THE 20TH ANNIVERSARY OF
THE NATIONAL ANNUAL CLASS ACTIONS SYMPOSIUM

Can't make the date?
Registration includes 120-day unlimited, online access to the recorded program

The must-attend event for class actions counsel across the country.

Connect, engage, and get key updates from an exceptional national faculty of judges and leading plaintiff and defence counsel.

Topics include:

- Cross-country class actions developments

- New frontiers in Employment Law class actions

- LIVE Demonstration: Artificial Intelligence tools in practice

- Coordinating carriage between competing class actions and individual actions

- Working through tricky procedural challenges in complex class actions

PLUS! Don't miss **"A View from the Bench"** with judges from across Canada, Special Address by **Justice Paul Perell** of the Ontario Superior Court, and Keynote Address by **Judge Jed Rakoff**, Senior U.S. District Judge for the Southern District of New York.

Register today at:
osgoodepd.ca/classactions

PLANNING COMMITTEE

H. Michael Rosenberg
McCarthy Tétrault LLP

Emmanuelle Rolland
Audren Rolland LLP

Catharine Moore
Department of Justice Canada

Claire Hunter, K.C.
Hunter Litigation Chambers

Margaret L. Waddell
Waddell Phillips Professional Corporation

REGISTRATION OPTIONS

In-Person OR Online (Live):

April 25, 2024
9:00 a.m. – 4:45 p.m. ET
(In-Person reception: 4:45 – 7:00 p.m.)

April 26, 2024
9:00 a.m. – 1:00 p.m. ET

OR

Online (Replay):
June 3 – 4, 2024

Drawing on the expertise of leading counsel and judges from across the country, including:

Planning Committee

Catharine Moore
Department of Justice Canada

H. Michael Rosenberg
McCarthy Tétrault LLP

Emmanuelle Rolland
Audren Rolland LLP

Margaret L. Waddell
Waddell Phillips Professional
Corporation

Claire Hunter, K.C.
Hunter Litigation Chambers

Keynote Speaker

Judge Jed Rakoff
U.S. District Court for the Southern
District of New York

Special Address by

Justice Paul Perell
Ontario Superior Court of Justice

Program Faculty

The Hon. Justice Paul Perell
Ontario Superior Court of Justice

The Hon. Justice Ward Branch
Supreme Court of British Columbia

The Hon. Justice Daniel Boone
Court of Appeal of Newfoundland
and Laborador

The Hon. Justice Jasmine Akbarali
Ontario Superior Court of Justice

The Hon. Justice Shaun Finn
Superior Court of Quebec

The Hon. Judge Jed Rakoff
U.S. District Court for the Southern District
of New York

Marie Audren
Audren Rolland

Eric Block
Ross Nasseri LLP

Andrew Borrell
Fasken Martineau DuMoulin

Jean-Michel Boudreau
IMK s.e.n.c.r.l./LLP

Myriam Brixi
Lavery, de Billy, LLP

Jody Brown
Goldblatt Partners LLP

Paul Davis
Paliare Roland Rosenberg Rothstein

Michael Eizenga
Bennett Jones LLP

Jean-Philippe Groleau
Davies Ward Phillips & Vineberg LLP

Travis Henderson
Department of Justice Canada

Chelsea Hermanson
Camp Fiorante Matthews Mogerman LLP

Katherine L. Kay
Stikeman Elliott LLP

Gillian Kerr
McCarthy Tétrault LLP

David Klein
Klein Lawyers LLP

Jill Lawrie
Blake, Cassels & Graydon LLP

Jill McCartney
Siskinds Law Firm

Gordon McKee
Blake, Cassels & Graydon LLP

John McKiggan, K.C.
McKiggan Hebert Lawyers

Anne Merminod
Borden Ladner Gervais LLP

Christine Mohr
Department of Justice Canada

Jeff Orenstein
Consumer Law Group

Sylvie Rodrigue
Torys LLP

Michelle Segal
Camp Fiorante Matthews Mogerman LLP

Avichay Sharon
Branch MacMaster LLP

Lisa Talbot
Torys LLP

Mary M. Thomson
Former counsel, Federal Indian Day School
Class Action

Paul-Erik Veel
Lenczner Slaght

Sarah E. Whitmore
Torys LLP

Cheryl Woodin
Bennett Jones

Susan Wortzman
MT >3

Victoria Yankou
Ontario Ministry of the Attorney General

Joey Zukran
LPC Avocat Inc.

The 20th Anniversary of The National Annual Class Actions Symposium

The class actions space gets more exciting every day, with a growing body of high-profile cases. These complex litigation files create new challenges—and new opportunities.

Now celebrating its 20th anniversary, the OsgoodePD Class Actions Symposium is a truly national program that assembles the leading judges and counsel to take you through critical and emerging issues in this constantly-changing field.

