



## Cynthia (Cindy) Clarke

Regional Managing Partner, Toronto

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With a career spanning over 25 years, Cindy is widely recognized for her knowledge, **experience and dedication to clients**. She is one of BLG's most senior leaders and sits on the National Management Committee, acting as a liaison and relationship partner for major clients of the firm.

As Toronto Regional Managing Partner, Cindy oversees the achievement of the Toronto office's strategic goals and objectives which include enhancing our engagement with and support of the Greater Hamilton and Toronto Area (GHTA) business community and our broader community.

In her practice, Cindy represents and is an advisor to many clients in the health sector focusing particularly on hospitals, defence of malpractice actions and representing her clients in all manner of civil and regulatory disputes. Cindy also has a class action defence practice focused on defending claims pertaining to misrepresentation of the health effects of a product or pharmaceutical. She is regularly recognized by colleagues as outstanding in her field by ranking bodies including Chambers Canada, Benchmark Litigation, Lexpert, Best Lawyers and many more.

## Experience

- Acts as defence counsel multiple hospitals in defence of complex, multi-million dollar medical malpractice actions.

- Acts as defence counsel in a multi-million dollar class action and two of Canada's healthcare costs recovery actions, including representation of Purdue Canada in various class actions initiated across Canada.
- Defending Trillium Gift of Life Network and University Health Network in application seeking declaration of a Charter violation due to management of wait list for liver transplants and in injunction brought by individual seeking urgent placement on the transplant list after declaration he was not eligible for a transplant.
- Acts as defence counsel in a multi-million dollar class action and two of Canada's healthcare costs recovery actions.
- *Ceretti v. Hamilton Health Sciences-McMaster Children's Hospital* - Represented a Regional Autism Program run by Hamilton Health Sciences in a Judicial Review Application by a family seeking to prevent the Program from discharging a child from its services.
- El Roubi/Lopez Inquest - Represented the Central CCAC in the only inquest in Ontario to investigate the long-term care sector, which inquired into the deaths of Mr. Lopez and Mr. El Roubi following an assault by another resident.
- King/Bertrand Inquest – Represented Purdue Pharma in inquiry into the use and misuse of OxyContin arising from the deaths of Mr. King and Ms. Bertrand.
- Assists senior hospital leadership and Medical Advisory Committees on physician privileges issues.
- Advises hospital leadership on managing disruptive physician behaviour and quality of care issues.

## Insights & Events

- Author, "B.C. introduces Bill 12: sweeping health care cost recovery legislation", BLG Article, March 2024
- Author, "A day with Women General Counsel Canada and BLG's Driven by Women: Leadership, innovation, driving results and the AI transformation", BLG Article, February 2024
- The professionalism series: The changing landscape of human rights in Ontario, BLG Video, December 2023
- Speaker, ["Human Resources: The Greatest Challenge in Canadian Health Care Today."](#) Canadian Bar Association, Health Law Summit, May 24-26, 2023
- Panelist, ["Risk Forum."](#) HIROC 2023 Annual General Meeting and Conference, April 24, 2023
- The Legal Listen: Immunity passports, BLG Podcast, March 2021
- Co-Chair, Causation on Trial: Making sense of causation in the most difficult cases, February 2021
- Moderator, Canadian Lawyer- Women in Law Canada: Promoting Diversity, Driving Change- A New Legal Landscape, February 2021
- Trends to watch in 2021 – Disputes: accelerated transformation, BLG Perspective, January 2021
- COVID-19 Legal Perspectives
- Co-Author, Law for Canadian Health Care Administrators, 2nd Edition, LexisNexis Canada
- Guest Lecturer, "Legal Issues of Medical Errors", University of Toronto, M.Sc. Patient Safety Health Law Session
- Guest Lecturer, "Who Does What: How Legislation Influences Actions of Organizations in the Health Care System - A Review of the Management of Hospital Discharge", University of Toronto, M.Sc. Patient Safety Health Law Session
- Panelist, "Developing your Skills to become a Leader", Justicia Symposium
- Panelist/Speaker, "Legal Counsel Perspectives on Presenting and Defending a Claim", HIROC Risk Management Conference
- Speaker and Panelist, "Legal Issues of Medical Errors", Canadian Winter School on Quality and Safety in Radiation Oncology

