

18TH ANNUAL UPDATE

PERSONAL INJURY LAW AND PRACTICE 2023

“Program faculty was excellent.”

“Clear, organized, engaging.”

PROGRAM CHAIRS

Richard M. Bogoroch
Bogoroch & Associates LLP

Bronwyn Martin
Moodie Mair Walker Lawyers

REGISTRATION OPTIONS

October 5, 2023:

Online (Live)

8:45 a.m. – 4:15 p.m. ET

OR

November 16, 2023:

Online (Replay)

8:45 a.m. – 4:15 p.m. ET

Can't make the date?

Registration includes 120-day unlimited, online access to the recorded program.

Get fully informed on the latest and most pressing issues in this complex, changing, and competitive field.

Receive the critical and expert guidance from experts from across Ontario that you need to effectively practice personal injury law, including:

- Key updates in case law, practice procedures, and types of damages
- The latest in solicitor negligence and how to avoid E&O claims
- The law of birth injury cases
- Practice and procedure across the province: the view from the GTA, London, Hamilton, and Ottawa
- *And much more!*

PLUS! A can't miss roundtable on mentorship and training the next generation of PI lawyers

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18TH ANNUAL UPDATE

Personal Injury Law and Practice 2023

Personal injury is a dynamic and high-stakes area of law. Always evolving in terms of legislation, standards, technology, and the business of practice, if you work in this field, you need to be completely up-to-date on all the latest issues and pressing topics.

Now in its 18th year, this is THE annual program for all legal and insurance professionals involved in personal injury law in Ontario, providing you with the critical updates and crucial knowledge that you need to succeed and thrive in this demanding role.

Topics Include

- Review of new case law you need to know
- The latest in solicitor negligence and how to avoid E&O claims
- Vital analysis of the law of birth injuries in medical malpractice cases
- Practice and procedure across the province: the view from the GTA, London, Hamilton, and Ottawa
- Best practices for mentors and mentees and training the next generation of PI lawyers
- Key considerations in Rule 7 motions
- Anatomy of a personal injury case: focused analysis of *Sanson* and *Moffitt* decisions

Who Should Attend

- Personal injury litigators (Plaintiffs' and defence'/insurers')
- In-house litigation counsel
- Litigation paralegals and law clerks
- Insurance professionals (claims examiners/managers)

Agenda

8:45 a.m.

Welcome and Introduction from OPD
and Chairs

8:55 a.m.

Top 10 Personal Injury and Medical
Malpractice Cases

Maia Bent

Lerners LLP

A concise and comprehensive review
highlighting:

- The most important personal injury cases decided in the last year
- What the decisions mean to your practice and clients.

9:20 a.m.

Update on Damages in Personal
Injury Cases

Katy Commisso

Buset LLP

Delving into the latest developments
regarding:

- Categories for damages
- Damages assessments and calculations

9:40 a.m.

Rule 7 Motions

Heidi Brown

Bogoroch & Associates LLP

Justice Darla Wilson

Superior Court of Justice of Ontario

Rule 7 of the Ontario *Rules of Civil Procedure* spells out the steps and considerations when acting for parties under disability. This session provides:

- An essential overview of the purpose for Rule 7
- Key information about the process involved and potential outcomes.

10:00 a.m.

Break

10:15 a.m.

Practice & Procedure: Moving the Case Efficiently with Timetables, Discovery Plans, and Case Conferences, with Regional Perspectives

Rasha El-Tawil

Siskinds Law Firm

Ryan Marinacci

Bogoroch & Associates LLP

Allen Wynperle

Wynperle Law Inc.

Counsel from Ottawa, London, Toronto, and Hamilton will give their insights into:

- Best practices for efficiently managing personal injury cases across the province
- Local rules and procedures to be aware of

11:15 a.m.

Trauma, Memory, and Evidence

Gillian Hnatiw

Gillian Hnatiw & Co.

An exploration of the impact of trauma on:

- The memory of witnesses
- Implications for presenting and evaluating evidence in personal injury cases

11:45 a.m.