Join us in-person and connect with experts and peers, watch live online, or get access to the On-Demand recording post-program day.

You will:

- Get key updates on emerging issues in class actions across Canada
- Connect with and learn insights from experienced judges and litigators from both government and private practice
- Learn effective strategies to advance or defend an action, and how to anticipate potential pitfalls
- Engage with the leading experts on critical issues, including:
  - How to incorporate AI tools in your practice
  - Coordinating carriage between multiple actions
  - Developments in employment law class actions
  - Communicating with class members: what you need to know
  - Big tech and platform liability actions
  - What counsel should consider post-certification

PLUS! Keynote Address by **Judge Jed Rakoff**, Senior U.S. District Judge for the Southern District of New York

Who Should Attend

- Plaintiff and Defence Counsel Practicing in Class Actions
- In-house Counsel
- Government Litigators
- Liability Insurers
- Notice and Settlement Specialists

Register today at:

osgoodepd.ca/ classactions

Agenda

DAY ONE: Thursday, April 25, 2024

8:30 a.m.
Registration (for in-person attendees)

9:00 a.m.

Welcome and Introduction from the Program Chairs

9:05 a.m.

Cross-Country Check-Up

Michelle Segal
Camp Fiorante Matthews Mogerman LLP (Vancouver)

Jill Lawrie
Blake, Cassels & Graydon LLP (Toronto)

Joey Zukran
LPC Avocat Inc. (Montreal)

John McKiggan, K.C.
McKiggan Hebert Lawyers (Halifax)

The symposium begins with a wide-ranging discussion of new and emerging issues in class actions from coast to coast. The panel will review some of the key cases in different jurisdictions across the country, and discuss their impact on the national practice.

10:00 a.m.

Communications with Class Members: How Far is Too Far?

Moderator:

Michael Eizenga
Bennett Jones LLP

Panelists:

Anne Merminod
Borden Ladner Gervais LLP

Chelsea Hermanson
Camp Fiorante Matthews Mogerman LLP

Sarah E. Whitmore
Torys LLP

This session will examine the issue of communications between counsel and members of a class before and after certification. The panel will discuss the implications for communication when class members are citizens, employees, customers or other categories, when a court needs to be involved, and other ethical issues that may arise.

10:45 a.m.
Break
11:00 a.m.

Managing the Mess: Coordinating Carriage between Class Actions, Individual Actions, and Everything in Between

Moderator:

Jeff Orenstein
Consumer Law Group

Panelists:

Jill McCartney
Siskinds Law Firm

Travis Henderson
Department of Justice Canada

David Klein
Klein Lawyers LLP

Panelists from both plaintiff and defence practices will discuss the complex circumstances of handling multiple actions. How do you determine carriage, or separate and manage carriage, when there are competing class actions and individual actions? What should the defendants' role be in the management of parallel proceedings? Are there strategic options from the defence perspective?

11:45 a.m.

Behaviour Modification: One of These Goals Is Not Like the Others

Renowned class actions specialist **Mary M. Thomson** will share her research into the three goals of class proceedings, and discuss her conclusions about behaviour modification as distinct from the other two goals. This presentation will be followed by a dialogue and Q&A led by Catharine Moore, Senior General Counsel at the Department of Justice.

12:15 p.m.
Lunch
1:15 p.m.

Keynote: Judge Jed Rakoff, Senior U.S. District Judge for the Southern District of New York

The keynote address will be delivered by **Judge Jed Rakoff**, who has sat on the United States District Court for the Southern District of New York since 1996. One of the oldest and most active trial courts in the United States, this Court often has jurisdiction over the largest financial institutions in America.

Judge Rakoff has authored over 1,800 judicial opinions, with his most noteworthy decisions being in securities law and criminal law. He frequently sits by designation on the 2nd and 9th Circuit Courts of Appeals. In addition to his judicial writing, Judge Rakoff has written over 190 articles, 900 speeches, and has co-authored six books.

2:00 p.m.

Next Frontiers: Employment Law Class Actions

Moderator:

Christine Mohr
Department of Justice

Panelists:

Eric Block
Ross Nasseri LLP

Jody Brown
Goldblatt Partners LLP

Lisa Talbot
Torys LLP

This session will discuss some of the developing trends in class actions in the employment law sector, such as recent cases about seasonal workers, statutory holiday and vacation pay, and unpaid overtime. When should grievance processes be followed, and when should claims be made?

2:45 p.m.
Break
3:00 p.m.

Unfriending Big Tech: Class Actions and Platform Liability

Gillian Kerr
McCarthy Tétrault LLP

Avichay Sharon
Branch MacMaster LLP

Jean-Michel Boudreau
IMK s.e.n.c.r.l./LLP

Panelists will discuss the developments in class proceedings involving technology and social media companies. To what extent are these companies liable for what happens on their platforms? How have privacy and data breach actions developed in the past year?

