

Brett Carlson

Senior Associate

T 403.232.9771
F 403.266.1395
Calgary
BCarlson@blg.com
LinkedIn

Disputes
Energy Disputes
Environmental Disputes
Appellate Advocacy
Administrative and Public Law
Public Policy & Government Relations
Government & Public Sector
Environmental

Brett's litigation practice focuses on a wide range of business related disputes. He has experience with complex commercial litigation, construction project disputes, energy and utilities regulation, and high-profile constitutional cases. Brett has represented clients before the Alberta Court of Queen's Bench, Alberta Court of Appeal, and Supreme Court of Canada.

Brett also maintains an Indigenous law practice where he works with First Nation governments on matters related to asserting self-governance, law and policy development, risk management, and Aboriginal rights - particularly the enforcement of historic treaty rights.

Prior to joining BLG, Brett worked as a policy and parliamentary affairs advisor to the Minister of Environment and Minister of Health.

Experience

- *Reference re Impact Assessment Act,* 2020 ABCA 94 - application to intervene in constitutional reference related to the constitutionality of the federal *Impact Assessment Act.*
- *Reference re Environmental Management Act*, 2020 SCC 1 and 2019 BCCA 181: - Constitutional reference related to the ability of British Columbia to regulate heavy oil in possession of the operator of a federal pipeline or railway

- *Canadian Pacific Railway Company v Hatch Corporation*, 2018 ABQB 558 - application to set aside service ex juris and *forum non conveniens.*

Insights & Events

- Author, "Individual Charter Rights vs Collective Indigenous Rights", BLG Article, April 2024
- Top 10 commercial decisions of 2023: What Canadian businesses need to know, BLG Video, April 2024
- Author, "Supreme Court declares Indigenous child and family services law constitutional", BLG Article, February 2024
- The future of Canadian energy: A review of 2023's top energy issues and what to expect in 2024, BLG Perspective, January 2024
- Author, "Supreme Court finds Federal Impact Assessment Act Unconstitutional", BLG Article, October 2023
- Author, "Alberta Budget 2023: Surplus, spending and a Spring election", BLG Article, March 2023
- Author, "Legislature passes Alberta Sovereignty within a United Canada Act: Overview and implications", BLG Article, December 2022
- Author, "Parliamentary privilege Federal national security legislation held unconstitutional", BLG Article, July 2022
- Author, "Court of Appeal finds Federal Impact Assessment Act unconstitutional", BLG Article, May 2022
- Author, "Top 10 recent legal developments impacting commercial litigation in Alberta", BLG Article, March 2022
- Author, "Top 10 commercial decisions of 2021", BLG Article, February 2022
- Author, "Public inquiry into anti-Alberta energy campaigns to proceed after court dismissal", BLG Article, June 2021
- Author, "Federal Court of Appeal lifts injunction on Alberta's "turn off the taps" legislation", BLG Article, May 2021
- Author, "Bill C-92: Recognizing Indigenous authority over child and family services", BLG Article, May 2021
- Author, "Clearing the air: Supreme Court upholds federal carbon pricing regime", BLG Article, March 2021
- Author, "Canadian energy oil and gas: Top 20 of 2020 - Judicial decisions", BLG Article, February 2021
- Co-Author, "Recent Judicial Developments of Interest to Energy Lawyers," Alberta Law Review, 2020.
- Author, "Corporate communications with government in the pandemic: Maintaining compliance with lobbying laws", BLG Article, April 2020
- Author, "COVID-19: Shareholder and corporate disputes", BLG Article, April 2020
- Author, "Alberta Government must decide on the future of Oil Sands project", BLG Article, February 2020
- Author, "Court of Appeal confirms Alberta's power over oil and gas development and greenhouse gas emissions", BLG Article, February 2020
- Author, "Major victory for Trans Mountain after federal court dismisses appeal", BLG Article, February 2020
- Author, "Canadian Energy Oil and Gas: Top Regulatory Decisions and Developments in 2019", BLG Article, January 2020
- Author, "SCC dismisses BC's bid to regulate interprovincial oil transportation", BLG Article, January 2020
- Author, "National Energy Board Releases a Decision on the Coastal GasLink Pipeline Project", BLG Article, October 2019

Beyond Our Walls

Community Involvement

- Board Member, Rocky Mountain Civil Liberties Association
- Volunteer, Pro Bono Civil Claims Duty Counsel
- Volunteer, Queen's Bench Amicus Program
- Member, Canadian Bar Association (Alberta Branch)

Awards & Recognition

- Recognized in the 2027 edition (and since 2026) of *The Best Lawyers in Canada* as “Ones to Watch” (Corporate and Commercial Litigation).

Bar Admission & Education

- Alberta, 2019

- BA (with distinction), Carleton University, 2014

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As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 800 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

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