

LINDSAY LORIMER

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Lindsay Lorimer practises product liability law and regulation with a focus on class actions, jurisdictional issues and insurance. She assists clients with the coordination and management of complex national litigation, including matters relating to consumer products, medical devices and pharmaceutical products.

Acting for clients in the automotive, manufacturing, life sciences and consumer products sectors, Lindsay frequently advises stakeholders at all levels of the marketing channel on regulatory requirements for various products, risk management issues, and corrective actions including product warnings and recalls.

With an extensive background defending class actions as well as individual and commercial product liability lawsuits, Lindsay has provided counsel in connection with fire and security products, food products, recreational products, construction and industrial machinery, motor vehicles, building materials and juvenile products. Lindsay has been counsel in several national and international class proceedings relating to pharmaceutical products, and has developed a deep understanding of medical-legal issues, and the regulatory regime governing the approval and marketing of pharmaceutical products in Canada.

Consistently recognized for her expertise in numerous directories, Lindsay is listed as a leading lawyer in the *International Who's Who Legal for Product Liability Defence, Chambers Canada* (2021), and as a litigation star in *Benchmark Litigation: Canada* (2020). She also enjoys a Distinguished rating from *Martindale-Hubbell*. Lindsay appears before all levels of court in Ontario, as well as the Financial Services Commission of Ontario and coroner's inquest proceedings.

Email: lindsay.lorimer@mcmillan.ca

Expertise: Automotive, Class Actions, Insurance, Manufacturing, Product Liability & Regulation

Location: Toronto

Phone: 416.865.7197

Position/Title: Partner, Product Liability & Regulation | Class Actions

Community Involvement:

- Corporate Sponsor Committee, Bessborough Home and School
- Sponsorship, Leaside Minor Novice Gold Hockey

Directorships & Affiliations:

- Ontario Bar Association
- Toronto Construction Association
- International Association of Defence Counsel
- The Advocates' Society
- BILD
- Defense Research Institute, Chair of the Juvenile Products Specialized Litigation Group 2017-2018
- Specialized Litigation Group Chair 2019
- Vice Chair of 2020 Product Liability Conference
- Program Chair of the 2021 Product Liability Conference

Publications:

- "[Insurance & Reinsurance 2021: A practical cross-border insight into insurance and reinsurance law, 10th edition](#)," International Comparative Legal Guides, Co-author with Darcy Ammerman, March 2021
- "[Canada: Insurance and Reinsurance 2020](#)," The International Comparative Legal Guides (March 2020)
- "[Canada: Insurance and Reinsurance 2020](#)," The International Comparative Legal Guides (April 2019)
- "[The International Comparative Legal Guide to: Insurance & Reinsurance 2018](#)," Global Legal Group (March 2018)
- "[To Warn or Not to Warn - Obligations, Risks and Considerations in Product Improvements](#)," In-House Defense Quarterly, V.11 number 4 (Fall 2017)
- "[The International Comparative Legal Guide to: Insurance & Reinsurance 2017](#)," Global Legal Group (February 2017)
- "[The International Comparative Legal Guide to: Insurance & Reinsurance 2016](#)," Global Legal Group (February 2016)
- "[Canada Chapter](#)," The International Comparative Legal Guide to: Insurance & Reinsurance 2015, 4th Edition (2015)
- "Coping with the Proposed Rules, Proposed Guidance and Growing Aggressiveness of the CPSC and Health Canada," In-House Quarterly, Defence Research Institute: by Cheryl Possenti, Aaron Aisen and Lindsay Lorimer (Fall 2014)

