

# W. A. Derry Millar

Counsel

**Toronto**

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**Practice Areas**

Administrative & Public Law

Arbitration & Mediation

Commercial Litigation

Indigenous Peoples

Litigation & Dispute

Resolution

W. A. Derry Millar is a skilled and dedicated advocate with a broad civil litigation and administrative law practice who brings his skills in dispute resolution and as an advocate to his work as an arbitrator and mediator.

Derry was elected as the Treasurer (President) of the Law Society of Upper Canada (governing body for Ontario lawyers and paralegals) on June 26, 2008 and May 29, 2009, and served as Treasurer from June 26, 2008 to June 29, 2010. Derry is the fourth partner in the history of the firm to have this honour bestowed on him.

In more than 41 years of practice, and as partner with the firm from 1978 to 2015, Derry has developed a well-earned reputation as a senior counsel in a wide variety of areas of the law. Derry's practice includes Aviation, Commercial, Estates, Environmental, Insurance, Products Liability, Intellectual Property and Real Estate. Derry has dealt with complex commercial, environmental, aviation, products liability and estate cases. Derry has acted in class actions for both plaintiffs and defendants and has acted in a variety of class actions as counsel to class counsel on issues arising in the proceedings, including fee approval motions.

Derry's skill as an advocate was recognized when he was elected in 2001 as a Fellow of the American College of Trial Lawyers. Derry is also a Fellow of the Chartered Institute of Arbitrators.

Derry has appeared in all levels of courts in Ontario, the Supreme Court of Canada, the Federal Court of Canada and the Supreme Court of British Columbia. He has appeared before various administrative tribunals, including the Environmental Appeal Board, Ontario Municipal Board, Workers Compensation Appeal Tribunal, Anti-Dumping Tribunal, Ontario Energy Board, and Criminal Injuries Compensation Board. He has also appeared before Municipal Councils and Boards.

Derry has acted as an arbitrator on commercial, oppression, partnership, intellectual property, telecommunications, construction and real estate cases, as mediator on commercial, oppression, estates, environmental and insurance cases, and as a decision-maker on police discipline and

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professional discipline cases. He has acted as an arbitrator for domain name disputes under the Canadian Internet Registration Authority domain name disputes. Derry is on the arbitration and mediation panels for ADR Chambers, and the arbitration panel of the British Columbia International Commercial Arbitration Centre. Derry is a public member of the Central Panel of the Mutual Funds Dealers Association.

Derry acted as Chair of Boards of Inquiry established under the *Metropolitan Toronto Police Force Complaints Act, 1984* and the *Police Services Act* from 1985 to July 1996 to hear complaints against police officers.

As a bencher of the Law Society of Upper Canada, Derry was a chair and member of the hearing and appeal panels on many cases involving complaints against lawyers.

Derry clerked with Mr. Justice Ritchie of The Supreme Court of Canada, 1971-1972.

Called to the Bar	Education	Affiliations
<ul style="list-style-type: none"><li>• Ontario (1974)</li></ul>	<ul style="list-style-type: none"><li>• LL.B., Dalhousie University, 1971</li><li>• B.A., University of Saskatchewan, Regina Campus, 1966</li></ul>	<ul style="list-style-type: none"><li>• The Advocates' Society</li><li>• Ontario Bar Association/Canadian Bar Association</li><li>• Fellow of the American College of Trial Lawyers</li><li>• Fellow of the Chartered Institute of Arbitrators</li><li>• Toronto Lawyers Association</li><li>• ADR Institute of Ontario</li><li>• Panel Member, ADR Chambers</li><li>• Panel Member, British Columbia International Commercial Arbitration Centre</li><li>• Panel Member, Mutual Funds Dealers Association</li><li>• The Osgoode Society</li><li>• Defense Research Institute</li></ul>

## Notable Mandates

Appointed Lead Counsel – Ipperwash Public Inquiry – November 2003. As Lead Counsel, led a team of 6 lawyers and 3 investigators in collecting, organizing and presenting the evidence of 139 witnesses over 229 hearing days of the inquiry into the circumstances surrounding the shooting death of an Aboriginal man by the Ontario Provincial Police in 1995.

Acting as counsel on a multi-million dollar series of actions involving investments in movies.

Acted as *Amicus Curiae* appointed by the Federal Court of Canada on the class counsel fee approval motion as part of the settlement of the Indian Day School class action: *McLean v. Canada*, 2019 FC 1077 and 2019 FC 1076 (Order); Settlement Approval: *McLean v. Canada*, 2019 FC 1075.

