

JENNIFER L. HUNTER

Privacy and Cyber Litigation

PARTNER



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REPRESENTATIVE WORK

Jennifer Hunter is the Practice Group Leader of the Lerners LLP Insurance Group in Toronto. She has more than 15 years of experience advising individuals, professionals and institutional clients on a wide variety of litigation matters. She is an experienced advocate who has appeared as trial and appellate counsel before all levels of court in Ontario, and many tribunals. She has a broad practice arising from the defence of civil claims, with particular expertise in privacy and cyber litigation, professional liability, and municipal and public entity liability.

Jennifer provides advice to clients in response to privacy breaches and cyber incidents, as well as representation in privacy and cyber-tort claims, including defending and prosecuting 3rd party claims for the recovery of damages arising out of cyber incidents and privacy breaches. She has the specific knowledge and expertise to assist clients when responding to the legal problems that can arise from doing business or engaging socially on the internet.

In particular, Jennifer's many years of experience defending professional liability claims, combined with her cyber and insurance expertise, give her the particular skills necessary to handle complex technology E&O claims.

Jennifer's representation of clients includes:

- ◆ Claims involving the management and response to privacy breaches and cyber incidents.
- ◆ Claims involving allegedly defective technology products or services or failed implementation.
- ◆ Claims involving network outages made by third parties against insureds.
- ◆ Business email compromise or email schemes under commercial crime and other insurance policies.
- ◆ Exposures of professionals, including technology professionals, lawyers, medical professionals, and others.
- ◆ Actions alleging privacy torts, including intrusion upon seclusion, appropriation of name, image or personality, and public disclosure of embarrassing facts.

SELECTED PRESENTATIONS/PUBLICATIONS

- ◆ Co-Author, [Evidentiary Requirements for Data Breach Privacy Class Actions](#), Lexis Nexis Class Action Defence Quarterly (June 2022)
- ◆ Panel member, How to Ensure that Your Insurance is Adequate & Responds, Osgoode Professional Development Program - Data Breaches & Cybersecurity Incidents: The Legal Guide to Preparedness and Response, November 20, 2020
- ◆ Speaker, Legal Liability Risks Arising from the Use of Digital Technology, SPIAO, December 2019
- ◆ Speaker, Cyber Liability for Municipalities, Durham Region Municipal Insurance Pool, November 2019
- ◆ Speaker, Smart Cities: The changing liability landscape, Insurance Bureau of Canada, Commercial Insurance Symposium, November 2019
- ◆ Speaker, Regional Seminar re: municipal risk management, Frank Cowan Company, October 2019
- ◆ Moderator, "Public Services Cyber Security and Resilience - Protecting and Insuring Against Cyber Attacks", 25th Annual Provincial/Municipal Government Liability Conference, The Canadian Institute, April 2, 2019

ACHIEVEMENTS

- ◆ Recognized and recommended by Lexpert as a leading lawyer in the area of Medical Negligence (2022)
- ◆ Recognized in the 2021 edition of the *Canadian Legal Lexpert Directory* as "One to Watch" in Litigation - Commercial Insurance
- ◆ Recipient, Lexpert Rising Stars: Leading Lawyers Under 40 Award (2020)
- ◆ Selected by peers for inclusion in Best Lawyers in Canada for Health Care Law, Insurance Law, Medical Negligence, and Professional Malpractice Law

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LAWYERS

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PROFESSIONAL HISTORY

- ◆ Partner, Lerner LLP (2013 to present)
- ◆ Associate lawyer, Lerner LLP (2010-2012)
- ◆ Associate lawyer, Miller Thomson LLP (2006-2009)
- ◆ Articling student, Miller Thomson LLP (2005-2006)

MEMBERSHIPS

- ◆ Ontario Bar Association
- ◆ The Advocates' Society
- ◆ Medico-Legal Society

EDUCATION

- ◆ Admitted to the Ontario Bar (2006)
- ◆ Juris Doctorate, University of Toronto (2005)
- ◆ Bachelor of Arts (Hons.) University of Winnipeg (2002)