

15th Annual Class Actions Colloquium

Class Actions



In Person



Webcast

Date: Friday, December 1, 2023 | 9:00 am – 5:00 pm
Reception to follow

Location: OBA Conference Centre
20 Toronto Street, 2nd Floor, Toronto

Co-Chairs: **Golnaz Nayerahmadi**, Rochon Genova LLP
Jonathan Schachter, Waddell Phillips PC



This program contains:

Professionalism Hours: 30 minutes

EDI: 15 minutes

Substantive Hours: This program is eligible for up to 6 hours and 45 minutes

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

The Annual Class Actions Colloquium is back for its 15th year! Join our outstanding faculty of speakers from the bench and bar as they provide critical insights on emerging issues. This year's program will highlight important developments in competition law, Charter class actions, and multi-jurisdictional cases. Hear perspectives from judges in our popular "Views from the Bench" panel and receive practical tips to help you confidently navigate the issues arising in your practice.

Whether you represent plaintiffs or defendants, you won't want to miss this unique opportunity to benefit from the knowledge of our experienced faculty.

Register now to secure your spot.

8:30 am Registration and Coffee

8:30 am OBA Peer Support Meeting: Diversity Dialogue

As part of the OBA's Peer Support Network, peer meetings are a place for members to candidly and confidentially share lived experiences, and offer each other understanding in a safe, judgment-free space, while building camaraderie, breaking stigmas and sharing solutions. Join your colleagues to lean on each other, listen to each other and learn from each other. For more information on the Peer Support Network, please visit oba.org/oba-peer-support

9:00 am Welcome and Opening Remarks

9:05 am Special Considerations for Vulnerable Classes

Moderator: Andrew Eckart, Class Action Clinic, University of Windsor

The Honourable Jasmine T. Akbarali, Ontario Superior Court of Justice

Annelis Thorsen-Cavers, Rochon Genova LLP

Elizabeth Bowker, Stieber Berlach LLP

Alexandra Clark, Ontario Ministry of the Attorney General, Crown Law Office – Civil

In many class actions, the key barrier to justice is social or psychological. Gather insights into the special considerations required for actions involving vulnerable classes.

9:55 am Update from the Ontario Class Action Bench-Bar Liaison Committee

Linda Visser, Siskinds LLP

Hear updates on recent projects undertaken by the Ontario Class Action Bench-Bar Liaison Committee, as well as future plans.

10:05 am Health Break

10:20 am The Latest Multi-Jurisdictional Issues

Moderator: Mohsen Seddigh, Sotos LLP

Joan Young, McMillan LLP

Jonathan Foreman, Foreman & Company

Sylvie Rodrigue, Torys LLP

Canadian class actions are increasingly required to grapple with multi-jurisdictional issues. Gain insights into the latest trends, with specific focus on Ontario, Quebec, and B.C..

11:10 am New Frontiers in Competition Law

Moderator: Garth Myers, Kalloghlian Myers LLP

Caitlin Sainsbury, Borden Ladner Gervais LLP

David Wingfield, Strosberg Sasso Sutts LLP

Paul Klippenstein, Competition Bureau Legal Services

Class actions are at the forefront of the development of competition jurisprudence. Learn the recent trends in this evolving area in relation to:

- What constitutes conduct contrary to *Competition Act* s. 45;
- Arbitration clauses and the *Competition Act*;
- Recent amendments and new rights of action; and
- Relationship between public and private enforcement.

12:00 pm Lunch

12:30 pm Keynote Address by the Honourable Thomas Albert

Cromwell, Borden Ladner Gervais LLP

Moderator: Golnaz Nayerahmadi, Rochon Genova LLP

Moderator: Jonathan Schachter, Waddell Phillips PC

1:00 pm Public law, private remedy? Litigating Charter Class Actions

Moderator: Geetha Philipupillai, Goldblatt Partners LLP

The Honourable Lorne Sossin, Court of Appeal for Ontario

James Sayce, Koskie Minsky LLP

Victoria Yankou, Ontario Ministry of the Attorney General – Crown Law Office Civil

Charter class actions can play a critical role in remedying systemic harms. Join us to learn about recent appellate developments, litigation strategy and effective advocacy in Charter class actions.

PROGRAM REGISTRATION IS ONLINE www.oba.org/pd

Questions? pd@oba.org

1:50 pm **Environmental, Social, and Governance (ESG)**

Moderator: Sarah Whitmore, Torys LLP

Michael Rosenberg, McCarthy Tétrault LLP

Markus Kremer, Borden Ladner Gervais LLP

Sabrina Lombardi, McKenzie Lake Lawyers LLP

Emily Christiansen, Kessler Topaz Meltzer Check LLP

Suzanne Chiodo, Osgoode Hall Law School

Gain insights into the unique issues facing plaintiffs and defendants in proposed class actions relating to ESG issues. Explore the litigation landscape in Canada. Consider lessons learned, and trends that may be coming, based on litigation in the United States.

2:40 pm **Health Break**

2:55 pm **Procedural Panacea or Procedural Misery?**

Moderator: Mirilyn R. Sharp, Sharp Legal

Katherine Kay, Stikeman Elliott LLP

Michael Eizenga, Bennett Jones LLP

Kirk Baert, Koskie Minsky LLP

Hear from our engaging panelists on whether class actions have met their goal of providing access to justice or have become a procedural misery. Learn where we are now and where we are going.

3:50 pm **Views from the Bench**

Moderator: Golnaz Nayerahmadi, Rochon Genova LLP

Moderator: Jonathan Schachter, Waddell Phillips PC

The Honourable Benjamin Zarnett, Court of Appeal for Ontario

The Honourable Ann Marie McDonald, Federal Court

The Honourable Edward M. Morgan, Ontario Superior Court of Justice

The Honourable Ward K. Branch, British Columbia Supreme Court

Benefit from a discussion with the Bench about a broad range of issues regarding class action proceedings from coast to coast.

4:50 pm **Closing Remarks**

5:00 pm **Program Concludes**

5:30pm **Award of Excellence in Class Actions Reception with evening keynote speech by the Honourable Justice Mahmud Jamal**
(optional add on)

Join us at The Gord Downie & Chanie Wenjack Fund Legacy Space at Deloitte's Yonge/Adelaide office for canapes and cocktails as we present the 2023 OBA Award of Excellence in Class Actions. You won't want to miss hearing from our distinguished guest speaker, **The Honourable Justice Mahmud Jamal** of the Supreme Court of Canada.

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