Acted as counsel on a complex commercial contract dispute against a major Canadian automotive manufacturer and a US automotive manufacturer which settled one month before the commencement of a scheduled approximately five month trial.

Acted as counsel for class counsel on an appeal in a carriage dispute regarding Barrick Gold Corp.: *Mancinelli v. Barrick Gold Corp.*, 2016 ONCA 571, 131 O.R. (3d) 497, 400 D.L.R. (4th) 550

Acted for class counsel in class action involving issues relating to class counsel and on fee approval motions including: *Tiboni v. Merck Frosst Canada Limited* (2008), 89 O.R. (3d) 439 (S.C.J.); *McCarthy v. Canadian Red Cross Society*, [2007] O.J. No. 2314 (S.C.J.); *Garland v. Enbridge Gas Distribution Inc.*, [2006] O.J. No. 4907 (S.C.J.); *Bywater v. Toronto Transit Commission*, [1999] O.J. No. 2361 (S.C.J.); *Bywater v. Toronto Transit Commission* (1999), 43 O.R. (3d) 367, 28 C.P.C. (4th) 307 (Ont. Gen. Div.); and *Mangan v. Inco Limited*, [1998] O.J. No. 2684 (Ont. Gen. Div.).

Acted as counsel for the plaintiff in a complex contractual dispute arising from a joint venture and ownership of property in North York involving a large international life insurance company.

Acted as an expert on Ontario procedure with respect to foreign proceeding. Acted as an expert on the standard of care of barristers and lawyers in Ontario proceedings which were resolved without a trial.

Acted as Ontario counsel for the *Canadian Air Transport Security Agency*.

As counsel for the plaintiff, successfully resolved a complex property dispute against a major Canadian corporation involving property in Scarborough.

Successfully defended an estate with respect to a claim to enforce a substantial pledge made before the death of the testatrix: *Brantford General Hospital Foundation v. Marquis Estate* (2003), 67 O.R. (3d) 432 (S.C.J.).

Successfully resolved a large breach of contract claim against a major Canadian retailer.

Successfully defended, after a long trial and an appeal to the Court of Appeal, a claim for inducing breach of contract, inducing breach of fiduciary duty and a claim for substantial damages: *McColl-Frontenac Inc. v. Aerospace Realties (1986) Ltd.* (1998), 49 B.L.R. (3d) 112 (Ont. Gen. Div.), affd Court of Appeal, May 14, 2001.

Acted for the defendants and successfully defended products liability and aviation cases involving an Air Canada DC-9 accident on behalf of the tire manufacturer, transport aircraft, helicopters, passenger tires, aviation parts, medical devices and consumer products.

Acted as counsel for plaintiffs in a class action involving the enforcement of debenture rights.

Acted as counsel for the unsecured creditors of Livent Inc. and on bankruptcy and insolvency matters.

Acted on inquests on behalf of a hospital and a mining company.

Acted as co-counsel on an action to remove executors in a very large estate in British Columbia.

Acted as co-counsel for a multi-national chemical company in defending against orders issued by the Ministry of the Environment relating to contamination of groundwater. After the longest-running environmental hearings in Ontario, the case was settled advantageously for our client.

Acted as co-counsel for the multi-national chemical company against its insurers in claiming indemnification for remediation costs and defence costs for the lawsuits. The claims were successfully settled, with the insurers making significant contribution to the remediation costs and settlement of the lawsuits.

Acted as co-counsel in successfully defending a retailer in a multi-billion dollar class action relating to PVC mini-blinds containing lead stabilizer. The action was dismissed early on a motion for summary judgment.

Acted as counsel to the Applications Committee of the Institute of Chartered Accountants of Ontario from 1980 to 1998.

Acted as counsel for the defendant, Canadian Pacific Airlines, in the Ontario proceedings arising out of the Air India Flight 182 disaster.

Acted as counsel in the Supreme Court of Canada and successfully argued for the change of the law of *non est factum* in Canada, *Marco Colour Research Limited v. Harris*, [1982] 2 S.C.R. 774.

Acted as counsel in successfully defending a claim for passing-off and establishing in the Supreme Court of Canada the definition of secondary meeting: *Oxford Pendaflex Canada Limited v. Korr Marketing Limited*, [1982] 1 S.C.R. 494.

