

## Litigating Complicated Medical Negligence Claims

### Health Law



In-Person



Webcast

**Date:** Thursday, May 30, 2019 | 9:00 am to 12:00 pm

**Location:** OBA Conference Centre  
20 Toronto Street, 2<sup>nd</sup> Floor, Toronto

**Agenda:** 8:30 am Registration & Breakfast  
9:00 am Program Commences  
12:00pm Program Concludes



**Professionalism Hours:** This program contains 30m.  
**Substantive Hours:** This program is eligible for up to 2h 30m  
*The OBA has been approved as an Accredited Provider of Professionalism Content by The Law Society of Ontario.*

Birth trauma cases can be tricky files for many reasons, not only because the emotions of clients are wrapped up in the files themselves. Join us for a unique program that illustrates how to tackle a file of this sort from the beginning to the examination stage. Our highly experienced faculty will explain the best practices involved in each step of the file, from the first client meeting to the pre-action investigation stage, to dealing with experts and discovery preparation as well as the conduct of the examination itself.

Don't miss out on this very valuable and comprehensive program.

**Program Chairs:** **Barbara Legate**, Legate Personal Injury Lawyers  
**Richard Halpern**, Thomson Rogers

8:30 am	Registration and Coffee	
9:00 am	Welcome and Opening Remarks	
9:05 am	<b>The First Client Meeting</b> <b>Barbara Legate</b> , Legate Personal Injury Lawyers <b>Donald Dow</b> , Gowling WLG	<ul style="list-style-type: none"> <li>• What you need to know and materials to gather</li> <li>• Preliminary assessment of the merits</li> <li>• How to uncover the full story</li> <li>• Considering limitation periods</li> </ul>
9:35 am	<b>Pre-Action Investigation</b> <b>Richard Halpern</b> , Thomson Rogers <b>Frank McLaughlin</b> , McCarthy Tétrault LLP	<ul style="list-style-type: none"> <li>• Assessing the records</li> <li>• Identifying the issues</li> <li>• How to time the liability workup</li> <li>• Making sure to retain the right experts</li> <li>• Determining when to sue and how to respond to the suit</li> </ul>
10:05 am	Networking Break	
10:20 am	<b>Dealing with Experts</b> <b>Tom Connolly</b> , Connolly Obagi LLP <b>Dena Varah</b> , Lenczner Slaght Royce Smith Griffin LLP	<ul style="list-style-type: none"> <li>• Standard of care and causation</li> <li>• Advocacy and the expert</li> <li>• Strategic planning and complying with ethical rules</li> <li>• Draft reports</li> <li>• Bullet-proof expert opinions</li> </ul>
10:50 am	<b>Discovery Preparation</b> <b>Andrea Plumb</b> , Lerner LLP <b>Richard Shekter</b> , Shekter Dychtenberg LLP	<ul style="list-style-type: none"> <li>• Summaries to assist with the content</li> <li>• Best practices for a smoothly run discovery</li> <li>• Researching the science</li> <li>• Client preparation for liability and damages</li> <li>• Damages workup</li> </ul>
11:20 am	<b>Conduct of the Examination</b> <b>David Williams</b> , Harrison Pensa LLP <b>Anna Marrison</b> , Borden Ladner Gervais LLP	<ul style="list-style-type: none"> <li>• Identification of objectives</li> <li>• Examining the professional defendant and the lay witness</li> <li>• Admissions, rules and science</li> <li>• How to ensure a thorough and focused examination</li> </ul>
11:55 am	Questions and Answers	
12:00 pm	Program Concludes	

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