

Litigating an Employment File

Labour and Employment Law Section



In Person



Webcast

Date: Wednesday, September 18, 2024

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

Agenda: 8:30 am Registration
9:00 am Program Begins
4:30 pm Program Ends

Co-Chairs: **Nancy Shapiro**, Koskie Minsky LLP
Priya Sarin, Sherrard Kuzz LLP



This program contains:
1h 00m of **Professionalism content**
5h 30m of **Substantive content**

This full day program will review the latest developments in litigating an employment law file. Our expert faculty will walk you through both the foundational law and emerging issues you need to be aware of. This year, we take it one step further with a focus on litigation strategy, providing you with the necessary skills and best practices you need to successfully represent your clients at every stage in the litigation process. Our stellar panel of experienced employment lawyers and our keynote speaker from the bench will share valuable insights to help you understand the tactical and strategic considerations that go into proceeding by way of summary judgment motion or a simplified trial. Whether you are a new call or a seasoned veteran, you don't want to miss out on this opportunity to gain valuable knowledge and improve your skills

9:00 am	Welcome and Opening Remarks	
9:05 am	Keynote Address Frank Cesario , Hicks Morley LLP	<ul style="list-style-type: none">How to get what you need at discovery to be prepared for mediation or settlement, or win at trial.
9:35 am	Providing the Initial Opinion Stephanie Young , Borden Ladner Gervais LLP Gillian Round , Fasken Martineau DuMoulin LLP Alex Treiber , Treiber Law <ul style="list-style-type: none">Notice, contract enforceability, and termination clausesRestrictive CovenantsExceptional circumstances and providing opinions on the "one-sided tale" - termination facts, human rights concerns, investigations/complaints, as well as possible reprisalsPotential Pitfalls: EI, Mitigation, record preservation	1:30 pm Mediations Hena Singh , Singh Lamarche LLP Rishi Bandhu , Bandhu Arbitration and Mediation Alia Besharat , Ogletree Deakins LLP <ul style="list-style-type: none">Determining when to mediateSelecting your mediatorDiscussing disclosureStrategyDocumenting the settlement
10:20 am	Networking Break	2:15 pm Networking Break
10:35 am	Pre-Litigation Professionalism Jennifer Zdriluk , Ross McBride LLP Ellen Low , Low & Co Employment Law Devin Jarcaig , Mathers McHenry & Co <ul style="list-style-type: none">Negotiation – strategies, objectives, communication dos and don'tsRetainers and contingency retainersClient management in employment litigation	2:30 pm Motions Maureen Quinlan , Mathews Dinsdale LLP Mark Fletcher , Grosman Gale Fletcher Hopkins LLP Danesh Rana , Kelly Santini LLP <ul style="list-style-type: none">What is the process for getting motion dates?Variances in different regions and the impactSummary judgement? When, why, current lawUndertaking motions, motions to strike, and more
11:25 am	Pleadings and Initial Steps Allyson Lee , Sherrard Kuzz LLP Jonquille Pak , JPAK Employment Lawyers <ul style="list-style-type: none">Boilerplate pleadings vs bespoke?Tips for drafting employment law pleadings, including heads of damages and allegations known to be absentPleadings motions: strategy and approach	3:15 pm Trials Ryan Watkins , Whitten Lublin LLP Farhad Shekib , Pinto Shekib LLP Alex van Kralingen , Israel Foulon Wong LLP <ul style="list-style-type: none">How to efficiently run the small caseEssential trial preparation strategySimplified procedure – how is it different?Use of technologyTips for conducting your trial
12:00 pm	Lunch	4:15 pm Questions and Concluding Remarks
1:00 pm	Discovery Irfan Kara , Torys LLP Danny Kastner , Kastner Ko LLP <ul style="list-style-type: none">Discovery plansObtaining the documents, preservation and technology useHow to prepare for and conduct the examinationHow to prepare for and attend the examination of your own client	4:30 pm Program Concludes

PROGRAM REGISTRATION IS ONLINE www.oba.org/pd
Questions? pd@oba.org