



# Risa M. Kirshblum

RISA M. KIRSHBLUM is a partner at Lenczner Slaght.

Balancing skillful strategy with seasoned counsel, Risa represents both plaintiffs and defendants in a broad range of litigation matters. A significant portion of her practice is focused on professional liability and employment. She has acted as prosecutor, defence counsel and independent legal counsel in the administrative law context.

Risa regularly provides real-time risk management advice to both employers and employees on workplace issues. In the employment area, she has acted extensively in cases of discrimination, harassment and other human rights workplace issues as well as all issues arising from termination of employment. She is also experienced in dealing with the legal aspects of unfair competition and solicitation, theft of corporate opportunities and notice requirements when multiple employees are leaving simultaneously.

Risa frequently presents in continuing legal education programs for organizations such as the Law Society of Upper Canada and The Advocates' Society. She has also presented in continuing education programs for a variety of medical organizations.

## Education

University of Western Ontario (1994)  
LLB  
University of Toronto (1989) BSc  
(Psychology)

## Bar Admissions

Ontario (1996)

## Practice Areas

Appeals  
Commercial Litigation  
Employment  
Professional Liability and Regulation  
Public Law

## Contact

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## RECOGNITION

- Best Lawyers in Canada (2014-2020)  
Health Care Law, Medical Negligence, Professional Liability (2017)
- Best Lawyers in Canada (2018)  
Toronto "Lawyer of the Year" in Medical Negligence
- Best Lawyers in Canada (2020)  
Toronto "Lawyer of the Year" in Health Care Law
- Canadian Legal Lexpert® Directory (2012-2019)  
Medical Negligence (Most Frequently Recommended), Professional Liability (Repeatedly Recommended)
- Chambers Canada (2020)  
Healthcare (Nationwide – Canada)
- Lexpert Guide to the Leading US/Canada Cross-Border Lawyers in Canada (2018-2019)  
Dispute Resolution

## SELECT CASES

- **Dhaliwal v Sims** – Counsel to a physician in a case involving a perforated bowel during a hysterectomy. The case was dismissed on consent without costs after two weeks of trial
- **Hantzakos v Sternadel** – Counsel to the defendant physician in a jury trial regarding the quantum of damages in a medical negligence relating to the management of shoulder...
- **RBC Dominion Securities Inc v Merrill Lynch Canada Inc** – Counsel to RBC on injunction, trial, appeal and at the Supreme Court of Canada in respect of an action against departing investment advisors for a...
- **IMP Group Ltd v Skyservice Business Aviation Inc** – Counsel to a group of employees in a dispute with their former employer in relation to their resignations and subsequent employment with another company...
- **McCarthy v Canadian Red Cross Society** – Counsel to the Trustee of the settlement fund created following the settlement of a class action brought against the Red Cross Society surrounding tainted...
- **Stevens v The Globe and Mail** – Counsel to the appellants in an appeal from a trial decision in which the trial judge refused to deduct statutory severance under the Employment Standards...

## SELECT PUBLICATIONS AND PRESENTATIONS

- **Summer Trial Advocacy College** – Risa Kirshblum will be sharing her litigation expertise at The Advocates' Society's intensive two-day workshop *Summer Trial Advocacy College*. The workshop will test and refine your skills in case analysis, opening statements and closing arguments, examination-in-chief and cross examination.
- **39th Annual Intensive Trial Advocacy Workshop** – Monique Jilesen, Risa Kirshblum, Shara Roy, and Dena Varah taught at Osgoode Professional Development's *39th Annual Intensive Trial Advocacy Workshop* on July 8-14, 2018.
- **Pleadings Should Be Useful and Not Pro Forma** – Risa Kirshblum spoke at the Law Society of Ontario's Best Practices in Medical Malpractice Litigation day on the "Pleadings Should Be Useful and Not Pro Forma " panel.
- **Costs Submissions Advocacy** – Risa Kirshblum spoke at The Advocates' Society's "Cost Submissions Advocacy" program. This program taught how one can maximize cost recovery for clients after a motion or trial.
- **Beyond Contractual Borders: Managing the Recruitment and Departure of Senior Executives and Employees** – Matthew Sammon and Risa Kirshblum spoke at the 2018 National Conference & World Summit. This panel of employment litigators and experienced in-house counsel shared practical tips on topics including non-competition and non-solicitation provisions, confidentiality obligations, employees duties' to former employers and steps to respond to and manage improper departures.