Acted as counsel for the plaintiffs with respect to copyright infringement proceedings involving Apple computers.

Acted as counsel on a wide variety of real estate issues at trial and in the Court of Appeal.

Acted as counsel in wrongful dismissal and medical malpractice cases.

Acted on unreported trials, references, motions, arbitrations and appearances before administrative tribunals, including the Ontario Municipal Board, Ontario Energy Board, Criminal Injuries Compensation Board, Boards of Inquiry under the *Ontario Human Rights Act*, Liquor Licensing Board, Workers Compensation Board and Workers Compensation Appeal Tribunal and the Ontario Highway Transport Board, including a long series of hearings for the Ontario Trucking Association in opposing the granting of probationary licences in the late 1970s.

## Reported Cases

*McLean v. Canada*, 2019 FC 1077 and 2019 FC 1076 (Order); Settlement Approval: *McLean v. Canada*,

2019 FC 1075.

*Ottawa (City) v. Coliseum Inc.*, 2016 ONCA 363, 398 D.L.R. (4th) 34

*Mancinelli v. Barrick Gold Corp.*, 2016 ONCA 571, 131 O.R. (3d) 497, 400 D.L.R. (4th) 550

*Mancinelli v. Barrick Gold Corp.* (2015), 126 O.R. (3d) 296 (Div. Ct.)

*578115 Ontario Inc. v. Sears Canada Inc.* (2010), 325 DLR (4th) 343 (Ont Sup Ct)

*Canadian Premier Life Insurance Company v. Sears Canada Inc.*(2010), 91 CCLI (4th) 120 (Ont Sup Ct)

*Tiboni v. Merck Frosst Canada Limited* (2008), 90 O.R. (3d) 439 (S.C.J.)

*McCarthy v Canadian Red Cross Society* (2007), 158 ACWS (3d) 12 (Ont Sup Ct)

*Garland v Enbridge Gas Distribution Inc* (2006), 56 CPC (6th) 357 (Ont Sup Ct)

*Brantford General Hospital Foundation v. Marquis Estate* (2003), 67 O.R. (3d) 432 (S.C.J.)

*Brantford General Hospital Foundation v. Marquis Estate* (2002), 46 E.T.R. (2d) 44, 24 C.P.C. (5th) 389 (S.C.J.)

*Madonia v. Mulder* (2002), 17 C.P.C. (5th) 349 (Div. Ct.)

*Bywater v. Toronto Transit Commission* (1999), 43 O.R. (3d) 367, 28 C.P.C. (4th) 307 (Ont. Gen. Div.)

*Millgate Financial Corp. v. B.F. Realty Holdings Ltd.*, (1998), 28 C.P.C. (4th) 72 (S.C.J.)

*Ewaskiw v. Zellers Inc.* (1998), 40 O.R. (3d) 795, 165 D.L.R. (4th) 346, 27 C.P.C. (4th) 347 (Gen. Div.)

*McColl-Frontenac Inc. v. Aerospace Realties (1986) Ltd.* (1998), 49 B.L.R. (3d) 112 (Ont. Gen. Div.), affd Court of Appeal, May 14, 2001

*McColl?Frontenac Inc. v. Aerospace Realties (1986) Ltd.* (1997), 29 C.P.C. (4th) 180 (C.A.)

*Re APT Environment* (1996), 18 C.E.L.R. (N.S.) 180 (E.A.B.)

*Uniroyal Chemical Ltd. v. Kansa General Insurance Co.* (1996), 33 C.C.L.I. (2d) 165, [1996] I.L.R. 1-3285, 89 O.A.C. 311

*Millgate Financial Corp. v. BF Realty Holdings Ltd.* (1994), 19 B.L.R. (2d) 271 (Ont. Gen Div.)

*Millgate Financial Corp. v. BF Realty Holdings Ltd.* (1994), 15 B.L.R. (2d) 212 (Ont. Gen. Div.)

*Provident Life & Accident Insurance Co. v. Walton* (1994), 35 C.P.C. (3d) 147, [1995] 1 L.R. 1-3145 (Gen. Div.)

*Re Provan et al. and Registrar of Gaming Control et al.* (1994), 20 O.R. (3d) 632 (Div. Ct)

*Uniroyal Chemical Ltd. v. Ontario (Environmental Appeal Board)* (1994), 15 C.E.L.R. (N.S.) 83 (Div. Ct.)

