



Robert B. Ledgley

Partner

Plaintiff Personal Injury Litigation Practice Group

Contact Information

Direct Phone: 519.640.6351

Direct Fax: 519.932.3351

E-mail: rledgley@lernalers.ca

Website: www.lernalers.ca

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

Areas of Practice

Civil litigation, particularly insurance and personal injury law

Noteworthy Cases

Abraham et al. v. Cann et al. (2003), 68 O.R. (3d) 313 (C.A.). Bob acted on behalf of a married couple. The husband suffered injuries in a motor vehicle accident. His wife suffered from a pre-existing degenerative medical condition and depended on her husband as her primary caregiver. As a result of the injuries, he could no longer provide the same level of care. The Court of Appeal ruled in favour of the wife as a *Family Law Act* claimant finding that medical and rehabilitation benefits provided by the *Statutory Accident Benefits Schedule* were for expenses incurred by the persons directly involved in an accident but that these benefits did not apply where the needs were of someone not involved in the accident. As such, the wife was entitled to maintain a claim in tort for her expenses arising from her care needs.

Clarence v. Kerr (2002), 58 O.R. (3d) 280 (S.C.J.). Arguing on behalf of the Minister of Finance for the Province of Ontario, Bob was successful in his argument that the fact that the Ontario Motor Vehicle Accident Claims Fund had defended this action arising from a fatal motor vehicle accident did not make it liable to satisfy a Judgment and, since there was insurance coverage under policies held by each of the parents of the deceased driver on whom he was a dependant, the Fund was not required to pay the Judgment. The Judgment was to be paid by one of the two insurers. The Court further held that an action against an insurer must be brought within the earlier of two years after the insurer denies coverage or after it refuses to pay on a Judgment obtained against an uninsured motorist.

Professional Experience

Partner, Lerner LLP (2003 to present)
Associate lawyer, Lerner LLP (1996-2003)
Articling student, Lerner LLP (1994-1995)

A Selection of Presentations/Publications

Demonstrator/Presenter, "The Critical Motion: Adding a Key Party After Expiry of the Limitation Period" with Partner, Kevin Ross, Advocates' Society 2010 Windsor Court House Series: Tackling the Tough Case: Limitations, Liability and Experts, February 11, 2010

Panelist, "What's the Damage Really Worth" with Doug Wallace and Mr. Justice Tausenfreund, Middlesex Law Association 3rd Annual Conference, New Developments in Personal Injury Law 2009, December 8, 2009

Chair, Continuing Advocacy and Practice Education Committee, Lerner LLP, 2008 to date

Maximizing Compensation by Effectively Coordinating Multiple Benefits: LTD, CPP, Workers' Compensation and Accident Benefits – Speaker at Canadian Institute Conference, Litigating Disability Insurance Claims – Effective Strategies for Successfully Litigating or Defending Claims, October 27, 2008

Tomorrow's Loss Today – Quantifying Future Pecuniary Losses in Auto Claims – Author and Speaker at Ontario Bar Association Continuing Legal Education conference, *Insurance Law: Prognosis Guarded*, March 29, 2006

Perspectives on Bill 198 – For Personal Injury Lawyers, Ontario Bar Association/Middlesex Law Association, March 9, 2004 – Co-Chair Seminar with Partner Kimberley K. Munro

Bill 198 The Most Important Tort Changes & How They Will Affect Your Practice, Ontario Bar Association, January 9, 2004 – Co-Author with Partner Kevin L. Ross

Guest instructor, Civil Trial Advocacy Course, The University of Windsor Law School, 2003 to 2010

The Oatley-McLeish Guide to Personal Injury Practice in Motor Vehicle Cases, Canada Law Book, 2002 – Contributing Author

Memberships

The Advocates' Society
The Law Society of Upper Canada
The Ontario Bar Association
The Canadian Bar Association
The Middlesex Law Association

Education

Admitted to Ontario Bar (1996)
Bachelor of Laws, The University of Windsor (1994)
Bachelor of Arts (Honours), Queen's University (1991)

Personal Information

Past-president, Board of Directors, Epilepsy Support Centre, a non-profit agency providing counselling and support services for people affected by seizure disorders as well as advocacy and public education.

Recipient of Epilepsy Support Centre 2009 H.O.P.E. Award (Helping Out People with Epilepsy)

Avid hockey, baseball and soccer dad

