

Litigating an Employment File

Labour and Employment Law Section



In person



Live Online

Date: Tuesday, September 15, 2026 | 9:00 am to 4:30 pm
Location: OBA Conference Centre 20 Toronto Street, 2nd Floor, Toronto & Live Online
Agenda: 8:30 am Registration
 9:00 am Program Commences
 4:30 pm Program Concludes



This program contains:
1h 0m of Professionalism content
5h 30m of Substantive content

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

Stay ahead on the latest developments in litigating an employment law file by attending this essential full day program. Our expert faculty will walk you through both the foundational law and emerging issues you need to be aware of. This year, we are taking 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 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.

Program Chairs: **Alia S. Besharat**, Littler LLP
Dan Palayew, Borden Ladner Gervais LLP

9:00 am	Welcome and Opening Remarks				
9:05 am	Keynote Address				<ul style="list-style-type: none"> How to approach your own client's examination Getting what you need at discovery to be prepared for mediation or settlement, or to win at trial
9:35 am	The Initial Opinion Cenobar Parker , Parker Law Danielle Rawlinson , BLG		1:30 pm	Mediation Mitchell Rose , Rose Dispute Resolution	<ul style="list-style-type: none"> Determining when to mediate Selecting the right mediator Dealing with disclosure Effective mediation strategy Documenting the settlement Tax treatment of settlements and damages
	<ul style="list-style-type: none"> Notice, contract enforceability, and termination clauses Restrictive covenants Exceptional circumstances and providing opinions on the "one-sided tale": termination facts, human rights concerns, investigations/complaints, and possible reprisals Potential pitfalls: EI, mitigation, record preservation 		2:15 pm	Networking Break	
10:20 am	Networking Break		2:30 pm	Motions	<ul style="list-style-type: none"> Getting a motion date Variations in different regions and the impact Summary judgment? When, why, and the current law Undertaking motions, motions to strike, and more
10:35 am	Pre-litigation Professionalism and Practice Management Emily Cohen-Gallant , Fasken Martineau DuMoulin LLP		3:15 pm	The Trial Mackenzie Irwin , Samfiru Tumarkin LLP Zachary Rosen , Lenczner Slaght	<ul style="list-style-type: none"> How to efficiently run the small case Essential trial preparation strategy Simplified procedure: key differences and opportunities Using technology to prepare for and at trial Strategic advice for conducting your trial
	<ul style="list-style-type: none"> Negotiation strategies, objectives, and communication dos and don'ts Retainers and contingency arrangements Client management in employment litigation 				
11:25 am	Pleadings Oren Barbalat , Littler LLP				
	<ul style="list-style-type: none"> Drafting advice for effective pleadings, including heads of damages, allegations known to be absent, and avoiding boilerplate pitfalls Pleadings motions: strategy and approach 				
12:00 pm	Networking Lunch		4:15 pm	Questions and Closing Remarks	
1:00 pm	Discovery Irfan Kara , Torys LLP		4:30 pm	Program Concludes	
	<ul style="list-style-type: none"> Discovery plans that work Managing documentary discovery, including preservation and technology use Preparing for and conducting an examination 				<i>* Additional speakers to be added</i>

www.oba.org/pd
 Questions? pd@oba.org