



The Law Society of  
Upper Canada

Barreau

du Haut-Canada

**Final Agenda  
December 9, 2011**

## **The 2012 Oatley-McLeish Guide to Motor Vehicle Litigation**

Chaired by: **Roger Oatley**  
*Oatley, Vigmond LLP*

**John McLeish**  
*McLeish Orlando LLP*

**January 11, 2012**  
**9:00 a.m. - 4:00 p.m.**

Donald Lamont Learning Centre  
Law Society of Upper Canada  
Toronto, ON

SKU CLE12-00102



### **Schedule of Events**

9:00 a.m. - 9:10 a.m.

#### **Opening Remarks**

Roger Oatley  
*Oatley, Vigmond LLP*

John McLeish  
*McLeish Orlando LLP*

9:10 a.m. - 9:30 a.m.

#### **Top Ten Ways to Win a Judge's Heart at Trial**

- Courtesy in the courtroom
- Exercising civility among counsel before the court

- Respecting rules of communication with witnesses
- Encouraging respect for the administration of justice
- Providing efficient, meaningful materials to assist judges

The Honourable Mary Anne Sanderson  
*Superior Court of Justice*

9:30 a.m. - 9:45 a.m

**The New Sabs – Current Challenges**

Stephen Firestone  
*Lackman Firestone Law Offices*

9:45 a.m. – 10:10 a.m.

**Emerging Issues with the New Sabs – Both Sides of the Debate**

**Moderator:**

Stephen Firestone  
*Lackman Firestone Law Offices*

**Panelists:**

Dale Orlando  
*McLeish Orlando LLP*

Eric Grossman, C.S.  
*Zarek Taylor Grossman Hanrahan LLP*

10:10 a.m. - 10:30 a.m.

**Coffee and Networking Break**

10:30 a.m. - 10:50 a.m.

**Year in Review: Top Five Accident Benefits Cases**

Eric Grossman, C.S.  
*Zarek Taylor Grossman Hanrahan LLP*

10:50 a.m. - 11:10 a.m.

**Renewing the application for catastrophic impairment after *McLinden***

Adam Little  
*Oatley, Vigmond LLP*

- 11:10 a.m. - 11:40 a.m.      **Leading Edge File Management for Litigators**  
*A review of Prima Fact, Time Matters, ProLaw, Management Systems*
- Roger Oatley  
*Oatley, Vigmond LLP*
- John McLeish  
*McLeish Orlando LLP*
- 11:40 a.m. - 12:10 p.m.      **Update on Collateral Benefits – Impact on Tort and AB’s**
- Fiona Brown  
*Miller Thomson*
- 12:10 a.m. - 12:20 p.m.      **Question and Answer Session**
- 12:20 p.m. - 1:20 p.m.      **Lunch Break**
- 1:20 p.m. - 1:40 p.m.      **Preserving ODSP and CCAC Benefits after Settlement –  
The Answer is not Henson Trusts**
- Nimali Gamage  
*Jan Goddard & Associates*
- 1:40 p.m. - 2:00 p.m.      **Emerging Issues in the Use of Experts**
- The ethics involved in choosing an expert, dealing with draft reports and preparing for trial
- Troy Lehman  
*Oatley, Vigmond LLP*
- 2:00 p.m. - 2:20 p.m.      **Year in Review: The Top Five Personal Injury Negligence Cases**
- Rikin Morzaria  
*McLeish Orlando LLP*

2:20 p.m. - 2:35 p.m.

**Coffee and Networking Break**

2:35 p.m. - 2:55 p.m.

**Update on Causation**

Paul Pape

*Pape Barristers Professional Corporation*

Shantona Chaudhury

*Pape Barristers Professional Corporation*

2:55 p.m. - 3:55 p.m.

**Mediation: Practical Strategies for Success**

- Identifying the right settlement for your client when it might conflict with your view of the best settlement
- Balancing the job of painting the best picture of your client's case with the duty of being honest and candid
- Dealing with forceful clients who demand unethical strategies in negotiation
- Choosing the appropriate mediator being mindful of potential conflicts of interest

**Moderator:**

Roger Oatley

*Oatley, Vigmond LLP*

**Panelists:**

Paul Torrie

*Global Resolutions Inc.*

Larry Culver, C.S.

*Evans, Philp LLP*

Frank Gomberg

*Teplitsky Colson LLP*

3:55 p.m. - 4:05 p.m.

**Questions for the Speakers**

4:05 p.m. - 4:10 p.m.

**Closing Remarks**