

Pleadings Perfected

Civil Litigation



In-Person



Webcast

Date: Thursday, September 13, 2018 | 9:00 am to 12:00 pm

Location: Twenty Toronto Street Conferences and Events
20 Toronto Street, 2nd Floor, Toronto

Program Chairs **Claudia Cappuccitti**, Dyer Brown LLP
Andrew Ottaway, Gilbertson Davis LLP



This program contains .5 Professionalism Hour
This program is eligible for up to 2.5 Substantive Hours
The OBA has been approved as an Accredited Provider of Professionalism Content by The Law Society of Ontario.

Well crafted pleadings are essential to the success of your case. They define the issues for the court and create a roadmap for the conduct of the action. Not only do clear and concise pleadings outline your theory of the case, but they set out the relief sought and make it easier for the other side to respond in a clear and concise manner, ultimately ensuring a less costly path to resolution. Properly prepared pleadings will enable focused advocacy at every stage of your case, from productions, to discovery, to each interlocutory step, and of course at trial. Get expert tips and practical advice from experienced litigators and the Bench on how to craft and amend pleadings, as well as how to tackle pleading motions, foreign law and complex causes of action.

Don't miss out on this valuable opportunity to raise the caliber of your drafting skills.

8:30 am Registration and Coffee

9:00 am Welcome and Opening Remarks

9:05 am **Pleadings 101**

Kiran Patel, Blake, Cassels & Graydon LLP

- Distinguishing between material facts and evidence
- How to plead necessary elements of a cause of action
- Pleading defences, including affirmative defences, set-off, etc.
- When to plead in reply

9:30 am **Pleading Complex Causes of Action**

Bonnie Roberts, Groia & Company

- Examine how to plead fraud, misrepresentation, breach of trust, malice, conspiracy, oppression and defamation
- How to manage risks to the client associated with pleading fraud and other intentional torts

9:55 am **Pleading Foreign Law**

Lara Jackson, Cassels Brock & Blackwell LLP

- When do you plead foreign law
- How to plead foreign law
- Learn how to manage client expectations and costs

10:20 am Networking Break

10:35 am **Pleading Motions**

Daniel Schwartz, Lax O'Sullivan Lisus Gottlieb LLP

- Particulars
 - When to demand
 - How to respond
 - Motions for particulars
- What evidence is needed (e.g. whether an affidavit is required)
- Striking pleadings
 - How to bring motions to strike pleadings
 - When should you bring these

11:00 am **Amending Pleadings**

Grant Worden, Torsys LLP

- When should you amend pleadings
- How to go about this in the proper manner

11:25 am **View from the Bench**

Master P. Tamara Sugunasiri, Superior Court of Justice

- What constitutes proper pleadings
- Best practices
- Balancing professionalism and zealous advocacy in written materials

12:00 pm Program Concludes

PROGRAM REGISTRATION IS ONLINE www.oba.org/pd

Questions? pd@oba.org