OSLER

SERVICE

Class Action Defence

Our team has an excellent track record in opposing and defeating class certification and winning early dismissals in every major jurisdiction in Canada.

Related Expertise

- Competition Disputes
- Corporate and Securities Disputes
- Privacy and Data Security Disputes
- Product Liability

Osler's Class Actions Defence Practice Group has successfully defended clients in many of the leading and complex class action cases in Canada. We specialize in developing multi-faceted national class action defence strategies and, when necessary, coordinating with U.S. counsel to supplement and execute a cohesive, solution-focused North American defence strategy.

We have an excellent track record in opposing and defeating class certification and winning early dismissals in every major jurisdiction in Canada. This practice includes mandates across a wide range of areas including product liability, consumer protection (Québec's *Consumer Protection Act*), privacy, securities, environmental, false or misleading advertising, pensions and benefits, employment and franchise.

Canadian Class Action Defence Blog

We provide timely, reliable information about defending national and international class actions involving Canadian courts.

Visit Blog

Our class action team is experienced in guiding clients through the most complex business-critical challenges. We offer:

- **Risk mitigation** – We work proactively with clients to develop risk management strategies to avoid claims whenever possible and to be "litigation ready" when claims are commenced. Osler will rapidly mobilize the right team to assist in minimizing the impact of a class action through immediate management of processes and documents, aggressive early assessment and planning, probable risk assessment, budget controls and crisis communications.
- **National co-ordinating trial counsel** – Our lawyers serve in the role of national counsel across Canada and are able to respond to cases simultaneously across the country, including in Québec, where civil rules apply. We have ongoing experience in leading and co-ordinating multijurisdictional, U.S. and international cases.
- **Unmatched research capabilities** – The research requirements for effective defence of a class action can be complex and detailed. Osler's Research Department provides sophisticated support leading to precedent-setting results.
- **Thought leadership** – Our work has been instrumental in establishing leading principles of class action law, including the right of a defendant to defer the filing of a defence until after certification; the right to conduct examinations of representative plaintiffs in aid of certification; the nature of evidence to be filed on certification; the rules regarding solicitation of class members by plaintiff's solicitors; and the necessity of considering the merits of the claim as part of the certification process.
- **Discovery management** – Our discovery management specialists have extensive experience in delivering customized, cost-effective and efficient discovery solutions in complex multijurisdictional class actions.

Key Contacts

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Awards and Recognition

- **Chambers Canada: Canada's Leading Lawyers for Business:** Recognized in Dispute Resolution: Class Action (Defense)
  - One source says the firm is "great at high-level strategy. I've been impressed with the

way they've been able to advocate seriously but also have a respectful relationship with co-defendants or counsel."

- **The Canadian Legal Lexpert Directory:** Recognized in Class Actions (Toronto, Ontario; Montreal, Quebec)
- **Benchmark Litigation Canada:** Osler lawyers recognized in Class Action