

JUSTIN MARTIN

Health Law

PARTNER

Direct Phone: 416.601.4186
Direct Fax: 416.601.4187
Email: jmartin@lerners.ca
Website: www.lerners.ca



EXECUTIVE SUMMARY

Justin Martin is a partner at Lerners LLP, having also articulated at the firm. His practice focuses exclusively on litigation and encompasses the broad areas of health law and insurance defence. He has appeared before the Ontario Superior Court, Small Claims Court, and the Health Professions Appeal and Review Board. He has also acted on matters before the Ontario Divisional Court, the Workplace Safety and Insurance Appeals Tribunal, and the College of Physicians and Surgeons of Ontario's Inquiries, Complaints and Reports Committee.

NOTEWORTHY CASES

- ♦ *Jerry v. The Corporation of the City of Barrie et al.*, 2020 ONSC 629: Acted with senior counsel, Jennifer Hunter, as trial counsel for the successful defendants, the City of Barrie and several city officials. This claim arose out of the plaintiffs' allegations that the defendants had prevented a cellular communications tower from being installed on the plaintiffs' property. The plaintiffs sought damages under the torts of misfeasance in public office and intentional and unlawful interference with economic relations. The defendants were entirely successful at trial with the plaintiffs failing to prove liability, causation or damages.
- ♦ *Tahir v. Mitoff*, 2019 ONSC 7298: Acted with senior counsel, Anne Spafford and Cynthia Kuehl, as trial counsel on behalf of the successful defendant physicians in a medical malpractice claim. The claim was dismissed as the defendants were all found to have met the standard of care.

SELECTED PUBLICATIONS

- ♦ "'Best Foot Forward' Principle Strongly Reaffirmed in Recent Summary Judgment Decision", author of a blog post analyzing a recent failed summary judgment motion (*Flis v. Cedar Fair*, 2020 ONSC 874) concerning occupier's liability (March 18, 2020).
- ♦ "*Municipal Liability under Section 44 of the Municipal Act, 2001: Recent Developments*", co-author with Brian Grant who was a presenter at the Ontario Bar Association's Institute 2019 (February 8, 2019).

PROFESSIONAL HISTORY

- ♦ Partner, Lerners LLP (2024)
- ♦ Associate Lawyer, Lerners LLP (2018-2023)
- ♦ Articling Student, Lerners LLP (2017-2018)
- ♦ Clinical Litigation Practice Caseworker, Queen's Legal Aid (2016-2017)
- ♦ Summer Student, Grosman Gale Fletcher Hopkins LLP (2016)

ACHIEVEMENTS

- ♦ Dean's List, Queen's University Faculty of Law (2014-2015)
- ♦ Dean's Honour List, University of Guelph (2006-2010)

MEMBERSHIPS

- ♦ Law Society of Ontario
- ♦ Ontario Bar Association
- ♦ Canadian Bar Association

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- ◆ Toronto Lawyers Association

EDUCATION

- ◆ Called to the Ontario Bar (2018)
- ◆ Juris Doctor, Queen's University Faculty of Law (2017)
- ◆ Bachelor of Arts (Honours), Criminal Justice & Public Policy, University of Guelph (2010)

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