

YOLA S. VENTRESCA

Defence Class Actions

PARTNER

"Class actions require insightful research and innovative interpretation of the key underlying issues. You have to know going in what is helpful, what is harmful and how you will address what ever surfaces. It's the foundation for success."

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EXECUTIVE SUMMARY

Yola Ventresca is a partner in our Health Law, Workplace Investigations Professional Regulation, Commercial Litigation and Class Actions groups.

Yola is an accomplished litigator and certified workplace investigator with a track record of successful strategic leadership and service to her clients, the legal profession, and to the wider community. She has more than 15 years of litigation experience with an emphasis on labour, employment and human rights, professional liability/negligence, and health law. She is often sought out for her creative and strategic approach to resolving matters successfully and efficiently.

REPRESENTATIVE WORK

Labour, Employment, Human Rights and Workplace Investigations

Yola's comprehensive knowledge of the *Employment Standards Act, 2000*, the *Occupational Health and Safety Act*, the Canada Labour Code, and the Human Rights Code gives her sharp insight into the wide variety of potential complaints and legal issues employers face. Her advice is highly sought after by leaders at major institutions regarding policy drafting and implementation, and significant human resource concerns. She is consistently retained on high crisis and high visibility files, often where media involvement is likely.

As the founder and lead of our Workplace Investigations practice, she uses her specialized expertise to advise clients on a wide variety employment and workplace matters including sexual harassment, hiring and termination decisions, accommodation issues, workplace violence/bullying, employee performance, breach of duty and ethical violations, discrimination and human rights, health and safety issues, wrongful dismissal claims and policy and procedure review.

Having successfully handled numerous professional regulatory and health law files over the years, Yola is well-versed in managing high-stakes, complex and emotionally charged disputes and situations. She understands the need for a delicate, yet also deft touch and uses her keen judgment and empathy to cut through personal and subjective obstacles to complete investigations and reach objective conclusions.

Professional Regulation and Health Law

Yola has a specific expertise in advising regulated health professionals. Yola holds a Master's degree in Health Law from the University of Toronto. With a diverse portfolio of experience, she represents physicians, dentists, pharmacists, registered massage therapists, and other medical professionals on matters involving their respective licensing bodies (for example, the College of Physicians and Surgeons of Ontario (CPSO), the CPSO Discipline Committee, and the Royal College of Dental Surgeons of Ontario), the Information and Privacy Commissioner of Ontario, and the Human Rights Tribunal of Ontario, to name a few.

These matters include medical negligence, discipline, privacy, regulated health investigations, patient complaints regarding standard of care, billings issues, prescribing concerns, licensing issues and Quality Assurance Reviews.

Class Actions

Yola's expertise in this area includes both plaintiff and defence class actions, and was an indispensable member of the team of lawyers prosecuting *Anderson v St Jude Medical Inc.* the first medical device/product liability class action in Canada to proceed to trial.

She has seen class actions through from certification to trial, providing her with exposure to all stages of proceedings, and all facets of this incredibly complex area of law, and knows that class actions require insightful research and innovative interpretation of the key underlying issues. Yola recognizes the complexities and intricacies involved in prosecuting and defending these types of cases, and the importance of access to justice these types of proceedings

COMMUNITY AND ADVOCACY WORK

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Yola is an example of achieving balance through dedication and a commitment to sustaining a successful practice while always demonstrating civility, collegiality, generosity and authenticity.

Beyond her legal practice, she continually demonstrates an unwavering commitment to improving the lives of others through her significant contributions to the advancement of the legal community, especially as it relates to issues of equity, diversity and inclusion, as well as mentorship and education. Yola is also deeply engaged with the larger London community, and is dedicated to a variety of impactful charities, causes and organizations, including:

- ◆ Member, Dean's Advisory Council, Western Law (2022)
- ◆ Executive Member & Secretary, Board of Governors, Huron University College (2020 – present)
- ◆ Chair and Founding Member, 10+ Committee, The Advocates' Society (2016-2021)
- ◆ Chair & Committee Member, Handbags for Hospice, in support of St. Joseph's Hospice (2016-2020)
- ◆ Lead, Lerner's LLP Charitable Holiday Drive in support of Shoebox for Shelters (2016-2019)
- ◆ Supervising Lawyer and Mentor, Workplace Learning Program, Kings University College (2016-2017)
- ◆ Director, Board of Directors, McCormick Care Group (2015-2018)
- ◆ Executive Member, Young Advocates' Standing Committee of The Advocates' Society (2009-2014)
- ◆ Mentor, The Advocates' Society Mentoring Dinner Series (2019-2020)
- ◆ Chair & Founder The Advocates' Society Mentoring Dinner (London) (2010-2014)

AWARDS AND RECOGNITION

- ◆ *North London Honour Roll* – awarded by London North MP for Yola's pioneering efforts to retain & mentor women in law (2020)
- ◆ Selected by peers for inclusion in *Best Lawyers in Canada* in the areas of Health Care Law, Corporate and Commercial Litigation, Medical Negligence, and Professional Malpractice Law
- ◆ Selected by peers for inclusion in the *Canadian Legal Expert Directory* in the areas of Professional Liability, and Litigation – Corporate Commercial (2019 - 2022)
- ◆ Recipient, Lexpert Rising Star Award honouring Canada's Leading Lawyers Under 40 (2017)
- ◆ Recipient, Top 20 Under 40 Award, Business London Magazine (2016): Awarded for professional excellence and contribution to the community

