



CIVIL LITIGATION UPDATED 2024

“MONT STE. TREMBELLO” – ONE LAST TIME!

(MONT STE. MARIE @ MONTEBELLO @ MONT TREMBLANT)

Friday, November 15 – Saturday, November 16, 2024

FRIDAY, NOVEMBER 15, 2024

MODERATOR: Jeff Saikaley, *Caza Saikaley srl/LLP*

9:00 – 9:10 **BIENVENUE! / WELCOME!**
Sean Bawden, *President, County of Carleton Law Association*

9:10 – 9:30 **Coffee with Michelle**
Justice Michelle O'Bonsawin, *Supreme Court of Canada*
Associate Justice Marie Fortier, *Superior Court of Justice*

9:30 – 9:50 **Civil Secrets from the AJs**
Associate Justice Marie Fortier, *Superior Court of Justice*
Associate Justice Karen Perron, *Superior Court of Justice*

9:50 – 10:05 **Playing Peekaboo: Confidentiality, Relevance, and Redaction**
Jennifer Ng, *Templeman LLP*

10:05 – 10:50 **SIX UNDER SIX**

- i. ***Bank of Montreal v. Iskenderov*, [2023 ONCA 528 \(CanLII\)](#).**
Mohammed Elshafie, *Conway Baxter Wilson LLP/s.r.l.*
- ii. ***Poorkid Investments Inc. v. Ontario (Solicitor General)*, [2023 ONCA 172 \(CanLII\)](#).**
Rebecca Akong, *Nelligan Law*
- iii. ***Tookenay v. O'Mohony Estate et al.*, [2024 ONSC 709 \(CanLII\)](#).**
Carlo Cavaliere, *David Hollingsworth Personal Injury Lawyers*

- iv. *Jarvis v. Oliveria*, [2024 ONCA 200 \(CanLII\)](#).
Katrina Bekkers, *Perley-Robertson, Hill & McDougall LLP*
- v. *Baker v. Blue Cross Life Insurance Company of Canada*,
[2023 ONCA 842 \(CanLII\)](#).
Francois Guay-Racine, *Gowling WLG (Canada) LLP*
- vi. *Krmpotic v. Thunder Bay Electronics Limited*, [2024 ONCA 332 \(CanLII\)](#).
Geneviève Fauteux, *Norton Rose Fulbright LLP*

10:50 - 11:05

BREAK

MODERATOR: Tina Hill, *Greenspon Granger Hill*

11:05 – 11:20 *Hryniak*: A Decade After “That Summary Judgment Case” from the SCC – The Culture Shift is Real and Partial Summary Judgment Has Its Place
Jessica Fullerton, *Nelligan Law*

11:20 – 11:35 **Don’t Let it Bug You: Changing the Vexatious Litigant Landscape**
Justice Sylvia Corthorn, *Superior Court of Justice*

11:35 – 12:20 **Privilege: Peeling The Onion**
Stacy Bailey, *McCarthy Tétrault LLP*

12:20 – 12:35 **Whose Business Is It Anyway? Pierringer Agreements**
Jennifer Therrien, *Gowling WLG (Canada) LLP*

12:35 – 1:50 **LUNCH (Soultana I & II & III)**

1:50 – 3:35 **BREAKOUT SESSION- OPTION 1- PERSONAL INJURY**

MODERATOR: Éliane Lachaine, *Burn Tucker Lachaine P.C.*

1:50 - 2:10 **Doin’ It Right – IMEs**
Alexander Hartwig, *McCague Borlack LLP*

2:10 – 2:20 **I Wish I Had Known Sooner: Limitations And Threshold**
Matthew Sherman, *Borden Ladner Gervais LLP*

2:20 – 2:30 **Who Goes First? Excess Insurance**
Tara Lemke, *Williams Litigation*

2:30 – 2:40 **Taken For A Ride- ATVs And Standard Of Care**
Robert Murphy, *Bergeron Clifford LLP*

2:40 – 2:50 **I Took A Left Turn, But I Was Right**
Kathleen Carkner, *SG Law*

2:50 – 3:35

Moderator:

The Damages Panel

Éliane Lachaine, *Burn Tucker Lachaine*

Justice Jaye Hooper, *Superior Court of Justice*

Justice Pierre Roger, *Superior Court of Justice*

Justice Marc Smith, *Superior Court of Justice*

1:50 – 3:35

BREAKOUT SESSION- OPTION 2- COMMERCIAL LITIGATION

MODERATOR:

David Elliott, *Dentons Canada LLP*

1:50 - 2:15

Minority Report: Oppression, Derivative Actions and Remedies

Justice Robyn Ryan Bell, *Superior Court of Justice*

2:15 – 2:35

Ch-ch-ch-ch-Changes: *The Competition Act* ,

Derek Leschinsky, *Department of Justice*

2:35 – 2:50

Hold Up! Restraining Assets During Litigation

Aweis Osman, *Gowling WLG (Canada) LLP*

2:50 – 3:10

All Good Things Must End; Wind-ups

Chris Trivisonno, *Conway Baxter Wilson LLP/s.r.l.*

3:10 – 3:35

Choosing Wisely: Arbitration Appeals

Justice Michelle Flaherty, *Superior Court of Justice*

3:35 – 3:50

BREAK

MODERATOR:

