Equip yourself fully to meet the challenges of adducing or countering expert evidence, in such areas as:

- Communications with experts and the boundaries of litigation privilege
- Quantifying past and future income dependency
- Laying the evidentiary foundation for future care reports
- How to fund experts in high-risk litigation
— along with other current issues noted in the agenda.

Will your experts make your case, or break it? Learn the most effective approaches, in light of key recent caselaw.

Register today at:
osgoodepd.ca/expert
Whether you are striving to achieve the best settlement or preparing for trial, it’s critical you know how to effectively use and counter expert evidence. Debate continues on whether recent caselaw has clarified or complicated what was already one of the most challenging areas for counsel at all levels of experience. Get equipped with the latest thinking in this area.

**Topics Include**

- The New Simplified Rules Trials: key amendments affecting expert evidence
- Challenging the expert’s independence and impartiality
- Pretrial disclosure obligations
- Evidence on economic dependency in fatality claims
- Future care reports: the good, the bad and the ugly
- Has the causation test really changed?
- Black box evidence, airbag litigation, experts in threshold-defensible cases and more!

**Who Should Attend**

- Plaintiffs’ and defendants’ counsel in personal injury cases
- In-house litigation counsel
- Insurance professionals involved in personal injury cases/dispute resolution

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The case for and against obtaining FCRs and the risks of not obtaining them
The defence perspective: FCRs as impediments to settlement
12:15 p.m.
Lunch
1:00 p.m.
Expert Evidence in Airbag Litigation
Craig C. Wilkinson, P.Eng.
Director, Senior Engineer, MEA Forensic Engineers and Scientists
• The safety advantages of airbags vs. risks of injury in specific situations
• The potential for still more litigation in this area
• Evaluating whether or not you have an airbag litigation case
• An expert’s explanation of the science
1:30 p.m.
How to Use Experts in Threshold Defensible Cases
Maia L. Bent
Lerners LLP
Edward J. Chadderton
Carroll Heyd Chown LLP
• Funding experts in high-risk litigation
• Impact of the new Simplified Rules (and disbursement limits)
• Use of litigation experts vs. participating efforts in light of Westerhof and later cases
• Judge or jury? The impact on expert selection
• Use of lay witnesses and treating doctors in neutralizing defence experts
2:30 p.m.
Refreshment Break
2:45 p.m.
Experts and Causation
Ryan Breedon
Breedon Litigation
• Why we need to educate doctors about the importance of causation in litigation
• “But/for” and “material causation” tests: are they really different?

Expert Evidence In Personal Injury Cases 2020

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