SELECTED PRESENTATIONS/PUBLICATIONS

Yola is a sought-after speaker and contributor to numerous programs and publications, legal industry and more widely:

- ◆ Co-chair and Founder, Annual Lerner's Women's Symposium (2017- present)
- ◆ Creator & Author of Quarterly Column for Advocacy Matters on Issues facing Women in the Practice of Law
- ◆ Frequent author on the gender pay gap as well as the disproportionate effect of the pandemic on women & marginalized groups
- ◆ Regional Chair, The Advocates' Society Courthouse Series (2021-2022)
- ◆ Panelist, Women in Law Summit (Canadian Lawyer) (Fall 2021)
- ◆ Co-Author, "Limitations Act Chapters, 2. Incapable Persons/Appointment of Litigation Guardian, Sections 6 - 9" and "Limitations Act Chapters, 3. Attempted Resolutions, Successors, Acknowledgments, and Notices of Possible Claim, Sections 11 - 14", Civil Practice and Procedure in Ontario, edited by Professor Noel Semple, University of Windsor (September 2021)
- ◆ Mentor, Middlesex Law Association Mentoring Dinner, "The Road to the Judiciary" (June 2021)
- ◆ Skills Instructor, The Advocates' Society Skills Workshop in Administrative Tribunal Advocacy (April 2021)
- ◆ Participant - The Law Society of Ontario Treasurer's Roundtable on Women in the Law, (April 2021)
- ◆ Moderator and Panelist: Black Future Lawyers Western - "Let's Talk About Law School", Western University, (March 2021)
- ◆ Speaker, OBA Young Lawyers Division: "You Can Be Diversity & Inclusion Change makers" (March 2021)
- ◆ Panelist, "Sharing responsibility, Addressing COVID's disproportionate impact on women in the legal profession", Women in Law Summit (Canadian Lawyer): Promoting Diversity, Driving Change - A New Legal Landscape, (February 2021)
- ◆ Contributor to the Globe & Mail's #PowerGap series - studying pay equity in legal practice, (February 2021)
- ◆ Faculty, Canadian Medical Protective Association Regional Symposium (2020)
- ◆ Speaker, Huron University Career Development Day, "A Career in Law" (2019-2020)
- ◆ "Reinventing Health Law : The Elusive Search for the Centre", Advocates' Quarterly (2019)
- ◆ "Beyond the Shadows of the Past : Eve and Medical Sterilization Reconsidered", Advocates' Quarterly (2019)
- ◆ Founder & Inaugural Co-Chair, The Advocates' Society's Inaugural Women's Breakfast in London, Ontario "Breakfast with Tiffany's" (2018) Faculty,

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Western University Residents' Symposium (2018)

- ♦ Co-Chair, The Advocates' Society Courthouse Series (2017-2019)
- ♦ "Punctuating Social Trends: Re-examining Reibl v. Hughes and the Emergence of the Law of Informed Consent in Canadian Law", Advocates Quarterly (2017)
- ♦ "The misapplication of misnomer in Ontario" The Advocates' Journal, Spring 2017 (with Peter Kryworuk)
- ♦ Stretching the Limits of Statutory Interpretation: The implications of *College of Nurses of Ontario v Mark Dumchin* on the jurisdiction of regulated health colleges over former members, Ontario Bar Association, June 24, 2016 (with Sarah Martens and Natalie Carrothers)
- ♦ Revisiting Wrongful Life Claims in Canada – Can There be a Cause of Action? *Bovingdon v. Hergott*, Peter W. Kryworuk and Yola Hamzo Ventresca, 34 Adv Q, p 216, 2008
- ♦ With Patient Rights Come Patient Responsibilities: Contributory Negligence in Medical Negligence Action, Peter Kryworuk, Yola S. Hamzo Ventresca and Scott D. Chambers, 33 Adv Q, p 207, 2007

PROFESSIONAL HISTORY

- ♦ Managing Partner, Lerner LLP London office (2022-present)
- ♦ Partner, Lerner LLP (2013-2021)
- ♦ Adjunct Professor (Civil Procedure), Faculty of Law, Western University (2013-2016)
- ♦ Associate, Lerner LLP (2007-2012)
- ♦ Teaching Assistant, Employment Law, University of Toronto (2006-2007)
- ♦ Articling Student, Lerner LLP (2005-2006)
- ♦ Research Assistant, Faculty of Law, University of Western Ontario (2003-2005)

MEMBERSHIPS

- ♦ The Advocates' Society
- ♦ Middlesex Law Association
- ♦ Women's Law Association of Ontario
- ♦ GROWL - Group of Racialized Ontario Women Litigators

EDUCATION

- ♦ Workplace Investigations Certificate, Human Resources Professionals Association (HRPA) (2019)
- ♦ Master of Laws, Specialization in Health Law and Policy, University of Toronto (2007)
- ♦ Admitted to the Ontario Bar (2006)
- ♦ Bachelor of Laws, The University of Western Ontario (2005)
- ♦ Bachelor of Arts (Political Science and History) (Hons.), Huron University College, The University of Western Ontario (2002)

PERSONAL INTERESTS

- ♦ The advancement of women's rights, hockey, politics, music, spending time with her young daughter and husband, running, and spinning (proud member of @onepeleton)

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