- **Clinical Risk, Negligence & Claims Management in Health Care** – Risa Kirshblum spoke at OsgoodePD's program "Clinical Risk, Negligence & Claims Management in Health Care". The program covered modules such as defence best practices, mitigation strategies, implications for risk management etc.
- **Successful Advocacy in Insurance Mediations** – Risa Kirshblum demonstrated mediation advocacy approaches by video on the panel "Advocacy at the Mediation, Part 2 (After the Opening: Crucial Turning Points and Breaking Impasses)".
- **The Advocates' Society's Health Law Litigation Program** – Risa was a faculty member at the Advocates' Society's Health Law Litigation program. She provided her expertise while speaking on the "Hot Topics in Medical Malpractice Litigation" panel.
- **38th Annual Intensive Trial Advocacy Workshop** – Monique Jilesen, Risa Kirshblum, Jaan Lilles, and Dena Varah taught at Osgoode Professional Development's *38th Annual Intensive Trial Advocacy Workshop* on July 9-15, 2017.
- **Successful Advocacy in Tort and Personal Injury Mediations** – Risa Kirshblum spoke as a panelist on Your Relationship With the Mediator during the two-day program.
- **36th Annual Intensive Trial Advocacy Workshop** – Peter Osborne, Lawrence Thacker, Risa Kirshblum, Monique Jilesen, Eli Lederman, Matthew Sammon, Rebecca Jones, Jaan Lilles and Dena Varah were among the...
- **The Osgoode Certificate in Clinical Risk, Negligence and Claims Management in Health Care** – Risa Kirshblum will be speaking on Clinical Negligence, Liability Claims and Litigation on February 10, 2015.
- **35th Annual Intensive Trial Advocacy Workshop** – Peter Osborne, Lawrence Thacker, Risa Kirshblum, Monique Jilesen, Eli Lederman, Matthew Sammon, Rebecca Jones, Jaan Lilles and Dena Varah were among the...
- **Examining and Cross-examining Expert** – Risa M. Kirshblum acts as a skills instructor at The Advocates' Society's workshop on Examining and Cross-examining Experts.
- **Social Media: Communicating with your Patients** – Risa M. Kirshblum presented at the 10th Annual Refresher in Primary Maternity Care on *Social Media: Communicating with your Patients* held at Victoria College, University of Toronto.

## BLOG POSTS

- **Who's to Blame? Apportioning Liability in Civil Jury Trials** – When one person negligently causes an accident, the law is clear about their responsibility. But when negligence acts on the part of a number of different parties combine to create a single accident, how should responsibility for that accident be apportioned between them? This was recently addressed by the Ontario Court of Appeal in its recent decision in *Parent v Janandee Management Inc.*

- **The Complexities of Summary Judgment under Simplified Procedure** – Rule 76 of the *Rules of Civil Procedure* provides a set of simplified rules for use in smaller and, in theory, less complicated matters. However, exactly how those rules apply in certain contexts is not always apparent. In *Singh v Concept Plastics Limited*, the Ontario Court of Appeal recently addressed the challenges of summary judgment motions in the context of the simplified rules.

## SELECT NEWS ARTICLES

- **Chambers Canada Recognizes Lenczner Slaght as a Top-Tier Litigation Firm** – Canada's leading litigation firm and its expert litigators continue to advance their position in the latest edition of world-renowned directory, Chambers Canada, with nine new rankings.
- **Best Lawyers in Canada Recognizes Lenczner Slaght with 100 Rankings** – In the latest edition of *Best Lawyers in Canada*, 28 Lenczner Slaght lawyers earned a total of 100 rankings, up from 86 in 2019.
- **Lenczner Slaght Litigators Recognized for their Cross-Border Expertise** – Seven Lenczner Slaght lawyers are ranked as leaders by peers and senior members of the legal profession for their cross-border experience.
- **The 2019 Lexpert Directory Recognizes Lenczner Slaght with 89 Rankings** – An increasing number of our expert litigators are recognized by their peers as the foremost practitioners in their fields.
- **Lenczner Slaght Litigators Ranked in Best Lawyers in Canada** – Canada's leading litigation firm is proud to announce that 25 of the firm's 58 lawyers have been recognized in the *Best Lawyers in Canada 2019* publication across multiple categories.
- **Lexpert Highlights Lenczner Slaght's Cross-border Expertise** – Nine partners from Canada's leading litigation firm are ranked as leading the way in cross-border practice excellence.
- **Lexpert Recognizes Lenczner Slaght's Professional Excellence** – An increasing number of the firm's lawyers have been ranked by their peers as leading practitioners in their field.
- **Lenczner Slaght Ranked Among the Best** – Almost half of the leading litigation firm's lawyers are recognized in the *Best Lawyers in Canada*.
- **Lenczner Slaght Shines in 2017 Lexpert Rankings** – Lenczner Slaght's litigators continue to be recognized by their peers as leading practitioners in their fields according to the 2017 Canadian Legal Lexpert Directory.
- **Lenczner Slaght Lawyers Ranked Best** – Nearly half of the firm's lawyers recognized among Canada's foremost practitioners
- **23 Lenczner Slaght Lawyers Ranked in 2016 Lexpert Directory** – This year, the Canadian Legal Lexpert® Directory increased the number of Lenczner Slaght lawyers ranked among the best in Canada to 23, up from 20 in 2015.
- **Lenczner Slaght Lawyers Repeatedly Ranked Among the Best** – Half of the firm's lawyers are ranked as leading practitioners and three named "Lawyer of the Year" in the latest Best Lawyers in Canada Directory.

- **20 Lenczner Slaght Lawyers Recognized in 2015 Lexpert Directory** – Recognized by Canadian Legal Lexpert® Directory as leading practitioners.
- **23 Lenczner Slaght Lawyers Ranked Among the Best** – Nearly half of the firm's 49 lawyers are ranked as leading practitioners and two named "Lawyer of the Year" in the latest Best Lawyers in Canada Directory.
- **Lenczner Slaght Increases Rankings in 2014 Lexpert Directory** – Canada's leading litigation practice continues to add new names to the list.
- **Lenczner Slaght Lawyers Ranked Among the Best** – Canada's leading litigation practice has 22 professionals in the 2014 Best Lawyers in Canada list.
- **Lenczner Slaght Lawyers Win Top Peer Ratings** – Recognized by Canadian Legal Lexpert Directory as leading practitioners.

#### PROFESSIONAL ACTIVITIES

- The Advocates' Society
- Canadian Bar Association
- Ontario Bar Association