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“His reputation speaks for itself.”
- Client Testimonial, Chambers Global

Tom is a nationally recognized authority in the area of Aboriginal law, advising business and government clients across Canada on Aboriginal legal matters and related environmental assessments, negotiations and regulatory and constitutional issues. In recognition of his important and significant work in this area, Tom was honoured as one of the nation’s “Top 25 Most Influential” lawyers by *Canadian Lawyer* magazine in 2018.

Tom has extensive national experience advising energy, oil, gas, pipeline, mining and forestry companies, lenders and investors, and federal, provincial, territorial and municipal governments and agencies on Aboriginal and project-related regulatory and environmental matters. He regularly negotiates on behalf of industry and governments in respect of impact, benefit and access agreements with Aboriginal groups, and he advises on Aboriginal consultation and accommodation processes and agreements. Tom has also acted as a mediator involving complex multi-jurisdictional Aboriginal-related disputes.

Tom's litigation practice is national in scope and focuses on representing clients in Aboriginal related matters before the Supreme Court of Canada, Federal Court of Canada, Ontario Court of Appeal, Ontario Divisional Court, British Columbia Court of Appeal, British Columbia Supreme Court, Northwest Territories Supreme Court, Yukon Supreme Court, PEI Court of Appeal, PEI Supreme Court, Manitoba Court of Queen's Bench, National Energy Board, Ontario Energy Board and British Columbia Environmental Appeal Board. His published works on Aboriginal law have been cited with approval by Canadian courts, including the Supreme Court of Canada and the Federal Court of Appeal.

He is a former Chief Treaty Negotiator for the Government of British Columbia and former Assistant Deputy Minister responsible for establishing Nunavut for the Government of the Northwest Territories. He also served in a senior capacity with the Government of Saskatchewan dealing with Aboriginal issues.

Tom has served as the Minister's Special Representative to the Minister of Indigenous and Northern Affairs regarding a Section 35 Métis Rights and Reconciliation Framework and a reconciliation approach for the Supreme Court of Canada's decision in *Manitoba Métis Federation v. Canada*. His Report – *A Matter of National and Constitutional Import: Métis Section 35 Rights and the Manitoba Metis Federation Decision* – was released by Canada in July 2016. Tom also recently served as the Minister's Special Representative to the Minister of Indigenous and Northern Affairs and the Premier of the Northwest Territories regarding the Akaitcho Dene and NWT Métis Nation negotiations in the Northwest Territories. His Report – *A Path to Reconciliation* – was released by both governments in March 2017. Tom is presently serving as the Minister's Special Representative for the Minister of Indigenous and Northern Affairs to conduct exploratory



discussions on the Gottfriedson class action lawsuit against the Government of Canada relating to residential school day students.

Tom regularly speaks at industry and public forums across Canada on the topic of Aboriginal and constitutional law. He has published numerous articles and is the author of 15 books and monographs, including *Aboriginal Law*, 5th edition, published in 2016. His books have been used in law schools and universities in Canada and the United States. He has also been a contributing editor to the *Canadian Native Law Reporter* since 1992 and has taught Aboriginal, constitutional and business law at a number of Canadian universities. In 2017, Tom was honoured for his work in Aboriginal Law with the Carolyn Layden-Stevenson Distinguished Alumni Award from St. Thomas University.

Representative Work

- Representing energy, mining and other industry clients in Aboriginal-related litigation before courts and tribunals across Canada
- Negotiating on behalf of industry and government in negotiations with Aboriginal groups regarding impact and benefit, economic development, access, replacement tenures and other agreements
- Advising industry and governments on federal, provincial and territorial environmental assessments, and the processes of the National Energy Board, Ontario Energy Board and other regulatory processes involving Aboriginal issues
- Extensive experience working on major energy, mining, transportation, infrastructure and other projects, including negotiating agreements with Aboriginal groups and representing proponents in dealing with governments
- Advising financial institutions and investors on security, mortgage, tax and loan agreement issues involving Indian reserve and other First Nations lands
- Negotiating and advising on the federal *Indian Act*, *First Nations Land Management Act* and easements, rights of way and surrender/designation issues on Indian reserve lands in British Columbia, Alberta, Saskatchewan and Ontario
- Negotiating and advising on the *First Nations Commercial Industrial Development Act* and regulations
- Negotiating, and advising in respect of, treaties and comprehensive land claims agreements across Canada

Client Commentary

- "A formidable reputation." – *Chambers Global* (Aboriginal)
- "One of the country's leading lawyers in the field of Aboriginal law." – *Chambers Canada* (Aboriginal)
- "The well respected Thomas Isaac is unequivocally deemed as a 'leader on this front'." – *Chambers Canada* (Aboriginal)
- "He is very personable, easy to approach and he listens well - he is very responsive to what your needs



and concerns are." – *Chambers Canada* (Aboriginal)

- "A giant in the Aboriginal field." – *Chambers* (Aboriginal)
- "A very passionate, energetic and knowledgeable lawyer." – *Chambers* (Aboriginal)

Achievements

- *The Best Lawyers in Canada* (Aboriginal)
- *The Best Lawyers in Canada: Calgary's Aboriginal Law* "Lawyer of the Year" (2015 and 2017)
- *Benchmark Canada* (Aboriginal Law; Energy & Natural Resources; Environmental)
- *Canadian Lawyer: Top 25 Most Influential Lawyers* (2018)
- *Canadian Legal Lexpert Directory* (Aboriginal Law)
- *Chambers Global: The World's Leading Lawyers for Business* (Aboriginal Law, Band 1)
- *Chambers Canada* (Aboriginal)
- *Lexpert Guide to US/Canada Cross-Border Lawyers in Canada*
- *Lexpert Special Edition: Leading Canadian Lawyers in Global Mining*
- *Lexpert Special Edition: Leading Canadian Lawyers in Infrastructure*

Call to the bar

Yukon, 2010

Alberta, 2006

Nunavut, 2003

Northwest Territories, 2003

British Columbia, 2001

Associations

- Law Society of Alberta
- Law Society of British Columbia
- Law Society of Northwest Territories
- Law Society of Nunavut
- Law Society of Saskatchewan



- Law Society of Yukon

Expertise

Aboriginal

Energy: Oil & Gas and Utilities

Infrastructure

Litigation

Mining

Municipal, Planning & Environmental

Regulatory