- "Expert Evidence in Canada," DRI International Bulletin (June 2014)
- "[Counsel Beware: Changes in Expert Evidence](#)," DRI International (May 2014)
- "What's in Store for the Children's Products Industry, Given the Growing Aggressiveness of the CPSC and Health Canada," Paper & Presentation, Defence Research Institute, Biltmore, Arizona (April 2014)
- "Summary of Child Product Liability Law United States and Canada," Contributor, Juvenile Product Manufacturers Association and Defense Research Institute Children's Products Specialized Litigation Group (September 2013)
- "[Limitation periods where 'discoverability' at issue can now be determined at summary judgment](#)," Litigation Bulletin December 2010
- "[Supreme Court finds coverage for construction defect claim](#)," Construction Litigation Bulletin (October 2010)
- "[Chinese Drywall - Construction Products Claims and Coverage Issues](#)," CCH: British Columbia Real Estate Law Developments (August 2010)
- "Generic Causation in Canadian Class Actions," For the Defence (a Defence Research Institute publication), (July 2008)
- "Liability of Consultants and Design Professionals," Co-author for the Canadian Legal Institute, presented at the International Construction Super Conference (2001)

Education & Admissions:

Degree: Called to the Ontario bar

Year: 2000

Degree: LLB

University: Dalhousie University

Year: 1998

Degree: BA, History (Dean's List)

University: Dalhousie University

Year: 1994

Media Mentions:

- "Ontario summary judgment rules", LawTimes, March 11, 2011

Rankings & Recognition:

- Recognized by Chambers Canada (2022) as a leading lawyer in the area of Litigation: Products Liability
- Recognized in the *2021 Benchmark Litigation: Canada Guide* as a Litigation Star
- Recognized in the *2020 Benchmark Litigation: Canada Guide* as a Litigation Star
- Listed in *Who's Who Legal: Canada 2020* as a leader in Product Liability Defence
- Recognized by Chambers Canada (2021) as a leading lawyer in the area of Litigation: Products Liability
- Recognized by Chambers Canada (2020) as a leading lawyer in the area of Litigation: Product Liability
- Named in *Who's Who Legal: Product Liability Defence 2016-19*
- Received a BV® Distinguished™ 4.4 out of 5 Peer Review Ranking from Martindale-Hubbell. Lindsay has been described as "very highly regarded within the products liability bar as a direct result of both her knowledge and her professionalism. Lindsay is known to be one of the hardest working litigators on Bay Street who has established herself as a top tier advocate who is known to be a very effective either at mediation or in the courtroom."
- Second Place, National Mooting Competition, Gale Cup Moot, Toronto, Ontario
- Honours Recipient in Clinical Program, Dalhousie University

Speaking Engagements:

- 2021 ICPHSO Annual Meeting - Navigating International Product Safety Regimes
- February 2021

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- *The Civil Litigator's Survival Guide to Evidence- Commonly-Encountered Evidentiary Conundrums and Their Solutions* Osgoode Professional Development
 - April 2019

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- *Product Liability Primer and Defending Recalled Products* Speaker, Canadian Institute's Forum on Consumer Product Safety, Liability & Recalls

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- *An Iron Fist in a Velvet Glove: Collective Redress in Europe* DRI International Hot Topics
 - June 2018

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- 2018 ICPHSO Annual Meeting - *Yesterday, Today and Tomorrow: How Burgeoning access to Information Has and Will Impact Consumer Expectations for Product Safety*
 - 2018

- Jurisdictional reporting requirements: Canada, United States and European Commission plus an industry perspective discussing a tool for efficient reporting. ICPHSO

- June 2017

- Silent Recall or Product Improvement: Product Liability Conference, Las Vegas, Nevada

- February 2017

- The Civil Litigator's Survival Guide to Evidence Osgoode Professional Development

- April 2016

- Reporting Requirements and the risk Assessment Framework under the CCPSA Panel Presentation, Mid-West Regional Meeting at International Consumer Product Health and Safety Organization

- September 11, 2014

- Built to Last: Toronto Mentoring Dinner Series Mentor, The Advocates Society

- May 2014

- How Safe Is Your Confidential Business Information Under New Product Safety Laws? DRI Product Liability Conference, Las Vegas, Nevada