*Uniroyal Chemical Ltd. et al. v. Director, Ministry of Environment and Energy*, [1993] O.E.A.B. No. 37 (E.A.B. – October 8, 1992)

*Uniroyal Chemical Ltd. v. Director, Ministry of Environment*, [1992] O.E.A.B. No. 6 (E.A.B. – February 4, 1992)

*Uniroyal Chemical Ltd. v. Ontario (Ministry of Environment)*, [1991] O.E.A.B. No. 3 (E.A.B. – February 5, 1991)

*Uniroyal Chemical Ltd. v. Ontario (Ministry of Environment)*, [1991] O.E.A.B. No. 1 (E.A.B. – January 22, 1991)

*Uniroyal Chemical Ltd. v. Ontario (Ministry of Environment)*, [1990] O.E.A.B. No. 31 (E.A.B. – September 6, 1990)

*Uniroyal Chemical Ltd. v. Ontario (Ministry of Environment)*, [1990] O.E.A.B. No. 7 (E.A.B. – February 6, 1990)

*Orenstein v. Garden on the Avenue Development Corp.* (1990), 9 R.P.R. (2d) 42 (Master), affd. [1990] O.J. No. 2041 (Div. Ct. – O’Leary, J. – October 30, 1990)

*Rigg v. Toronto (City)* (1989), 46 M.P.L.R. 113 (H.C.J.)

*Guelph (City) v. Maiocco* (1988), 26 C.P.C. (32d) 34 (Master)

*Air India Flight 182 Disaster Claimants v. Air India* (1987), 62 O.R.(2d) 130, 44 D.L.R. (4th) 317 (H.C.J.)

*St. Stanislaus?St. Casimir’s Parish (Toronto) Credit Union Ltd. v. Ontario Credit Union League Ltd.* (1987), 60 O.R. (2d) 688, 41 D.L.R. (4th) 156(H.C.J.)

*Rose v. Edell* (1986), 57 O.R. (2d) 89 (D.C.J.)

*Malicki v. Yankovich* (1983), 41 O.R. (2d) 160, 145 D.L.R. (3d) 767, (C.A.)

*Apple Computer, Inc. v. Computermat Inc.* (1983), 75 C.P.R. (2d) 26 (H.C.J.)

*Marvco Color Research Limited v. Harris*, [1982] 2 S.C.R. 774

*Oxford Pendaflex Canada Ltd. v. Korr Marketing Ltd. et al.*, [1982] 1 S.C.R. 494, 64 C.P.R. (2d) 1

*Lord’s Day Alliance of Canada v. Regional Municipality of Peel et al.* (1982), 38 O.R. (2d) 755, 135 D.L.R. (3d) 657, (C.A.)

*Mulroy v. Aqua Scene* (1982), 36 O.R. (2d) 653 (C.A.)

*Lord's Day Alliance of Canada v. Peel (Municipality)* (1981), 16 M.P.L.R. 269 (H.C.J.)

*Malicki v. Yankovich* (1981), 33 O.R. (2d) 537, 125 D.L.R. (3d) 411, (H.C.J.)

*Marvco Color Research Limited v. Harris* (1980), 30 O.R. (2d) 162, 115 D.L.R. (3d) 512 (C.A.)

*Anchor Cap & Closure Corp. of Canada v. U.E., Local 512* (1980), 25 L.A.C. (2d) 366 (Ontario Arbitrator)

*Oxford Pendaflex Canada Ltd. v. Korr Marketing Ltd. et al.* (1980), 27 O.R.(2d) 760, 107 D.L.R. (3d) 512, 47 C.P.R. (2d) 119, (C.A.)

*Oxford Pendaflex Canada Ltd. v. Korr Marketing Ltd. et al.* (1979), 23 O.R. (2d) 545, 97 D.L.R. (3d) 124, 46 C.P.R. (2d) 191, (H.C.J.)

*Re Sammon* (1979), 22 O.R. (2d) 721, 94 D.L.R. (3d) 594, (C.A.), leave to appeal to S.C.C. refused

*Solicitors (Re)* (1977), 4 C.P.C. 308 (Master)

*Steel Co. of Canada v. Nanticoke (City)* (1976), 6 O.M.B.R. 278

*Ashland Co. Ltd. v. Thunder Bay (City)* (1975), 5 O.M.B.R. 54

*Bath et al. v. Birnstihl et al.* (1975), 11 O.R. (2d) 770, (H.C.J.)

