



## David Elman

### Partner

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[Class Actions](#)

[Disputes](#)

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David focuses on **class actions** and the defence of **complex torts** and **commercial litigation**. He specializes in cases alleging breach of consumer protection legislation, product liability, negligence, breach of contract and public authority liability.

David acts on behalf of large institutional clients, including:

- financial institutions
- telecom companies
- municipalities
- police services
- manufacturers
- educational institutions
- insurers

He regularly appears on motions and appeals before the Ontario Superior Court of Justice and the Ontario Court of Appeal.

David provides counsel on sensitive and high-profile issues to manage reputational risks and concerns. He also represents clients in mediation and arbitration.

## Insights & Events

- Author, "Court of Appeal confirms factors for determining compensable mental injury", BLG Article, May 2023
- Author, "Ontario court weighs in on assuming jurisdiction over tort claims against foreign defendants", BLG Article, March 2023
- Author, "Certification denied for Takata air bag recall on basis that existing recalls preferable to proposed class action", BLG Article, October 2022
- Author, "Certification motion dismissed in proposed roadway design class action in Ontario", BLG Article, July 2022
- Author, "Certification of proposed bail hearing class action denied", BLG Article, June 2021
- Author, "Class action lawsuits: Looking south at pharmaceutical settlements", BLG Article, May 2021
- Author, "Proximity is paramount: Supreme Court weighs in on duty of care for pure economic loss", BLG Article, December 2020
- Author, "Alberta court rejects "boilerplate" release language in proposed class action settlement", BLG Article, November 2020
- Author, "Bill 161: Sweeping changes to Ontario's Class Proceedings Act take effect October 1", BLG Article, September 2020
- Author, "Offers to settle certification motion may have limited cost consequences", BLG Article, August 2020
- Author, "Changes to Ontario's Class Proceedings Act passed into law", BLG Article, July 2020
- Author, "Ontario Announces Significant Proposed Changes to the Class Proceedings Act, 1992", BLG Article, December 2019
- Author, "Changes to Small Claims Court and the Rules of Simplified Procedure", BLG Article, October 2019
- Class Actions in Canada: What you need to know, BLG Video, October 2019
- Author, "Law Commission of Ontario Report on Class Actions — Key Recommendations", BLG Article, July 2019
- Author, "Court Of Appeal Confirms Lack Of Jurisdiction To Hear Proposed Gender discrimination Class Action Against Police Service", BLG Article, April 2019
- Author, "Prospective Self represented Representative Plaintiff Put Out Of Commission", BLG Article, April 2019
- Co-author, "Substantive Changes to Ontario's Highway Minimum Maintenance Standards Now In Effect," BLG Insurance and Tort Liability Bulletin, May 2019
- Author, "Supreme Court of Canada Reinforces Reasonable Foreseeability of Harm as Critical Limiting Principle in the Law of Negligence", BLG Article, May 2018
- Co-author, "Court of Appeal upholds finding that storefront was occupier of municipal sidewalk," BLG Insurance and Tort Liability Bulletin, May 2017
- Author, "J.J. V. C.C.: Court Of Appeal Finds Garage And Car Dealership Owed Duty Of Care To Minor Who Stole Vehicle From Premise", BLG Article, November 2016
- Author, "Ontario Court of Appeal Considers Whether a Municipality May Owe Duty of Care in Relation to Its Enforcement of Taxi Licensing Bylaws", BLG Article, July 2016
- Author, "Duty of Care to Victims of Problem Gamblers Not "Hopeless"", BLG Article, June 2016
- Author, "Municipality found 20% responsible for collision where public transit bus had right of way", BLG Article, February 2016

## Beyond our Walls

### Professional Involvement

- Member, Canadian Bar Association
- Member, Ontario Bar Associations
- Member, The Advocates' Society
- Committee Member, Toronto Lawyers Association
- Member, Canadian Defence Lawyers
- Subcommittee co-chair, American Bar Association, Section of Litigation, Mass Torts Litigation
- Member, Canadian Bar Association
- Member, Ontario Bar Associations
- Member, The Advocates' Society
- Committee Member, Toronto Lawyers Association
- Member, Canadian Defence Lawyers
- Subcommittee co-chair, American Bar Association, Section of Litigation, Mass Torts Litigation

### Community Involvement

- Pro Bono Duty Counsel, Law Help Ontario
- Pro Bono Duty Counsel, Law Help Ontario

## Awards & Recognitions

- Recognized in the 2024 edition of *Best Lawyers in Canada* (Personal Injury Litigation) and since 2022 in Product Liability Law.
- Recognized in the 2023 edition of *Lexpert Special Edition: Litigation*
- Recognized as a 2023 *Thomson Reuters* Stand-out Lawyer
- [Awarded the Blake Cassels Graydon LLP prize in Business Organizations](#)
- Awarded the Catherine Helen McLean Prize in Labour Law
- Osgoode Society Prize for Canadian Legal History
- Recognized in the 2024 and 2023 edition of *The Canadian Legal Lexpert® Directory* (Class Actions, Litigation - Commercial Insurance)

## Bar Admission & Education

- Ontario, 2007
- LLB, University of Ottawa, 2006
- BA (Hons.), University of Toronto, 2003



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