



ERIN H. DURANT

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[Insurance and Tort Liability](#)

[Litigation and Arbitration](#)

[Corporate Commercial Litigation and Arbitration](#)

[Energy](#)

[Autonomous Vehicles](#)

Education / Bar Admissions

JD, Queen's University Faculty of Law, 2011

BA (Hons.), University of Ottawa, 2008

Ontario, 2012

Professional Involvement

Member, The Advocates' Society

Participant, Law Society of Upper Canada's Early Career Roundtable

Member, Canadian Defence Lawyers

Member, County of Carleton Law Association

Community Involvement

Board Member, Gloucester Housing Corporation

Assistant Softball Coach for the University of Ottawa Gee Gees

Assistant Professor, University of Ottawa Faculty of Law (Civil Procedure)

EXECUTIVE SUMMARY

Erin Durant is a lawyer in our Ottawa office who accepts mandates throughout Ontario. She is a member of the Insurance and Tort Liability Group. Erin is a graduate of Queen's University Faculty of Law where she received a number of academic awards and is now a part-time professor at the University of Ottawa Faculty of Law where she teaches Insurance Law and Civil Procedure to the next generation of lawyers.

Erin accepts retainers to defend professional negligence (lawyers and engineers), officers' and directors' liability, title insurance, property damage, personal injury, motor vehicle accident, insurance coverage claims and employment practices claims on behalf of insurers. She also has experience pursuing subrogated claims in an efficient and cost-effective manner.

Erin has considerable trial experience and has been involved as counsel or as trial support in at least one trial per year since her call to the bar. She has also argued a number of contested motions and applications. She has appeared in the Ontario Superior Court of Justice, the Ontario Court of Appeal, the Federal Court of Canada, the Ontario Human Rights Tribunal and before the Law Society Tribunal.

Erin is very active in the legal profession and in the Ottawa community. She has been a member of the Advocates' Society's Young Lawyers' Standing Committee since 2015 and is past-chair of the Canadian Defence Lawyers' Young Lawyers Division. Erin was a member of The Advocates' Society's task forces on trials that published the [Best Practices for Civil Trials](#) and the Advocates' Society's Courts Technology Task Force that contributed to the [Paperless Trials Manual](#). She is also a member of the [Law Society of Upper Canada's Early Career Roundtable](#).

In her spare time, Erin volunteers as a coach with the University of Ottawa Gee Gees Fastball team and competes provincially and nationally in the sport herself with the Bytown Belles.

REPRESENTATIVE WORK

- Counsel on *ex parte* motion regarding burial arrangements for deceased individual, Ottawa CV-17-75034.
- Jury trial counsel in the Superior Court of Justice, responsible for trial motions, in a motor vehicle accident case where liability and damages were in dispute,

CV-14-59774.

- Counsel to a national museum in an arbitration under the Canada Labour Code in lay-off grievance, [2017 CanLII 7045](#).
- Pro Bono counsel to a veteran of the Canadian Armed Forces on a Judicial Review to the Federal Court of Canada regarding a denial of his disability pension, [2017 FC 521](#).
- Author of application materials filed in the Superior Court of Justice on behalf of a title insurer for a declaration of the existence of a prescriptive easement or easement of necessity, [2015 ONSC 5014](#) rev'd [2016 ONCA 629](#).
- Jury trial counsel in the Superior Court of Justice for an insured defendant in a motor vehicle accident case involving allegations of chronic pain, [2016 ONSC 2942](#).
- Jury trial counsel in the Superior Court of Justice for an insured defendant in a pedestrian-motor vehicle accident case, [2016 ONSC 2075](#).
- Author of motion materials in the Superior Court of Justice in support of an order that no settlement was made between parties to litigation, [2015 ONSC 4394](#).
- Author of motion materials in the Superior Court of Justice opposing a motion for summary judgment brought on the eve of a jury trial, [2014 ONSC 2513](#) leave to appeal denied [2014 ONSC 3043](#).
- Counsel in the Superior Court of Justice arguing against the enforcement of a settlement on the basis of mistake, [2014 ONSC 133](#).
- Author of application materials filed in the Superior Court of Justice on behalf of a title insurer regarding ownership of a strip of land and the existence of a prescriptive easement, [2014 ONSC 4969](#).
- Counsel at the Ontario Court of Appeal in a case involving discoverability, limitation periods and subrogated insurance claims [2013 ONSC 7130](#) aff'd [2014 ONCA 385](#)
- Jury trial counsel in the Superior Court of Justice in a motor vehicle accident case where the sole issue was liability, Barrie CV-070969.
- Articling student at trial in the Superior Court of Justice for a corporation alleged to have oppressed minority shareholders, [2013 ONSC 1525](#).
- Articling student for a hospital linen service at an interest arbitration under the *Hospital Labour Disputes Arbitration Act*, [2011 CanLII 33175](#).

PUBLICATIONS & PRESENTATIONS

Erin is available to provide in-house sessions to insurance adjusters on a number of areas of law. Below is a summary of her recent articles and speaking engagements.

- Speaker, "Leadership Skills and Archetypes: Scenarios and Discussion," The Advocates' Society's Leadership Skills for Litigators Program, May 3, 2018.
- Co-Author, "[Delete or Shred: Record Keeping Basics for Employers](#)," *Institute of Professional Management Member's Quarterly*, Spring 2018 Edition.
- Speaker, "Indemnification and Insurance Clauses in Commercial Leases," Internal Seminar to BLG National Commercial Leasing Group, April 25, 2018.