*Palmateer et al. v. Bach et al.* (1976), 9 O.R. (2d) 693, (H.C.J. – Van Camp, J., April 18, 1975)

*Eilpro Holdings Inc. v. Shenkman* (1975), 8 O.R. (2d) 433, 58 D.L.R. (3d) 209 (C.A.)

*Re Ritchie and Ritchie* (1975), 5 O.R. (2d) 520, (C.A.)

*Re Plasticap Ltd. and United Electrical, Radio & Machine Workers, Local 544* (1995), 10 L.A.C. (2d) 295 (Ontario Arbitrator)

*Doucette v. Doucette* (1974), 4 O.R. (2d) 278, (H.C.J. – Weatherston, J., June 18, 1974)

This is not an exhaustive list and does not include all of the cases for which the decisions are unreported, including trials, references, motions, arbitrations and appearances before administrative tribunals, including the Ontario Municipal Board, Ontario Energy Board, Criminal Injuries Compensation Board, Boards of Inquiry under the Ontario *Human Rights Act*, Liquor Licensing Board, Workers Compensation Board and Workers Compensation Appeal Tribunal and the Ontario Highway Transport Board in which he acted in a long series of hearings for the Ontario Trucking Association in opposing the granting of probationary licences in the late 1970s.

## Awards

- Law Society Medal, May 2014
- Catzman Award for Professionalism & Civility, The Advocates' Society, September 2013
- LL.D. (Hons.), The Law Society of Upper Canada, June 2012
- Toronto Lawyers Association, 2011 Award of Distinction
- Fellow of the Chartered Institute of Arbitrators, 2013
- Elected Fellow of the American College of Trial Lawyers, 2001
- Repeatedly recognized in the *Canadian Legal Lexpert Directory* as a leading practitioner in Litigation – Corporate Commercial, Public Law, and Professional Liability
- Repeatedly recognized in the *Lexpert/American Lawyer Guide* as a leading practitioner in Litigation – Corporate Commercial
- Repeatedly recognized in *Best Lawyers in Canada* as a leading practitioner in Administrative and Public Law, Alternative Dispute Resolution and Corporate and Commercial Litigation
- Repeatedly recognized in the *Lexpert Special Edition – Litigation* as a leading practitioner in Corporate Commercial and Commercial Arbitration

## Professional Activities

- Co-Editor, *Ontario Annual Practice*, Thomson Reuters (a leading publication in civil and public law litigation)
- Member, Judicial Ethics Advisory Committee, Ontario Court of Justice (January 2017-present)
- Member, Board of Directors, Legal Aid Ontario (January 1999-June 2008; April 2012-June 2019)
- Trustee, The Law Society Foundation (June 2012-present), Vice-Chair (December 2018-present)
- Director, LibraryCo. (2015-December 2019), Chair (2018-December 2019)
- Member, Chief Justice of Ontario's Advisory Committee on Professionalism (2011-present)
- Member, Ontario Judicial Council (June 26, 2008-June 2012)
- Director, Pro Bono Law Ontario (2003-2006 and 2012-2015)
- Member, Board of Directors, Lawyers Professional Indemnity Company, (September 2001-August 2003)
- Member of the Civil Rules Committee established under the Courts of Justice Act, appointed by the Chief Justice of Ontario, September 1, 1990 to present
- Member of the Rules Committee of the Supreme and District Courts of Ontario from November 1976 to August 31, 1990, appointed by The Law Society of Upper Canada
- Member of the Special Subcommittee of the Rules Committee on the new Rules of Civil Procedure chaired by Mr. Justice Morden (1980-1984)
- Ontario Centre For Advocacy Training
  - Chair (1992-1995)
  - Treasurer (1989-1992)
- Director, The Advocates' Society (1988-1991)

### **Law Society of Upper Canada (now Law Society of Ontario)**

- Law Society of Upper Canada (governing body for Ontario lawyers and paralegals)
  - Treasurer, June 2008 to June 2010



– Elected Bencher (member of the governing body) for four consecutive four-year terms, May 1995, May 1999, May 2003 and May 2007

