

## Litigating An Employment File – The Essential Course

*Labour and Employment Law Section*



Webcast

**Date:** Wednesday, October 14, 2020 | 9:00 am – 4:30 pm

**Location:** Zoom Webinar

**Program Chairs:** Nancy Shapiro, Koskie Minsky LLP



**Substantive Hours:** This program is eligible for up to 5h 30m

**Professionalism Hours:** This program contains 1h 00m

*The OBA has been approved as an Accredited Provider of Professionalism Content by The Law Society of Ontario.*

This full day program will provide you with a fulsome overview of the latest developments in litigating an employment law file. Our expert faculty will walk you through the substantive law foundations as well as the latest case law developments and jurisprudence highlighting the most important elements of these decisions. Following this overview, our seasoned practitioners will focus on successful strategies, best practises and important tips designed to refine and hone your ability to successfully represent your clients. Whether you have been practising for a long time or are a recent call, you don't want to miss this opportunity to improve your legal understandings and skills.

<p>9:00 am <b>Providing the Initial Opinion</b>  <b>R. Mark Fletcher</b>, Grossman Gale Fletcher Hopkins LLP  <b>Darryl Hiscocks</b>, Torys LLP  <b>Arleen Huggins</b>, Koskie Minsky LLP  <b>Rachel Turnpenney</b>, Turnpenney Milne LLP</p> <ul style="list-style-type: none"> <li>• Notice! contract enforceability and termination clauses</li> <li>• Restrictive covenants</li> <li>• Exceptional circumstances and providing opinions on the one-sided tale (termination facts, human rights concerns, investigations/complaints and possible reprisals)</li> <li>• Potential pitfalls: EI, mitigation, record preservation</li> </ul>	<ul style="list-style-type: none"> <li>• Discussing disclosure</li> <li>• Strategy</li> <li>• Documenting the settlement</li> </ul>
<p>10:30 am Break</p>	<p>2:00 pm <b>Discovery</b>  <b>Natalie C. MacDonald</b>, MacDonald and Associates</p> <ul style="list-style-type: none"> <li>• Discovery plans</li> <li>• Obtaining the documents</li> <li>• Preservation</li> <li>• Technology use</li> <li>• How to prepare for and conduct the examination</li> <li>• How to prepare for and attend the examination of your own client</li> <li>• How to get what you need at discovery to win at trial!</li> </ul>
<p>10:45 am <b>Pre-litigation Professionalism</b>  <b>Sarah Crossley</b>, Filion Wakely Thorup Angeletti LLP  <b>Ruben Goulart</b>, Bernardi Human Resource Law LLP  <b>Jennifer Zdriluk</b>, Ross &amp; McBride LLP</p> <ul style="list-style-type: none"> <li>• Negotiation - strategies, objectives, communication, dos and don'ts</li> <li>• Retainers and contingency retainers</li> <li>• Client Management in employment litigation</li> </ul>	<p>2:30 pm Break</p> <p>2:45 pm <b>Motions</b>  <b>Nafisha Chowdhury</b>, Miller Thomson LLP</p> <ul style="list-style-type: none"> <li>• Summary judgment? why, current law</li> <li>• Undertaking motions, and more</li> </ul>
<p>11:45 am <b>Lunch - Networking and 30 Minute Keynote Address</b>  <b>The Honourable Mr. Justice William LeMay</b>, Ontario Superior Court of Justice</p>	<p>3:15 pm <b>Trials</b>  <b>Rich Appiah</b>, Appiah Law  <b>Jeremy Devereux</b>, Norton Rose Fulbright Canada  <b>P.A. Neena Gupta</b>, Gowlings WLG  <b>The Honourable Mr. Justice William LeMay</b>, Ontario Superior Court of Justice  <b>Greg McGinnis</b>, Matthews, Dinsdale &amp; Clark LLP</p> <ul style="list-style-type: none"> <li>• How to efficiently run the small case</li> <li>• Essential trial preparation strategy for employment matters</li> <li>• Simplified procedure matters</li> <li>• Use of technology</li> <li>• Tips for conducting your trial</li> </ul>
<p>1:00 pm <b>Pleadings and Initial Steps</b>  <b>David Whitten</b>, Whitten &amp; Lublin LLP</p> <ul style="list-style-type: none"> <li>• Boilerplate pleadings v bespoke?</li> <li>• Tips for drafting employment law pleadings</li> <li>• Including heads of damages and allegations known to be absent</li> </ul>	<p>4:25 pm Concluding Remarks</p> <p>4:30 pm Program Concludes</p>
<p>1:30 pm <b>Mediations</b>  <b>Tracy Kay</b>, Minden Gross LLP  <b>Megan Shortreed</b>, Paliare Roland Rosenberg Rothstein LLP</p> <ul style="list-style-type: none"> <li>• Determining when to mediate</li> <li>• Selecting your mediator</li> </ul>	

**PROGRAM REGISTRATION IS ONLINE [www.oba.org/pd](http://www.oba.org/pd)**

Questions? [pd@oba.org](mailto:pd@oba.org)