



## Carolyn R. Brandow

### Partner

Health Law, Class Proceedings, Commercial Litigation and  
Appellate Advocacy

### Contact Information

**Direct Phone:** 519.640.6356

**Direct Fax:** 519.932.3356

**E-mail:** [cbrandow@lernalers.ca](mailto:cbrandow@lernalers.ca)

**Website:** [www.lernalers.ca](http://www.lernalers.ca)

**Address:** 85 Dufferin Avenue, P.O. Box 2335, London ON, N6A 4G4

### Areas of Practice

Health Law – Public health law, hospital privileges disputes, regulatory College proceedings, and professional negligence litigation

Commercial Litigation – Contract and business disputes

Class Proceedings – Both plaintiff and defendant class actions

Appellate Advocacy – Both appellant and respondent at Divisional and Court of Appeal

### Noteworthy Cases

*Deemar v. JDEB Vet Management Inc. and JDEB Vet Management Inc.*, 2007 CanLII 17374 (ON S.C.), 2007 CanLII 24670 (ON S.C.) and 2007 ONCA 893 (CanLII) (Ont. C.A.) - An appellate decision after two Superior Court application decisions denying a commercial tenant's request to arbitrate the rent and term of a future period of tenancy where the lease had expired and allowing a writ of possession to be issued to evict the tenant.

*Turkington v. Lai*, 2007 CanLII 48993 (Ont. S.C.J.) - A trial decision dismissing the claims of the plaintiffs who had alleged that the defendant physician was negligent with respect to a laparoscopic procedure which was converted into a laparotomy after which the plaintiff developed a bowel injury and peritonitis.

*Sempecos v. State Farm* [2003] O.J. No. 2886, (2003), 38 C.P.C. (5<sup>th</sup>) 64 (Ont.C.A.); [2002] O.J. No. 4498, (2002), 29 C.P.C. (5<sup>th</sup>) 99 (Ont. Div.Ct) - Appellate decisions flowing from a motion in which the insurer asked to have a separate trial of punitive damage claims in a fire loss claim.

*A&E Radiator v. Dominion* (2003), 68 O.R. (3d) 30, [2003] O.J. No. 4471, (2003) 11 C.C.L.I. (4<sup>th</sup>) (Ont. Div. Ct) - An appellate decision regarding an insured person's request for an appraisal in a fire loss insurance claim.

*Sayles v. Acton* [2005] O.J. No. 2188 and 3669, 2005 CarswellOnt 4012, 2005 CarswellOnt 2189 (Ont.S.C.J.) - A trial regarding alleged farm business losses due to a delayed closing of an Agreement of Purchase and Sale for a farm property.

## **A Selection of Presentations/Publications**

"Simplifying Simplified Procedure", Guest Speaker on Summary Judgment, Ontario Bar Association Conference, May, 2010

"Judicial Review of Tribunal Decisions", published in *The Litigator*, December 2009. Click here to read Carolyn's article.

"Ordering compliance with orders to comply", *Municipal World*, July 2008 Issue, page 29.

"Notice for Frustrated Cross-Examiners" published in *Litigation Tips & Traps: "Southren" Style, The Advocates' Society Brief*, vol. 19, No. 2 (Winter 2008 edition). To read Carolyn's article, click here.

Co-Author of "A Property Value Witness Without Property in the Witness", *Ontario Expropriation Newsletter*, Fall 2007. To read Carolyn's article, click here.

## **Professional Experience**

Partner, Leners LLP (2008 to present)  
Associate lawyer, Leners LLP (2006-2008)  
Associate lawyer, Ledroit Beckett (1999-2006)  
Articling Student, Harrison Elwood (1998-1999)

## **Other Areas of Distinction**

Junior Counsel to the Honourable Mr. Justice R.J. Haines, Review of the Meat Inspection and Regulatory Regimes in Ontario (2004)

## **Achievements**

Civil Procedure Course Prize, The University of Western Ontario, Faculty of Law (1998)  
Semi-Finalist in Borden & Elliot Client Counseling Competition (1997)  
Law School Entrance Scholarship, Newton Rowell Scholarship, in recognition of commitment to community service and academic excellence (1995)

## **Memberships**

Ontario Bar Association  
Canadian Bar Association  
The Advocates Society  
Middlesex Law Association  
Southwest Region Women in the Law Association  
Past Newsletter Editor, London Claims Association

Past District Commissioner, Past Leader, Girl Guides of Canada  
Past Member, Board of Directors, Multiple Sclerosis Society of Canada

## **Education**

Admitted to Ontario Bar (2000)  
Bachelor of Laws, The University of Western Ontario (1998) (Dean's List 1996-1997);  
Bachelor of Arts, Sociology, The University of Western Ontario (1995) (Dean's List  
1992-1995)