- Co-Author, "Insurer Obtains Assignment of Long-Term Disability Benefits Following Motor Vehicle Accident Trial," *Lexology*, April 12, 2018.
- Speaker, "Performance Management and Discipline in the Workplace," Institute of Professional Management Conference, April 12, 2018.
- Co-Chair, "The Honourable Justice McLachlin Fireside Chat," The Advocates' Society, March 14, 2018.
- Co-Chair, "Arguing Complex Motions and Applications," The Advocates' Society's Courthouse Series in Ottawa, February 28, 2018.
- Moderator, "How to Lose an Appeal, the Next Generation," and the Annual Judges' Panel, County of Carleton Law Association's Civil Litigation Updated Conference, November 18, 2017.
- Conference Organizer, "Surveillance Evidence Update," Canadian Defence Lawyers' Breakfast Seminar, September 19, 2017.
- Speaker, "The *Insurance Act* Threshold for Beginners," Canadian Defence Lawyers' Boot Camp Conference, September 7, 2017.
- Speaker, "Surveillance Law Update," Insurance and Tort Liability Breakfast Seminar, June 14, 2017.
- Speaker, "Alcohol and Marijuana in the Workplace," BLG Not-for-Profit Law Seminar, June 7, 2017.
- Author, "Harassment as an Independent Cause of Action," Labour and Employment Law Newsletter, June 2017.
- Author, "Social Host Liability: Still a Potential Cause of Action in Ontario," Insurance and Tort Liability Newsletter, April 25, 2017.
- Speaker, "Mental Health and Medical Issues in the Workplace," Institute of Professional Management, Ottawa Conference, April 6, 2017.
- Co-Chair, "Telling a Compelling Story," The Advocates' Society's Courthouse Series in Ottawa, March 2, 2017.
- Conference Chair, Canadian Defence Lawyers' Ottawa Breakfast on Expert Witnesses, February 2017.
- Author, "Ask the Expert: Avoiding Discrimination in the Hiring Process," *Institute of Professional Management Members' Quarterly*, January 2017.
- Author, "2016 Threshold Decisions: The Importance of Expert Evidence," *Canadian Defence Lawyers Hearsay*, December 2016.
- Speaker, "Top Employment Law Cases of 2016," BLG Labour and Employment Symposium, November 22, 2016.
- Panel Moderator and Conference Co-Chair, "A View from the Bench: Insight through Hindsight," The Advocates' Society's Fall Forum Conference, October 21-22, 2016.
- Speaker, "Summary Judgment Motions and Wrongful Dismissal Cases," 1000 Islands Legal Conference, September 16, 2016.
- Author, "Changes to Accessible Customer Services Standards Take Effect July 1, 2016," *BLG Labour and Employment Law Newsletter*, June 26, 2016.
- Speaker, "Solicitor-Client Privilege and the Duty of Confidentiality," BLG In-House Counsel Professionalism Conference, June 21, 2016.

- Speaker, "An Update on Surveillance Evidence," BLG Insurance and Tort Liability Breakfast, May 26, 2016.
- Co-Author, "How Two Weeks' Pay Become Over 27 Months," *BLG Labour and Employment Newsletter*, May 2016.
- Co-Author, "Overtime: Does your Policy Comply?" *Institute of Professional Management Members' Quarterly*, Spring 2016.
- Speaker, "Developing Programs to Manage Disability in the Workplace," Infonex, Managing Your Duty to Accommodate Conference, March 29-30, 2016.
- Co-Author, "Threshold Decisions from 2015: A Successful Year for Defendants," *Canadian Defence Lawyers Hearsay*, December 2015.
- Conference Chair, "Infonex Absenteeism, Accommodation and Disability Management: Transforming Attendance Management in Canada's Public Sector," November 25, 2015.
- Author, "The State of Summary Judgment: A National Overview of Personal Injury Cases," *Claims Canada*, June 2015.
- Author, "Insurance Coverage and Employment Practices Liability Insurance Policies," *Canadian Defence Lawyers Hearsay*, Winter 2014.
- Author, "Apologies: The Inadmissible Admissions," *The Advocates' Journal*, Fall 2014.
- Co-Author, "The Ontario Court of Appeal Discusses Costs in Personal Injury Cases," *Canadian Defence Lawyers Hearsay*, Fall 2014.
- Co-Author, "Getting Your Costs Paid: Strategic Considerations," The Advocates' Society's Tricks of the Trade Conference, January 2014.
- Co-Author, "Municipal Liability for Motor Vehicle Accidents," *Canadian Defence Lawyers Hearsay*, December 2013.
- Co-Author, "Opening Statements: Doing it Right," The Advocates' Society's Trial from A to Z Conference, April 2013.
- Co-Author and Speaker, "Liquor Liability for Social Hosts, Commercial Hosts and Employers," *Barrie Insurance Brokers Association*, November 2012.
- Author, "One Percent Liability: One Hundred Percent Injustice," *The Advocates' Society's Fall Convention*, November 2012.
- Author, "The Right to Associate and Negotiate in Labour Law: The Supreme Court's Recent Pronouncement," *Labour and Employment Law News*, October 2011.

ABOUT BORDEN LADNER GERVAIS LLP

Borden Ladner Gervais LLP (BLG) is a leading, national, full-service Canadian law firm focusing on business law, commercial litigation and arbitration, and intellectual property solutions for our clients. BLG is one of the country's largest law firms with more than 700 lawyers, intellectual property agents and other professionals in five cities across Canada. We assist clients with their legal needs, from major litigation to financing to trademark and patent registration.