Andrew McKenna, *Gowling WLG (Canada) LLP*

3:50 – 4:00

Weekend Update with RSJ MacLeod

Regional Senior Justice Calum MacLeod, *Superior Court of Justice*

4:00- 4:15

You Can't Make Me Choose: Yatar v TD Insurance Meloche Monexx

Alyssa Tomkins, *Gowlings WLG (Canada) LLP*

4:15 – 4:30

The Dirt On Contractual Interpretation: *Earthco Soil Mixtures Inc. v. Pine Valley Enterprise Inc.*

Gabriel Poliquin, *GP Avocats*

4:30 – 5:30

Back to Basics: Civility, Transparency And Access to Justice(The Professionalism Panel)

Moderator:

Tina Hill, *Greenspon Granger Hill*

Sean Bawden, *President, CCLA*

Douglas Judson, *Chair, FOLA*

Mitchell Kitagawa, *Benchers, Law Society of Ontario*

Kathryn Manning, *President, Ontario Bar Association*

Anne McConville, *Deputy Director General Counsel, Justice Canada*

Corey Willard, *AJEFO*

5:30	Pre-dinner cocktails (Soutana I & II)
7:30	Dinner – In the main conference room, Bring your Tickets!
9:30	Mix, Mingle, and Dance with Perley Jam (Soutana I & II)



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SATURDAY, NOVEMBER 16, 2024

MODERATOR: Siobhan O’Brien, *Hicks Morley LLP*

9:00 – 9:35 **Space Invaders: Managing A Cyber Attack**
Andrew Ferguson, *MBC Law Professional Corp.*

9:35 – 10:35 **Employment Panel**

- **OHSA At The SCC: *R. v. Greater Sudbury (City)*, [2023 SCC 28 \(CanLII\)](#).**
Zoriana Priadka, *Emond Harnden LLP*
- **The SCC Addresses Workplace Privacy Rights: *York Region District School Board v. Elementary Teachers’ Federation of Ontario*, [2024 SCC 22 \(CanLII\)](#).**
Sacha Liben, *Kinaxis Inc.*
- **Frustration And COVID (policy): *Croke v. VuPoint System Ltd.*, [2024 ONCA 354 \(CanLII\)](#)**
Filip Szadurski, *SpringLaw*
- **Termination Clauses Under Scrutiny – 2024 Edition: *Dufault v. The Corporation of the Township of Ignace*, [2024 ONSC 1029 \(CanLII\)](#)**
Caroline Richard, *Bird Richard*

10:35 – 10:50 **EDI In An AI World: Evaluating AI Tools Through An EDI Lens**
Graham Mayeda, *Faculty of Law, Common Law, University of Ottawa*

10:50 - 11:05	You Oughta Know: Tax Implications François Bordeleau, <i>Sicotte Guilbault LLP</i>
11:05 – 11:25	BREAK
MODERATOR:	Margot Pomerleau, <i>MBC Law Professional Corp</i>
11:25 – 11:40	Playing By The Rules: Top 10 Ethical Pitfalls Jean-François Laberge, <i>Laberge Resolutions Inc.</i>
11:40 – 11:55	Judge, You Gotta Believe Me! The Difference Between Credibility And Reliability Justice Owen Rees, <i>Superior Court of Justice</i>
11:55 – 12:45	Inquiring Minds Want To Know: Q&A With The Judges MODERATOR: Andrew McKenna, <i>Gowling WLG (Canada) LLP</i> Justice Michelle Flaherty, <i>Superior Court of Justice</i> Justice Karen Jensen, <i>Superior Court of Justice</i> Justice Alexandre Kaufman, <i>Superior Court of Justice</i> Justice Marc Labrosse, <i>Superior Court of Justice</i>
12:50 – 2:00	LUNCH (Soultana I & II)
2:00 – 4:00	Building a Better (Trial) Binder MODERATOR: Susanne Sviergula, <i>Cavanagh LLP</i> <i>This interactive panel will provide information and ideas on the practical aspects of conducting a trial, from the lead-up through to judgment.</i> <i>Part 1 – Trial Preparation</i> <i>Part 2 – Opening statements</i> <i>Part 3- Evidentiary Issues during Trial</i> <i>Part 4 – Procedural Issues during Trial</i> <i>Part 5 – Case Centre</i> <i>Part 6 – Post-Trial Considerations</i>
SPEAKERS: ☐	Justice Charles Hackland, <i>Superior Court of Justice</i> Justice Alexandre Kaufman, <i>Superior Court of Justice</i> Brenda Hollingsworth, <i>Auger Hollingsworth</i> Lisa Langevin, <i>Kelly Santini LLP</i>
4:00	Closing Remarks and Exhibitor Draw Prize