

Jonathan Thoburn

Partner

T 416.367.6435
F 416.367.6749
Toronto
JThoburn@blg.com
LinkedIn

Municipal Liability
Police Law & Liability
Insurance Claim Defence
Class Action Defence
Contract Disputes
Appellate Advocacy

Jonathan's practice is primarily focused on municipal liability, representing some of ITL's largest and most longstanding clients. Jonathan defends municipalities and their employees against claims such as non-repair of roads and sidewalks, negligent design, defamation, property damage, contractual disputes, motor vehicle accidents, subrogation, and water and infrastructure related claims.

Further, Jonathan has in-depth experience defending police services, including claims of negligent investigation, malicious prosecution, conspiracy, false arrest, use of force and breaches of Charter rights.

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Jonathan's other key practice area is to defend claims on behalf of municipal police services and their officers, relating to negligent investigation, misfeasance in public office and Charter breaches. He also acts on behalf of various insurers.

Jonathan has appeared at various levels of Court in Ontario, including the Superior Court and the Court of Appeal. He has also prepared written submissions for the Supreme Court of Canada, appeared before the Manitoba Court of Appeal, and the Ontario Workplace Safety and Insurance Tribunal.

Insights & Events

- Author, "Measurements matter: City avoids liability for sidewalk fall", BLG Article, October 2026
- Author, "Court of Appeal comments on a possible duty of care owed by the Attorney General of Canada", BLG Article, March 2026
- Author, "Court of Appeal reverses course on “untravelled portion of a highway”", BLG Article, November 2025
- Author, "Court holds that entering into a Peace Bond bars civil claim against police", BLG Article, November 2025
- Author, "Ontario Superior Court confirms what communications are protected by spousal privilege", BLG Article, November 2025
- Author, "Municipality successful at trial after the plaintiffs failed to lead expert evidence on a road maintenance claim", BLG Article, October 2025
- Author, "Hockey assault not appropriate for summary judgment", BLG Article, March 2025
- Author, "Court declares both corporation and its director vexatious litigants", BLG Article, March 2025
- Author, "ONCA rules on the ultimate limitation period in the context of municipal building permit claims", BLG Article, February 2025
- Author, "Municipality defeats claim arising from “untravelled portion of a highway”", BLG Article, October 2024
- Author, "Court dismisses lawsuit based on “dynamic entry” to execute a search warrant", BLG Article, August 2024
- Author, "Put your best foot forward: Summary judgment granted in favour of Milton in motorcycle accident case", BLG Article, August 2024
- Co-authors, "Court confirms ongoing applicability of statutory municipal law defences," Law360 Canada, May 2024
- Author, "Municipal statutory defences remain alive and well: Hamilton-Dawkins v Town of Ajax", BLG Article, May 2024
- Author, "Too close for comfort: Motion to strike bystander’s claim fails", BLG Article, November 2023
- Author, "Ontario court dismisses a claim against the Ontario Provincial Police on summary judgment", BLG Article, July 2023
- Author, "ONSC clarifies misnomer rules in Abramov v. Doe hit-and-run case", BLG Article, April 2023
- Author, "Ontario Court of Appeal reiterates judicial discretion to dismiss claims that are frivolous, vexatious and an abuse of process", BLG Article, April 2023
- Author, "Court affirms police do not owe victims of crime a private law duty of care", BLG Article, January 2023
- Author, "Skills are assets: ONSC clarifies approach for awarding loss of competitive advantage", BLG Article, July 2022
- Author, "Court confirms benefits disputes should be decided by tribunal in proposed class actions," *The Lawyer's Daily*, September 28, 2021
- Author, "Proposed class actions against insurers fails", BLG Article, August 2021
- Author, "Certification of proposed bail hearing class action denied", BLG Article, June 2021
- Author, "Ontario Court of Appeal affirms success in solitary confinement class action", BLG Article, June 2021
- Author, "Ontario court concedes jurisdiction to LAT in proposed class action", BLG Article, November 2020

Beyond our Walls

Professional Involvement

- Member, Toronto Lawyers Association

Community Involvement

- Volunteer, Lawyers Feed the Hungry
- Volunteer, Pro Bono Ontario

Awards & Recognition

- Recognized in the 2026 edition of *The Canadian Legal Lexpert® Directory* (Commercial Insurance).

Bar Admission & Education

- Ontario, 2014

- JD, University of Western Ontario, 2013
- BA (Hons.) in Political Science and Criminal Justice and Public Policy, University of Guelph, 2009

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