- April 2012

Representative Matters: Selected Superior and Appellate Cases

- *Durham Condominium Corporation No. 123 v. Watts*, 2019 ONSC 4834 (CanLII)
- *Durham Condominium Corporation No. 123 v. Watts*, 2019 ONSC 4833 (CanLII)
- *Noiles v. MTD Products Inc.*, 2019 ONSC 4642 (CanLII)
- *Noiles v. MTD Products Inc.* 2018 ONSC 5984 (CanLII)
- *Sheridan Chevrolet v. Hitachi et al*, 2018 ONSC 3786 (CanLII)
- *Sheridan Chevrolet v Hitachi et al*, 2017 ONSC 2803 (CanLII)
- *Urlin Rent a Car v Furukawa Electric*, 2016 ONSC 7965 (CanLII)
- *Fontanilla v Thermo Cool Mechanical*, 2016 ONSC 7023 (CanLII)
- *Urlin Rent A Car v Furukawa Electric et al*, 2016 ONSC 5736 (CanLII)
- *Groves v. Sehgal et al*, 2016 ONSC 5053 (CanLII)
- *Groves v Sehgal et al*, 2016 ONSC 3976 (CanLII)

- *Veritas Investment v Indiabulls Real Estate Limited et al.*, 2015 ONSC 6040 (CanLII)
- *Veritas Investment Research Corporation et al. v Indiabulls Real Estate Limited et al.*, 2015 ONSC 6839 (CanLII)
- *Glube v. Pella Corp.*, 2013 Carswell Ont 13746, 2013 ONSC 6164, 233 A.C.W.S. (3d) 16
- *Catunto (Re)*, 2014 CanLII 90424 (ON OCCO)
- *Veritas Investment Research Corporation et al. v Indiabulls Real Estate Limited et al.*, 2015 ONSC 6040 (CanLII)
- *1422791 Ontario Inc v. Dynamic Health Care Solutions*, [2011] ONSC 6209
- *Butler v. Honda Canada Inc.*, [2009] O.J. 2262
- *Butler v. Honda Canada Inc.*, [2009] O.J. 2263
- *Butler v. Honda Canada Inc.*, [2008] O.J. 5390 (Ont. Sup. Ct.)
- *Arie v. Schreiber*, [2008] O.J. 2176
- *1092072 Ontario Inc. (c.o.b. Elfe Juvenile Products) v. GCAN Insurance Co et al.* [2008] O.J. 3943 (Ont. Sup. Ct. J.)
- *Sollen v. Pfizer* (2008), 290 D.L.R. (4th) 603, 55 C.P.C. (6th) 340 (Ont Sup. Ct. J.)
- *EdperBrascan Corp. v. 117373 Canada Ltd.* (2000), 50 O.R. (3d) 425, 9 B.L.R. (3d) 234, 37 R.P.R. (3d) 188 (Sup. Ct. J.)
- *MacDonald (Litigation Guardian of) v. Dufferin- Peel Catholic* (2000), 20 C.P.C. (5th) 345 (Sup. Ct. J.)
- *McGrath v. Lou*, [2000] O.J. No. 4998 (Sup. Ct. J.)
- *Spreadbury v. Milne*, [2007] O.J. No. 2375 (Sup. Ct. J.)
- *Testa v. Greater Toronto Area (GTA) Credit Union* (2001), 43 R.P.R. (3d) 121 (Ont. Sup. Ct. J.)
- *Testa v. Greater Toronto Area (GTA) Credit Union*, [2001] O.J. No. 5257 (Sup. Ct. J.)
- *Testa v. Greater Toronto Area (GTA) Credit Union*, [2001] O.J. No. 5359 (Sup. Ct. J.)
- *Wilson v. Servier Canada Inc.*, [2002] O.J. No. 2019 (Sup. Ct. J.)
- *Wilson v. Servier Canada Inc.*, [2002] O.J. No. 3722 (Sup. Ct. J.)
- *Wilson v. Servier Canada Inc.*, [2002] 26 C.P.C. (5th) 194 (Ont. Sup. Ct. J.)
- *Wilson v. Servier Canada Inc.*, [2003] O.J. No. 155 (Sup. Ct. J.)
- *Wilson v. Servier Canada Inc.*, [2003] O.J. No. 157 (Sup. Ct. J.)
- *Wilson v. Servier Canada Inc.*, [2003] O.J. No. 280 (Sup. Ct. J.)

Industries: Automotive, Insurance, Manufacturing



Practices: Class Actions, Product Liability & Regulation