

# ANNE E. SPAFFORD

*Insurance Defence*

**PARTNER**



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## PROFESSIONAL HISTORY

- ◆ Managing Partner, Lerners LLP Toronto office (2020 to present)
- ◆ Partner, Lerners LLP (2003 to present)
- ◆ Associate lawyer, Lerners LLP (2001-2002)
- ◆ Partner, Litigation Group, Borden & Elliot (now Borden Ladner Gervais) (1990-2000)
- ◆ Associate lawyer, LeBoeuf, Lamb, Leiby & MacRae in Boston (1987-1988)

## REPRESENTATIVE WORK

- ◆ Extensive jury and judge alone trial experience in the defence of negligence claims against municipalities involving road design, road signage, construction and occupier's liability.
- ◆ Experience defending municipal police forces against allegations of defamation and detention as well as racial profiling claims.

## NOTEWORTHY CASES

- ◆ Ferguson v. County of Brant, lengthy trial for a Municipality involving issues of winter road maintenance and road design
- ◆ Aherne v. Chang, 2011 ONSC 2067 (Can LII)
- ◆ Hudson v. Dr. Richard Austin, 2010 ONSC 2789
- ◆ Goodwin v. Olupona, 2010 ONSC 5068 (CanLII)
- ◆ Randall v. Lakeridge Health Oshawa, 2009 CanLII 6840
- ◆ Repic v. Hamilton (City), 2009 CanLII 60673
- ◆ Wellwood v. Ontario Provincial Police, 2009 CanLII 1476, 2010 ONCA 513 (CanLII)
- ◆ Cass v. Lai, 2007 ONCA 507 CanLII (C.A.)
- ◆ Quattrociocchi v. Brant (County), 2007 CanLII 3886
- ◆ Todd v. Fook, 2008 CanLII 52307
- ◆ Henhawk v. Brantford (2006), 79 O.R. (3d) 187
- ◆ Burtch v. Barnes (2006), 80 O.R. (3d) 249 (C.A.)
- ◆ Worthman v. Grant et al (2006), 80 O.R. (3d) 365 (Div. Ct.)
- ◆ Richards v. Catney, [2005] O.J. 1159
- ◆ Oswald v. Kortan, [2004] O.J. No. 3668
- ◆ Cote v. Peddle, [2003] O.J. 1359
- ◆ Housley v. Ontario, [2002] O.J. 4196
- ◆ Newton v. Ontario, [2001] O.J. 3471
- ◆ Rath v. Hamilton Health Sciences Corp, WSIAB decision 321/99
- ◆ Mercurio et al. v. Rizza (1998), 39 O.R. (3d) 728

**LERNERS**  
LAWYERS

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- ◆ *Petty v. Avis Car Inc.* (1993), 13 O.R. (3d) 725
- ◆ *Ferber v. Gore Insurance Co.* (1991), 2 W.D.C.P. (2d) 565
- ◆ *Huddle v. Metro Toronto* (1991), 34 M.V.R. (2d) 9

## ACHIEVEMENTS

- ◆ Recognized in Chambers Canada in the area of Healthcare - Contentious (2021-2022)
- ◆ Lawyer of the Year Professional Malpractice Law Toronto, Best Lawyers in Canada (2021)
- ◆ Benchmark Canada, Litigation Star (2015-2020) - Recognized in the following areas: Health and Insurance (2015-2020); Dispute Resolution (2020)
- ◆ Recognized in Chambers Canada in the area of Healthcare law (2020)
- ◆ Ranked in Canadian Legal Expert Directory: Medical Negligence (represents defendants) (2014-2022)
- ◆ Selected by her peers to be included in Best Lawyers in Canada for Administrative and Public Law, Health Care Law, Insurance Law, Medical Negligence, Professional Malpractice Law
- ◆ Ontario Review Board, Legal Member and Alternate Chair
- ◆ University of Toronto Instructor Trial Advocacy
- ◆ Skills Instructor for The Advocates' Society
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## SELECTED PRESENTATIONS/PUBLICATIONS

- ◆ "Demonstration & Discussion: What Category of Expert is Your Opponent Calling and Why Does it Matter?", The Advocates' Society 18th Annual Spring Symposium Program, April 24, 2019
- ◆ Law and Mental Disorder: A Comprehensive and Practical Approach, Irwin Law 2013, Contributor
- ◆ The Advocates' Society Courthouse Series: Marshalling the Evidence, February 27, 2014.
- ◆ The Advocates' Society, "Opening Statements", demonstration and panel discussion, December 10, 2013
- ◆ Osgoode Professional Programme, "Current and Emerging Issues on Medical Practice", part of the Personal Injury Update, September 27, 2013
- ◆ Osgoode Hall Law School Master's Programme, Trial Advocacy, February 23, 2013
- ◆ The Advocates' Society, "Cross-Examination Strategies", January 30, 2103
- ◆ Osgoode Professional Programme, "Medical Malpractice", January 22, 2013
- ◆ Association of Municipalities of Ontario Annual Meeting 2010, "Joint and Several Liability"
- ◆ Ontario Good Roads Association, "Are the Minimum Maintenance Standards Ultra Vires?"

## MEMBERSHIPS

- ◆ Member, Board of Directors, The Advocates' Society
- ◆ Canadian Bar Association
- ◆ Past Member, Board of Directors, Wychwood Park Ratepayers Association

## EDUCATION

- ◆ B.Sc.(Nursing) Université Laval, (1983)
- ◆ Called to the Massachusetts Bar (1987)
- ◆ LL.B. and B.C.L. McGill University Faculty of Law (1987)
- ◆ Admitted to Ontario Bar (1990)
- ◆ LL.M. conferred, The University of Toronto (2000)

## PERSONAL INFORMATION

- ◆ Anne is bilingual (fluent in French)

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