- Chair, Finance Committee (May 2007-June 2008)
- Chair, Finance & Audit Committee (April 2006-April 2007)
- Member, Inter-Jurisdictional Mobility Committee (April 2006-2008)
- Member, Tribunals Committee (April 2006-June 2008)
- Chair, Inter-Jurisdictional Mobility Committee (July 2001-April 2006)
- Vice-Chair, Equity and Aboriginal Issues Committee/Comité Sur L'Équité et Les Affaires Autochtones (July 2001-August 2003)
- Chair, Appeal Panel (March 2002-August 2003)
- Member, Finance & Audit Committee (August 2003-April 2006)
- Vice-Chair, Heritage Committee (July 2001-July 2002)
- Chair, Admissions Committee (June 2000-July 2001)
- Chair, Legal Aid Committee (1999-2000)
- Co-Chair, Rules of Professional Conduct Task Force (1998-2000)
- Member, Transitional Board of Directors, Legal Aid Ontario (January 12, 1999-January 2000)
- Vice-Chair, Admissions Committee (1999-2000)
- Chair, Clinic Funding Committee (1997-1999)
- Member, Legal Aid Committee (1997-1999)
- Co-Chair, Competency Task Force (1997-1998)
- Chair, Professional Development & Competence Committee (1996-1997)
- Vice-Chair, Professional Regulation Committee (1996-1997)
- Chair, Professional Standards Committee (1995-1996)
- Vice-Chair, Legal Education Committee (1995-1996)
- Co-Chair, Mandatory Continuing Legal Education Subcommittee (1995-1996)
- Member, Subcommittee on Dispute Resolution, Professional Conduct Committee (1991-1992)

## Community Involvement

Teacher – Colegio San Carlos, Bogota, Colombia, as a volunteer under the auspices of The Canadian University Service Overseas (CUSO), August 1966 to July 1968

Past President and Director of The Ontario Cystic Fibrosis Camp, 1976 to 1994

Director of The Low Vision Association of Ontario, 1982 to 1993

## Speaking Engagements

- Panellist/Speaker, Counsel Roundtable: Evolving Challenges - The Role of Coroners and Counsel in Maintaining Productive Proceedings, Advanced Training in Inquest Proceedings for Coroners, Osgoode Professional Development, October 4, 2017
- Speaker, *Developments in Civility*, OBA, Professionalism issues for Municipal Lawyers, December 3, 2015
- Speaker, *Civility & Professionalism*, Ryerson Law Practice Program, August 25, 2014 and August 25, 2015
- Speaker, *Avoiding Professional Misconduct for In-house Counsel*, Canadian Corporate Counsel

Association, November 7, 2013

- Speaker, *Ethical and Professional Issues Involving Witnesses and Evidence*, Osgoode Professional Development, October 30, 2013
- Speaker, *Role of government and Public Sector Lawyers*, Tom Marshall Award Dinner, OBA Public Sector Lawyer Section, May 9, 2013
- Speaker, *Resolving Incivility Issues by Promoting Courteous and Professional Conduct*, The Canadian Institute, May 7, 2013
- Speaker, *Ipperwash Inquiry, Public Inquiries Course*, Osgoode Hall Law School, March 6, 2013
- Panellist, *The Discipline Hearing, Part I: Effective Advocacy*, The Osgoode Short Course: Prosecuting and Defending Professional Discipline Cases, Osgoode Professional Development, January 31, 2013
- Panellist, *Addressing Viva Voce Evidence and Advanced Issues*, The Advocates' Society, Civil Litigation Skill Certificate Program: Evidence for Litigators, November 10, 2011
- *Demonstration and Commentary: Impeachment Done Right*, The Advocates' Society, Civil Litigation Skill Certificate Program: Evidence for Litigators, November 10, 2011
- Speaker/Panellist, *Critical Conversations About Law*, MAG Legal Services Division 2011 Crown Summer School, July 27, 2011
- Panellist, *Ipperwash Inquiry, National Aboriginal Day*, Ministry of the Attorney General, June 22, 2011
- Guest Instructor, *Contemporary Issues in Civil Litigation: Jurisdiction and Rule of Law*, LL.M. Programme in Civil Litigation and Dispute Resolution, Osgoode Hall Law School, May 13, 2011
- Speaker, *Law Society Civility Initiatives*, S.C.J. Masters' Conference, March 4, 2011
- Panellist, *The Discipline Hearing, Part I: The Osgoode Short Course: Prosecuting and Defending Professional Discipline Cases*, Osgoode Professional Development, February 17, 2011
- Speaker, *Ipperwash Inquiry, Reconciliation Awareness to Action*, an OPS Forum on Working with First Nations and Métis Peoples, February 16, 2011
- Panellist, *Mastering the Art of Complex Civil Motions*, The Law Society of Upper Canada, March 31, 2011
- Speaker, *Mass Franchise Disputes*, Ontario Region Legal Day, Canadian Franchise Association, March 2, 2011
- Speaker, *Professional Regulation*, 20th Annual Operation Update, OBA/LSUC, October 29, 2010
- Speaker, *Amendments to The Rules of Civil Procedure*, Superior Court of Justice (Ontario) Fall Education Seminar, October 29, 2009
- Panellist, *Rules of Civil Procedure - Proportionality and Professionalism*, The Fourth Annual Warren K. Winkler Lecture on Civil Justice Reform, October 4, 2010
- Speaker, *Civility - Risk Management*, The 10th Annual Advocacy Conference, The Hamilton Law Association, April 28, 2010
- Speaker, *Proportionality: Balancing file work-up versus cost recovery*, The Fourth Annual Straight from the Bench Litigation Conference on Costs, The Middlesex Law Association, April 23, 2009
- Panellist, *Proportionality: Balancing file work-up versus cost recovery*, Straight from the Bench-Costs, Fourth Annual Middlesex Law Association Civil Litigation Symposium, April 23, 2009
- Speaker, *Abuse of Process: Alleging It; Avoiding It*, 28<sup>th</sup> Annual Civil Litigation updated 2008 Conference, County of Carlton Law Association, November 21-22, 2008
- Speaker, *Ipperwash Inquiry: The Process*, Environmental Review Tribunal, Toronto, April 25, 2008
- Speaker/Demonstrator, *Advanced Introduction of Evidence & Examination-In-Chief*, The Advocates Society, Toronto, December 4, 2007
- Speaker, *Land Disputes: A Case Study on Ipperwash*, 6th Annual Aboriginal Law Forum, Insight,

