



Jeremy Martin

Partner

Contact Information

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Office

Toronto

Expertise

- Litigation
- Class Actions
- Product Liability
- Regulatory

Biography

Jeremy Martin is a class action defence lawyer with a specialty in product liability and mass tort cases. A dedicated and creative litigation strategist, Jeremy is often retained to advise on complex or sensitive files. In each case, Jeremy encourages his clients to think outside the framework of litigation, choosing and winning battles before they are fought. As part of his practice, Jeremy has spearheaded numerous domestic and international product recalls, crisis management situations and ADR frameworks. He has acted on cases involving product liability, drug and medical device regulation, mass torts, institutional abuse, shareholder actions, employment law, consumer protection claims, and more.

Representative work includes:

- Overseeing the crisis response, maintenance, repair and sophisticated resettlement plan for more than 1500 displaced tenants following a six-alarm apartment fire – all during the initial stages of the COVID-19 crisis
- Pioneering groundbreaking new trauma-informed resolution methods in several institutional abuse and residential schools class actions
- Deploying creative tactics to achieve a resolution to a national criminal rate of interest class action prior to the claim being formally issued
- Representing manufacturers in dozens of Health Canada incident reports and certification body inspections, managing numerous domestic and cross-border recall procedures and civil claims, and resisting unnecessary corrective actions
- Winning a two-week trial preserving the balance of power in Canada's Parliament by defeating allegations of corrupt practices under the *Canada Elections Act*, S.C. 2000, c. 9

Jeremy has frequently been cited by academics and consulted by researchers and other counsel for his expertise in class action law and litigation strategy. In advance of the Ontario government's amendments to the *Class Proceedings Act* in 2020, Jeremy acted as Chair of an *ad hoc* working group of Bay Street class action defence specialists providing submissions to the government. His comments

were solicited by the Law Commission of Ontario in finalizing its report on class action reform, and he was invited to testify before the Legislature on the amendments as an expert witness. His writing on class actions has been adopted into law by several courts, including the Supreme Court of Canada in the groundbreaking *Babstock* case, which eliminated a developing cause of action against class action defendants. For these and other contributions, the Ontario Bar Association awarded him the 2021 Heather McArthur Memorial Young Lawyers' Award for exceptional achievements in the development of the law for the benefit of the profession and citizens of Ontario.

Recognized by *Best Lawyers* as one of the leading class action defence counsel in Canada, Jeremy was recently elected Chair of the Class Actions section of the Ontario Bar Association. He is a six-time co-author of Ontario's leading textbook on civil procedure, a frequent speaker at class action conferences across the country, and a guest lecturer in civil procedure and class actions law at the University of Windsor, Western University, and Osgoode Hall.

Achievements

- *Best Lawyers in Canada* (Class Action Litigation)
- Ontario Bar Association, Heather McArthur Memorial Award for exceptional achievements in the development of the law

Insights

- No Need to Speculate: Ontario Court of Appeal Affirms Denial of Certification in Pharmaceutical Product Liability Class Action Based on Increased Risk of Harm
- Health Check: Hot Topics in Food, Drug and Health Product Regulation (Cassels Webinar)
- Targeted Online Advertising Forms Basis for Quebec Class Action

Education / Bar Admissions

- J.D., University of Toronto, 2011
- M.A., University of Toronto, 2006
- B.A. (Advanced), University of Manitoba, 2004
- Ontario, 2012

Associations

- Canadian Bar Association
- Ontario Bar Association, Class Actions Section (Former Chair)
- Osgoode Society for Canadian Legal History
- The Advocates' Society