

## NAMES IN THE NEWS

## LAWYER OF THE WEEK

## A personal touch to personal injury law

DONALEE MOULTON HALIFAX

For Matt Napier, the practice of law is not logical, it is intuitive. Indeed, that's how the Halifax resident decided on a legal career in the first place.

Napier was traveling through Europe en route to determining what it was he wanted to do with his life when he touched down in London. A visit to the Old Bailey, the central criminal court in Britain, included listening in on a trial that was under way. It was followed up by an exploration of the local neighbourhood.

"I suspected, and sure enough there was, the local restaurant where the Bar went for breakfast," remembered Napier. "I went there. I liked the ambiance and camaraderie. That sealed it for me."

After completing his law degree at Dalhousie University, Napier was essentially an open book. "I left law school with very much an open mind," he said.

He joined Boyne Clarke, in Dartmouth, N.S., as the newly merged firm's first clerk, and once more listened to his gut. "This is a group of lawyers that were young, aggressive. I liked the feel of it," Napier recalled.

Clerking at Boyne Clarke meant doing a little bit of everything while trying to identify the one thing Napier wanted to do more permanently. "The firm was small enough that you were at the beck and call of all lawyers," he noted. "Near the end of articling, one lawyer mentioned he had a half dozen personal injury claims and little interest in taking them on. He said I could take them on as job security."

And thus was launched what today has become the largest personal injury legal team in Atlantic Canada. "Back then," noted Napier, "personal injury law was not as prominent. There were no ads in the Yellow Pages."

Napier quickly discovered that he enjoyed personal injury law, but the learning curve was steep. Luckily, he had a helping hand — from opposing counsel. "I had the great fortune to come up against senior counsel in Halifax... To be in discovery with these gentlemen you had to be a real quick study," he said.

And Napier wanted to learn. When many of these leading lawyers retired, he "hunted them down and took them out to lunch." "I still do that to this day,"



Matt Napier

Napier said. "It's the best education."

Today Napier oversees a team of 14, including himself, that handles "hundreds and hundreds" of files at any one time. "Over the years, I've felt if we could hire the best people available, we could aspire to practice the best law possible," he said.

That practice of law is infused by what Napier calls the "Maritime approach," and it harkens back to the camaraderie the Montreal native first felt in London. "When I started, there was an unwritten expectation that if a junior lawyer called a senior lawyer the wheels stopped and the desk was cleared," he said.

It is that sense of obligation to giving back and willingness

to help that Napier believes is the foundation to his team's success. "We're known as being fair and firm and willing to get the job done — but it's a more laid-back approach."

There is also a good deal of business savvy. In the wake of Nova Scotia introducing an injury cap, Napier and his team did the unthinkable: they ramped up to bring more business in the door. "We figured most firms would retreat," said Napier. "We went the other way. We immediately started hiring. We also started offering our expertise to clients and smaller firms."

In part, that expertise is available for the world to see on [www.lawyerfortheinjured.ca](http://www.lawyerfortheinjured.ca), the stand-alone site that introduces visitors to the "Matt Napier Legal Team" and provides insight into personal injury law in Nova Scotia, and beyond. Here clients and potential clients can find out more about car accident claims, class actions, fees, and injury caps (which in Nova Scotia, Napier says, is a "muddled mess").

Clients and others can also read the inaugural edition of *The Quill*, the Boyne Clarke personal injury newsletter. Issue one examines the risks of driving while using cell phones, offers up a motor vehicle collision checklist, and shares a fictional case study that demonstrates how failure to be properly informed leaves a single mother high and dry.

It's all part of the Maritime approach to staying in touch with the community. "We are almost daily involved in keeping our relationship with clients fresh or meeting new clients," said Napier.

With feeling.

## THE BAR STOOL PIGEON

## MOVES

■ May is here, which means that many eager law students will be starting summer jobs at big law firms. For preparation, students may want to read Cameron Stracher's hilarious memoir *Double Billing*, about life at a fictional New York law firm, Crowley & Cavanaugh. In the book Stracher shares an old joke about the vast gap between the experience at a law firm's summer programs and daily life at a big firm: "A man is taken on a tour of hell and discovers everyone playing tennis and swimming. When he returns upon his death, however, he finds the same people subjected to fire, torture and beatings. What happened to the idyllic scenes he previously witnessed, he asks. Oh that, laughs the devil. That was our summer program."

P.S. Enjoy the cookies. Don't drink the Kool-Aid.

■ In this week's contest, "law firms with the best names" second place goes to Toronto litigation boutique *Tough & Podrebarac LLP* which announced its latest catch: **Timothy Morgan** snatched from the clutches of *Osler, Hoskin & Harcourt*. Of course, the hands down winner for the title of "law firms with the best names," belongs to Ottawa-based intellectual property boutique *Smart & Biggar LLP*.

■ In the category of law firms with not so good names, labour and employment law boutique *Hicks Morley LLP* announced that **Terra Klinck** and **Deanna Webb** joined the firm as partner and associate.

## TIDBITS

■ Quantifying damages can be a complicated task, involving specialists from a wide range of professions. Not so for a Chinese primary school teacher and a beautician who jointly sued CNN over remarks they claim insulted the Chinese people. The

plaintiffs are seeking \$1.3-billion U.S., *Reuters* reported, which works out to about \$1 per person in China.

■ A defendant from New Brunswick appealed a speeding ticket — received eight years ago — all the way up to the Supreme Court of Canada, on the grounds that her *Charter* rights were violated, since the RCMP officer didn't address her in French. A unanimous court agreed, in a decision which naturally is available in both official languages.

■ Three months after their bid for an undefeated season ended with a Super Bowl loss to the New York Giants, the New England Patriots are still pursuing the trademarks on the phrases "19-0" and "19-0 The Perfect Season," *The Boston Herald* reported.

■ A lawyer in Oregon who watched a cop illegally park, then walk into a Chinese restaurant to wait for his food, issued the officer a series of citizen-initiated parking violations, *The Portland Mercury* reported. The lawyer fined the officer for illegal parking, illegal stopping, failure to obey parking restrictions on state highways, and illegal operation of an emergency vehicle or ambulance — the violations carry fines totaling \$540.

## MILESTONES

■ After 55 years at the Bar, **Malcolm Archibald**, a wills, trust and estates lawyer with *WeirFoulds LLP* in Toronto is retiring. In 2003, Archibald was the recipient of the Ontario Bar Association's Award of Excellence in Estates and Trusts. He has also lectured and written articles on the topic in many forums.

In an interview with *The Lawyers Weekly*, Malcolm discussed his retirement plans: "I plan to travel, go out golfing and baby-sit my identical twin granddaughters, who were born a month ago."

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