Anatomy of a Personal Injury Case from the Plaintiff Perspective: *Sanson v. Paterson*

Michael Smitiuch

Smitiuch Injury Law

Get a detailed analysis and examination of the informative case *Sanson v. Paterson* from the plaintiff's perspective, highlighting:

- Key legal issues
- Positions of the parties
- Case outcome and impact on the jurisprudence

12:15 p.m.

Lunch

1:00 p.m.

Anatomy of a Personal Injury Case from the Defence Perspective: *Moffitt v. Canada Trust*

Bronwyn Martin

Moodie Mair Walker Lawyers

Next, we turn to another leading case and examine the defence perspective, with an in-depth review and breakdown of the case *Moffitt v. Canada Trust*, focusing on:

- The legal strategy of the defence side
- Final determination of the issues and impact on the law

1:30 p.m.

Solicitor Negligence: Avoiding E&O Claims

Robin Moodie

Moodie Mair Walker Lawyers

Vital practice information that every litigator must know, focused on:

- Professional negligence issues specific to personal injury solicitors
- Practical guidance on file management
- Tips to avoid errors and omissions claims.

2:00 p.m.

Conflict of Laws in Personal Injury Cases: Recent Caselaw and Considerations

Susan Gunter

Dutton Brock LLP

It's difficult to avoid jurisdictional issues in today's interconnected world. We will examine:

- Recent case law in the context of conflicts of law in personal injury matters
- Important issues to consider when faced with a potential conflict of laws situation

2:30 p.m.

Break

2:45 p.m.

The Law Behind Birth Injury Case

Erik Knutsen

Queen's University Faculty of Law

This session will take a comprehensive look at the law and issues particular to birth injury cases, including:

- Navigating the challenges with the labels "wrongful birth" and "wrongful life"
- Mother's claim versus baby's claim
- Informed consent in the birth injury case
- Causation, remoteness, and damages challenges

3:15 p.m.

Mentorship and Training the Next Generation of PI Lawyers

Richard Bogoroch

Bogoroch & Associates LLP

Frank Gomberg

Gomberg Mediation Solutions Inc.

Risa Kirshblum

Lenczner Slaght LLP

Justice P. Tamara Sugunasiri

Superior Court of Justice of Ontario

Noted members of the Bench and the Bar share their wisdom and experiences about mentorship, discussing:

- Best practices for mentoring
- The challenges and opportunities facing future personal injury law practitioners

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[osgoodepd.ca/
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Chairs

Richard M. Bogoroch
Bogoroch & Associates LLP

Bronwyn Martin
Moodie Mair Walker Lawyers

Faculty

Maia Bent
Lerners LLP

Erik Knutsen
Professor, Queen's University
Faculty of Law

Heidi Brown
Bogoroch & Associates LLP

Ryan Marinacci
Bogoroch & Associates LLP

Katy Commisso
Buset LLP

Robin Moodie
Moodie Mair Walker Lawyers

Rasha El-Tawil
Siskinds Law Firm

Michael Smitiuch
Smitiuch Injury Law

Frank Gomberg
Gomberg Mediation Solutions
Inc.

Justice P. Tamara Sugunasiri
Superior Court of Justice of Ontario

Susan Gunter
Dutton Brock LLP

Justice Darla Wilson
Superior Court of Justice of Ontario

Gillian Hnatiw
Gillian Hnatiw & Co.

Allen Wynperle
Wynperle Law Inc.

Risa Kirshblum
Lenczner Slaght LLP

“Speakers were all well prepared, on time, and presented the information quickly and efficiently. Great Topics! From start to finish, all topics covered were both interesting and relevant to today’s events and changes.”

Tricia Reeves, Law Clerk, Lerners LLP

“Richard did an amazing job of covering relevant, practical and current issues in a single program.”

D. Robert Findlay, Findlay Lawyers

Registration Details

Fee per Delegate: \$695 + TAX

Newly Licensed*: \$347.50 + TAX

**This fee applies to newly licensed regulated professionals within the past 2 years*

Fee includes program registration, electronic program materials and 120-day unlimited online access to program archive.

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Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 14 days prior to the program date. If a cancellation request is made with less than 14 days notice, a \$75 administration fee will apply. No other refund is available.



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