

The Fundamentals of Class Actions Law

Class Actions



Webcast

Date: Thursday, November 26, 2020 | 9:00 am to 12:45 pm

Location: Webinar Only

Agenda: 9:00 am Program Commences
12:45pm Program Concludes



This program contains:
0hr 30m of Professionalism Content
3hr 15m of Substantive Content

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Whether in novel areas related to the pandemic or in more traditional areas such as product liability, securities and public law, the use of the class actions mechanism continues to expand. More frequently, practitioners who have not practiced class actions are being asked by their clients to consider the prosecution or defence of a class action, or are wishing to update their understanding of this specialized area of practice and its own unique set of procedures and strategies. Join our highly experienced class action faculty who will address the fundamentals of class actions practice and procedure through the outline of the life cycle of a class actions case. From the commencement of a claim, through the certification process, to the ultimate resolution of the action, our speakers from both the plaintiff and defence sides of practice will also emphasize the strategies and ethical issues to be considered at each step of the process.

If you are a senior practitioner wishing to expand your practice, a new lawyer starting out who is keen to practice in this active area, or a lawyer wishing to broaden your understanding of this rapidly developing area of the law, you will benefit significantly from this comprehensive overview of the fundamentals of class actions law.

Program Chair: **Paul Martin**, Fasken Martineau DuMoulin LLP

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| 9:00 am | Welcome and Opening Remarks | <ul style="list-style-type: none"> Part 2 - Identifiable Class Part 3 – Common Issues National classes Ethical considerations that arise in assessing causes of action vs. a strategic certification position |
| 9:05 am | Class Proceedings in Canada - The Legislative Regime Professor Suzanne Chiodo , Western Law Valérie Lord , Howie, Sacks & Henry LLP <ul style="list-style-type: none"> History and objectives of class proceedings legislation Overview of provincial and federal legislation (including recent changes to the Ontario CPA) Alternatives to class proceedings | 11:30 am |
| 9:50 am | Overview of Class Proceedings Anthony O'Brien , Siskinds LLP Remissa Hirji , Law Foundation of Ontario <ul style="list-style-type: none"> Overview of the class actions landscape in Canada Commencing a class action and issues in the pre-certification life of a class action, including funding and carriage Ethical considerations that arise from the relationship between class counsel, the representative plaintiff and class members, as well as those that arise from negotiating funding arrangements | Certification II – Parts 4-5 of the Certification Test Jeremy Devereux , Norton Rose Fulbright Canada LLP <ul style="list-style-type: none"> Part 4 - Preferable procedure (pre and post- October 1, 2020 actions) Part 5: <ul style="list-style-type: none"> Representative plaintiff Litigation plan Class counsel conflicts and ethical issues that may arise Evidentiary issues Appeals |
| 10:35 am | Health Break | 12:15 pm |
| 10:45 am | Certification I – Parts 1-3 of the Certification Test Valérie Lord , Howie, Sacks & Henry LLP Tina Yang , Waddell Phillips Professional Corporation <ul style="list-style-type: none"> Part 1 - Cause of Action | Settlement, Costs and Fees Garth Myers , Kalloghlian Myers LLP <ul style="list-style-type: none"> Settlement negotiations Notice and administration The approval hearing Class counsel fees and honoraria Key ethical issues at settlement and fee approval |
| | | 12:45 pm |
| | | Program concludes |

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Questions? pd@oba.org