-29, 2010.

GRÉGOIRE, MARIE ANNIK. "L'équité contractuelle au service du consommateur." Colloque de la Fondation Claude Masse: L'équité au service du consommateur. Montréal, November 12, 2009.

GRÉGOIRE, MARIE ANNIK. "La période précontractuelle." Journées Suisse-Québec, Association Henri Capitant, Université de Montréal. Montréal, November 13, 2008.

GRÉGOIRE, MARIE ANNIK. "La bonne foi dans le contrat : outil de justice." New Researchers lecture series, Chaire Jean-Louis Baudouin en droit civil. Montréal, November 2007.

Service to the Community

2007-13: École primaire Saint-André-Apôtre – Parent member of the Governing Board. Chair of the Governing Board (September 2008-February 2013) and Representative, Comité de parents du réseau nord (CSDM)

December 2011-May/June 2012: Renewal Committees (as an academic, member of a professional corporation) for commissioners and superintendent: Commission des lésions professionnelles, Commission des relations de travail and Régie du logement

June 2003-June 2008: President and volunteer, Autour du bébé, community organization in pre- and postnatal perinatal in the Ahuntsic borough of Montréal

Media Relations

May 2014: Collaborated with a team of *La Facture* on a news report on the illegibility of standard consumer contracts. Edited the questionnaire and shoot with a group of students.

April 8, 2014: News report featured on *La Facture* on the incapacity of entering a contract with a person with bipolar illness in manic phase. Reporter: André Gariépy

December 31, 2013: Interview on the surname of married women in Québec and in Canada, *CTV National News*. Reporter: Vanessa Lee

December 23, 2013: Collaborated with reporter Christian Latraille (Radio-Canada & RDI) for a better

understanding of the Supreme Court of Canada judgement in the *Robinson case*

December 3, 2013: Interview on the cancellation of mobile phone contracts in a news report featured on *La Facture* (Radio-Canada & RDI). Reporter: Benoit Giasson

October 22, 2013: News report featured on *La Facture* (Radio-Canada & RDI) on the illegal provisions in lease agreements for seniors' residence. Clip posted online in *La Boîte à outils* section of the show's website in which I explain the provisions to be careful about in the lease agreement for a senior's residence

April 16, 2013: News report featured on *La Facture* (Radio-Canada & RDI) on the obligation by a credit/debit card terminals supplier to provide information when a malfunction leads to fraud for merchants.

March 2013: News report in *Protégez-vous* magazine on the cancellation of lease agreements for seniors' residence. Reporter: Julie Leduc

August 10, 2012: Live interview on *TVA en direct* (host: Richard Martineau) on the right of a hard-of-hearing person to keep an assistance dog in their apartment in spite of a condominium rule prohibiting pets

March 19, 2012: Articles in *Le Journal de Québec* & *Le Journal de Montréal* on the study pertaining to the legality of provisions included in lease agreements for seniors' residence, following an interview with reporter Johanne Roy

March 19, 2012: Live interview on *TVA en direct* (host: François Paradis) on the study pertaining to the legality of provisions included in lease agreements for seniors' residence

March 19, 2012: Live interview on *Mongrain* (Réseau LCN) on the study pertaining to the legality of provisions included in lease agreements for seniors' residence

March 14, 2012: Live interview on *Passeport Matin* (Radio-Ville-Marie) on the study pertaining to the legality of provisions included in lease agreements for seniors' residence

February 28, 2012: Live interview on *Mongrain* (Réseau LCN) on the right of Quebec women to breastfeed in public

February 25, 2012: Article in *Le Devoir* on the study pertaining to the legality of provisions included in lease agreements for seniors' residence

February 25, 2012: Article in *La Voix de l'est* on the study pertaining to the legality of provisions included in lease agreements for seniors' residence

February 24, 2012: Participation in the opening news report in the news bulletin of Radio-Canada and Réseau de l'information (RDI) on the study pertaining to the legality of provisions included in lease agreements for seniors' residence

February 24, 2012: Live interview on *Désautels* (radio of Radio-Canada) on the study pertaining to the legality of provisions included in lease agreements for seniors' residence

February 24, 2012: Live interview on *24 heures en 60 minutes* (RDI) on the study pertaining to the legality of provisions included in lease agreements for seniors' residence

October 18, 2011: “Carole Morinville veut faire retirer des rayons le livre de son ex-mari” – Interview with reporter Vincent Brousseau-Pouliot from *La Presse*

August 8, 2011: In-studio participation on *Isabelle le Matin* (98.5 FM) on the legality of breastfeeding in public places. Marie Plourde

March 9, 2011: “Ne cachez pas vos moisissures!” – Interview with reporter Marc Tison from *La Presse*

February 23, 2010: Radio interview on *Classe économique* (Radio-Canada) on the legal action taken by *Churchill Falls (Labrador) Corp. Ltd v. Hydro-Québec*. Reporter: Daniel Bordeleau