



BEST PRACTICES IN MEDICAL MALPRACTICE LITIGATION

Chairs: Gayle Brock, *Brock Medical Malpractice Law PC*
Darryl Cruz, *McCarthy Tétrault LLP*

June 12, 2018

9:00 a.m. to 4:30 p.m.

Total CPD Hours = 6 h 30 m Substantive + 1 h Professionalism 

**Law Society of Ontario
130 Queen St. West
Toronto, ON**

SKU CLE18-00604

Agenda



9:00 a.m. – 9:20 a.m. Welcome and Opening Remarks

Gayle Brock, *Brock Medical Malpractice Law PC*
Darryl Cruz, *McCarthy Tétrault LLP*

9:20 a.m. – 10:00 a.m. Judicial Thoughts about Case Management (40 minutes )

Moderator:

Gayle Brock, *Brock Medical Malpractice Law PC*

Panelists:

The Honourable Mark Edwards, *Superior Court of Justice*
The Honourable Darla Wilson, *Superior Court of Justice*

- 10:00 a.m. – 10:40 a.m.** **Pleadings Should Be Useful and Not Pro Forma**
Risa Kirshblum, *Lenczner Slaght Royce Smith Griffin LLP*
Barbara MacFarlane, *Torkin Manes LLP*
Tara Sweeney, *Soloway Wright LLP*
- 10:40 a.m. – 10:50 a.m.** **Coffee and Networking Break**
- 10:50 a.m. – 11:30 a.m.** **A Discovery is Not a Marathon**

William Black, *McCarthy Tétrault LLP*
Hilik Elmaleh, *Somers Roth & Elmaleh*
Peter Kryworuk, *Lerners LLP*
- 11:30 a.m. – 12:10 p.m.** **Trials Should Not Take Six Weeks or More (10 minutes **

Tom Curry, C.S., *Lenczner Slaght Royce Smith Griffin LLP*
Daphne Jarvis, *Borden Ladner Gervais LLP*
Jerome Morse, C.S., *Morse/Shannon LLP*
- 12:10 p.m. – 1:15 p.m.** **Lunch Panel Discussion (Lunch will be provided)**
Moderator:
Domenic Crolla, *Gowling WLG*

Panelists:

The Honourable Stephen Goudge, Q.C.,
Former Justice of the Court of Appeal for Ontario

The Honourable Coulter Osborne, Q.C.,
Former Associate Chief Justice of Ontario, Court of Appeal for Ontario

The Honourable Darla Wilson, *Superior Court of Justice*

1:15 p.m. – 2:25 p.m.	Experts, “Experts” and Obtaining Legitimate Opinions (10 minutes ) Moderator: Gayle Brock, <i>Brock Medical Malpractice Law PC</i> Panelists: Richard Halpern, <i>Thomson Rogers</i> Cynthia Kuehl, C.S., <i>Lerners LLP</i> Barbara Legate, C.S., <i>Legate & Associates LLP</i> Frank McLaughlin, <i>McCarthy Tétrault LLP</i>
2:25 p.m. – 3:05 p.m.	The Road to Settlement Domenic Crolla, <i>Gowling WLG</i> Wendy Moore Mandel, <i>Thomson Rogers</i> Anne Spafford, <i>Lerners LLP</i>
3:05 p.m. – 3:15 p.m.	Coffee and Networking Break
3:15 p.m. – 3:55 p.m.	The Elephant in Every Room: Causation Kirsten Crain, <i>Borden Ladner Gervais LLP</i> Donald Dow, <i>Gowling WLG</i> Tanya Pagliaroli, <i>TAP Law</i>
3:55 p.m. – 4:25 p.m.	Are Medical Negligence Cases Different? Moderator: Darryl Cruz, <i>McCarthy Tétrault LLP</i> Panelists: The Honourable Lynne Leitch, <i>Superior Court of Justice</i> The Honourable Frank Marrocco, <i>Associate Chief Justice of Ontario, Superior Court of Justice</i>
4:25 p.m. – 4:30 p.m.	Concluding Remarks
4:30 p.m.	Program Ends