November 19, 2007

- Speaker, *Ipperwash Inquiry*, National Aboriginal Policing Forum 2007, September 27, 2007
- Keynote Speaker, *Ipperwash Inquiry, The Process*, 5th Annual Aboriginal Law Forum, Insight, November 20, 2006
- Speaker, *A Privilege Primer* (Paper by Paul M. Perell), A Trial Lawyers' Evidence Notebook, Law Society of Upper Canada, September 14, 2006
- Speaker, *Ipperwash Inquiry*, Ontario Justice Network, August 30, 2006
- Speaker, *The New Cost Regime: How To Make It Work For You*, Advanced Civil Procedure, The Canadian Institute, Toronto, April 9, 2002
- Co-Chair, *Advanced Civil Procedure*, The Canadian Institute, Toronto, April 8 and 9, 2002
- Speaker, *A Privilege Primer* (Paper by Paul M. Perell), A Trial Lawyers' Evidence Notebook, Law Society of Upper Canada, June 2001
- Speaker, *Professionalism and the New Rules of Professional Conduct*, Practice Essentials 2001, Ottawa, Law Society of Upper Canada, June 18, 2001
- Speaker, *Professionalism and the New Rules of Professional Conduct*, Practice Essentials 2001, Sudbury, Law Society of Upper Canada, May 23, 2001
- Panellist, *Loss of Civility: Is Your Learned Friend A "So & So"*, County of Carlton Law Association, Civil Litigation Updated 2000, November 3, 2000
- Co-Chair, Panel, *Professional Conduct: The New Rules and Your Practice*, Law Society of Upper Canada and Canadian Bar Association Ontario, October 25, 2000, and November 13, 2000
- Speaker, *Cross-Examination, Advocacy*, Insight Seminars, July 1999
- Speaker, *Environmental Bill of Rights and Directors' Liability In Ontario*, Environmental Law Section, Union International Des Avocats, Philadelphia, September 1997
- Speaker, Millar, W.A. Derry and Hancock, Terry D., *Overview of the Class Proceedings Act and How and When to Get Certification*, Class Actions, Canadian Institute, October 1996
- Speaker, *Recent Developments in Civil Procedure*, Operation Update 96, Canadian Bar Association, September 1996
- Millar, W.A. Derry and Perell, Paul M., *A Privilege Primer*, A Trial Lawyers' Evidence Notebook, Law Society of Upper Canada, June 1996
- Speaker, Millar, W.A. Derry and Freedman, G., *Applications to Remove Executors and/or Trustees, Estate and Trust Litigation: A Legal, Procedural, Tactical and Practical Guide*, Canadian Institute, May 1992
- Speaker, Millar, W.A. Derry, Campbell, J.D. and Foran, S.G., *Remedies of the Shareholder in a Closely-Held Corporation*, Business Law: Parting Shots: Remedies for Partnership Disputes and Corporate Hostilities, Canadian Bar Association, February 1992
- Speaker, *Interpleader*, The Agony and the Ecstasy Revisited: Remedies in the Enforcement of Judgments for the 90's, Canadian Bar Association, December 1991
- Speaker, Millar, W. A. Derry and Buhlman, J.M. - *How Clean is Clean, The Clean-Up and Sale of Toxic Real Estate: Industrial Plants and Natural Resource Sites: Acquiring the Know-How*, Canadian Institute, September 1990
- Panellist, *Recent Developments in Municipal Law: Creatures of the Province: What Are They Up To Now*, Canadian Bar Association, October 1989
- Speaker, *Pre-Pleading Considerations*, Advocacy Before Trial: A Comprehensive Litigation Techniques Workshop, Insight Seminars, February 1989
- Member, Civil Litigation Planning Committee, Law Society of Upper Canada, Department of Continuing Education, 1987
- Member, Organizational and Planning Committee of The Advocates Society Institute (now the