3:45 p.m.

The Great Debate: What case should have been certified, but wasn't?

Moderator:

Katherine L. Kay
Stikeman Elliott LLP

Debaters:

Sylvie Rodrigue
Torys LLP

Gordon McKee
Blake, Cassels & Graydon LLP

Marie Audren
Audren Rolland

This interactive session, back for another year, puts three of Canada's top class actions counsel in the fray. Moderated by last year's Great Debate winner, our panelists will vigorously debate which case should have been granted certification, but was not. Attendees will vote for the winner, who will be announced in the Reception to follow.

4:45 p.m.

The Great Debate Concludes

Wine & Cheese Reception

Join us immediately after the last session for an opportunity to connect with peers and experts from across the country.

Don't miss the crowning of the winner of The Great Debate!

Sponsored by proactiō

DAY TWO: Friday, April 26, 2024

8:30 a.m.
Registration (for in-person attendees)

9:00 a.m.

Welcome from Chairs

9:05 a.m.

Judge's Panel: A View from the Bench

Justice Jasmine Akbarali
Ontario Superior Court of Justice

Justice Ward Branch
Supreme Court of British Columbia

Justice Daniel Boone
Court of Appeal of Newfoundland & Labrador

Justice Shaun E. Finn
Superior Court of Quebec

Insights from some of Canada's leading class actions judges on some of the key issues before the courts, including tips for counsel.

10:00 a.m.

Procedural Grab Bag

Victoria Yankou
Ministry of the Attorney General

Andrew Borrell
Fasken Martineau DuMoulin LLP

Myriam Brixi
Lavery de Billy LLP

Paul-Erik Veel
Lenczner Slaght

Class actions counsel from across the country will explore some of the thorny procedural issues that go hand-in-hand with complex class action claims.

10:45 a.m.
Break

11:00 a.m.

So You're Certified...Now What?

Jean-Philippe Groleau
Davies Ward Phillips & Vineberg LLP

Cheryl Woodin
Bennett Jones

Paul Davis
Paliare Roland Rosenberg Rothstein

This panel will explore the types of questions counsel must consider after certification is granted. What motions would be helpful to the plaintiff, or to the defendant? How do you get the case ready for trial? What does it take to build a good case on the merits post-certification?

11:45 a.m.

Demonstration: Artificial Intelligence Tools in Class Actions Practice

Susan Wortzman
MT>3

This not-to-be-missed session explores the latest in AI technology and how it can support your Class Actions practice, with live demonstrations of available tools and their capabilities.

· Best practices for the use of machine learning and Automated Decision-Making systems in Class Actions

· Technology demonstrations showing the use of machine learning tools including Sentiment Analysis and supervised and unsupervised Conceptual Analytics to quickly analyze large data volumes

· Demonstrations of tools to support the management of claimants and an automated process for claims valuations

· What the future holds: Coming-to-market GenAI Tools

12:15 p.m.

Special Address by Justice Paul Perell, Superior Court of Justice of Ontario

In this special address, **Justice Perell** will reflect on the evolution of class actions over his nearly two decades presiding over some of the most significant class actions in the country.

1:00 p.m.
Program Concludes

Thank you
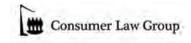## to this year's sponsors

For sponsorship information, please email aparanjape@osgoode.yorku.ca.

Here's what past attendees had to say about this program:

Very high quality in terms of interesting and relevant topics, diverse and impressive speakers, advanced level of legal analysis.

The best thing about the program was the interplay between plaintiff and defense counsel.

Exceptionally high quality speakers.

Very educational and informative. Good balance of plaintiff and defence perspectives.

Breadth of and quality of speakers was top notch.

Great content, engaging speakers.

A great opportunity to get a national overview of new developments and issues in one seminar with very knowledgeable speakers.

Registration Details

Fee per Delegate: **$1,695 + TAX**
Newly Licensed[*]**:** **$847.50 + 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. Group discounts and financial assistance available. Visit www.osgoodepd.ca/group-discounts for details.

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.

OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSO.

Eligible CPD Hours – LSO (ON): 10h 35m CPD (8h 50m Substantive; 1h 30m Professionalism; 15m EDI)

OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian and US jurisdictions. To inquire about credit eligibility, please contact cpd@osgoode.yorku.ca.

This program is approved for LAWPRO Risk Management Credit.

Register today at:
osgoodepd.ca/classactions

Email: osgoodepd@osgoode.yorku.ca

Phone: 416 597 9724

Mail: 1 Dundas Street West, 26th Floor, Toronto, ON, M5G 1Z3

OSGOODE — OSGOODE HALL LAW SCHOOL — PROFESSIONAL DEVELOPMENT | YORK UNIVERSITÉ UNIVERSITY U

The 20th Anniversary of The National Annual Class Actions Symposium

Register today at:
osgoodepd.ca/classactions