- Speaker, “Best Practices in Physician Annual Reappointment, Performance Management and Disruptive Behaviour”, HIROC Annual Risk Management Conference (with Dr. H. Stern, CEO of the CMPA).
- Speaker, “Discussion and Disclosure of Medical Incidents with Patients”, Orillia Soldiers Memorial Hospital
- Speaker, “Role of Documentation in Malpractice Litigation - Lessons Learned from a Recent Trial Experience”, William Osler Hospital
- Speaker, “Role of Documentation in Malpractice Litigation”, Malpractice in Pain Medicine, Medico-Legal Conference
- Speaker, “Strategic Pro Bono Litigation: How to Spare Some Change”, Panelist at Plenary Session, 5th Annual National Pro Bono Conference
- Speaker, “What CCACs Can Learn From Recent HSARB Decisions”, OACCAC Annual Conference

## Beyond Our Walls

### Professional Involvement

- Member, Ontario Bar Association, Health Law and Civil Law sections
- Member, The Advocates' Society
- Member Medico Legal Society of Toronto
- Former Adjunct Professor, Osgoode Hall Law School, Professional LLM – Health Law, Health Facilities Course
- Former Program Director, Certificate in Health Law, Osgoode Hall Law School
- Former Advisor/Instructor, M.Sc. in Quality Improvement and Patient Safety, University of Toronto; Instructor, Risk Management
- Member of the Holland Group

### Community Involvement

- Advisor, Pro Bono Law Ontario and Sick Kids Legal Clinic
- Past President of Volunteer Board, Canadian Mothercraft Society
- Member of Women United – Advocate level

## Awards & Recognitions

- Recognized in the 2024 and previous editions of *Chambers Canada – Canada's Leading Lawyers for Business* (Healthcare: Contentious - Nationwide).
- Recognized in the 2024 and previous editions of *The Canadian Legal Lexpert® Directory* (Class Actions, Medical Negligence and Personal Injury).
- Recognized in the 2023 edition of *Lexpert Special Edition: Litigation*
- Recognized in the 2023 edition (and since 2022) of *Who's Who Legal: Canada* (Life Sciences).
- Recognized in the 2023 and previous editions of *The Best Lawyers in Canada®* (Administrative and Public Law, Health Care Law, Medical Negligence, Personal Injury Litigation).
- Shortlisted for "Health Law/Medical Litigator of the Year" at the 2023 Benchmark Canada Litigation Awards
- Recognized in the 2023 edition of *Lexpert Special Edition: Technology and Health Sciences*
- Recognized in the 2023 and previous editions of *Benchmark Litigation Canada* in the "Top 100 Women in Litigation"
- Recognized in the 2021 edition of *Lexpert Special Edition: Health Sciences*.

- Recognized in the 2020 edition of *Lexpert Special Edition: Litigation*
- Recipient of a 2018 *Lexpert®* Zenith Award – Celebrating Mid-Career Excellence.
- Recognized in the edition of *Benchmark Top 25 Women in Litigation in Canada*.
- Recognized in *Benchmark Canada - The Definitive Guide to Canada's Leading Litigation Firms & Attorneys* as a "Local Litigation Star: Ontario" (Construction, Health, Product Liability).
- Recipient of the Women's Executive Network (WXN) Canada's Most Powerful Women: Top 100 Award.
- Exclusive winner of the Lexology Client Service Award in the Healthcare & Life Sciences category in Canada and Ontario.
- Named one of *Lexpert®*'s Rising Stars: Leading Lawyers Under 40.
- Recognized as a 2019 Acritas Star

## Bar Admission & Education

- Ontario, 1999
- LLB, University of Western Ontario, 1997
- BA, Philosophy, University of Western Ontario, 1993

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## BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 725 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

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