Ontario Centre for Advocacy Training ("OCAT")), an educational institute sponsored by The Advocates' Society for the teaching of advocacy skills, since its inception in 1986-1989

- Lecturer, *Advocacy*, Law Society of Upper Canada, Bar Admission Course, December 1986 and 1987
- Speaker, *Litigation for Legal Secretaries*, Law Society of Upper Canada, Department of Continuing Legal Education, December 1987
- Speaker, *Advocacy Before Trial*, Insight Seminars, September 1987
- Speaker, *Procedural Aspects of Multi-Jurisdictional Litigation Arising Out of Air Disasters*, Canadian Bar Association, Ontario, Air and Space Law Section, February 1987
- Moderator, *What's the Damage*, Canadian Bar Association, Ontario, April 1985
- Speaker, *New Rules of Civil Procedure*, Insight Seminars, December, 1985
- Speaker, *Pre-Emptive Litigation - Ending the Law's Delay: Tactical Steps Under the New Rules to Speed Up Litigation*, Canadian Institute For Professional Development, October 1985
- Speaker, *The Law of Damages*, Canadian Institute for Professional Development, May 1985
- Speaker, *Business, Computers & The Law - Property Rights in Computer Software*, Richard DeBoo, March, 1985
- Contributor to LSUC Bar Admission Course - Civil Procedure I lecture materials on the new Rules, 1984
- Speaker, Law Society of Upper Canada Continuing Legal Education Seminar on New Rules of Civil Procedure, November 9, 1984
- Speaker, County of Simcoe Law Association Seminar on Rules of Civil Procedure, October 1984
- Speaker, *Rules of Civil Procedure for Instructors Seminar*, Civil Procedure I Section of The Bar Admission Course, September 1984
- Speaker, *Rules of Civil Procedure*, Insight Seminars, June 1984
- Speaker, *Rules of Civil Procedure*, Civil Litigation Section, Canadian Bar Association, April 1984
- Speaker, *Rules of Civil Procedure*, Supreme Court Judges' Seminar, May 1984
- Speaker, *Rules of Civil Procedure*, County and District Judges' Spring Seminar, 1984
- Speaker, The Canadian Bar Association - Ontario 1984 Annual Institute on Continuing Legal Education, Tactics for Success in Civil Litigation, Expert Witnesses
- Lecturer, *Advocacy*, Law Society of Upper Canada, Bar Admission Course, December 1986-1987
- Guest participant, *Trial Practice Course*, Osgoode Hall Law School and University of Toronto Law School
- Team leader, *Osgoode Hall Law School Intensive Trial Advocacy Workshop*, July 1983, July 1984; Guest instructor, *Osgoode Hall Law School Intensive Trial Advocacy Workshop* since 1985

## Publications

- Webinar Series: Beware of Boilerplate, February 05, 2020
- Webinar: Arbitration Clauses, September 30, 2019
- Directors BEWARE – Potential Environmental Liability, May 01, 2008
- Get the lead out, October 01, 2007