



Emma L. Johnston

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Biography

Emma Johnston is a litigator who advises Canadian and international clients on construction, insurance, agricultural, and general commercial litigation. In Emma's construction practice she often advises residential, commercial, and industrial construction clients on builders' lien matters.

Emma counsels her clients on litigation and enforcement strategies across a broad range of matters. Her focus is on providing client-centred and cost-effective legal advice. She has appeared as counsel in numerous proceedings before the Alberta Provincial Court and Alberta Court of Queen's Bench and has also appeared before the Alberta Court of Appeal. She has participated in various forms of mediation and judicial dispute resolution.

Emma has experience helping clients with a wide variety of construction and commercial litigation matters, particularly in the areas of:

Builders' liens: registration and enforcement builders' lien rights in Alberta, applications to have liens declared invalid/valid and any and all resulting litigation, and identification and enforcement of alternative security including claims pursuant to the *Public Works Act* and claims pursuant to labour and material bonds.

Commercial litigation: enforcement and defence of claims, summary judgment and summary dismissal applications, contested interlocutory applications, formal and informal settlement negotiations, proceedings in all levels of court in Alberta.

Emma has maintained an active pro bono practice since law school. She has been an active member of Pro Bono Law Alberta's Civil Claims Duty Counsel Program and the Court Assistance Program (Queen's Bench Amicus Program) since the creation of both programs.

Thought leadership

- Co-presented, "Covid Recovery Series: Contracts & Limiting Liability," International Live Events Association, October 28, 2020
- Speaker, "Edmonton Construction Seminar Series – Builders Liens & the Ontario Construction Act," Miller Thomson seminar, April 8, 2019
- Speaker, "Calgary Construction Seminar Series – Builders Liens & the Ontario Construction Act," Miller Thomson seminar, April 2, 2019
- Author, "Summary Judgment – Confusion in Alberta," Breaking Ground: MT Construction Law Western Canada, June 21, 2018
- Emma has presented on Builders' Lien matters to various industry groups.
- Speaker, "Construction Contract Security," Miller Thomson seminar, May 31, 2016
- Author, "Bill 6 Update: Working Groups Appointed," Food Web: Canadian Agribusiness and Food Law Blog, May 30, 2016
- Author, "Bill 6: The Enhanced Protection for Farm and Ranch Workers Act," Food Web: Canadian Agribusiness and Food Law Blog, December 14, 2015
- Author, "Nuisance and Neighbours," Food Web: Canadian Agribusiness and Food Law Blog, March 12, 2015
- Editor, Miller Thomson's Food Web: Canadian Agribusiness and Food Law Blog,

Community involvement

- Pro Bono Law Alberta, Civil Claims Duty Counsel Project
- Pro Bono Law Alberta, Court Assistance Program (Queen's Bench Amicus Program)
- Student Legal Services, Civil Project

Professional memberships

- Treasurer, Canadian Bar Association, Construction Section
- Member, Canadian Bar Association
- Member, Law Society of Alberta

Bar admissions & education

- Alberta, 2012
- LL.B., University of Alberta, 2011
- B.A. (with distinction), University of Alberta, 2007