David Elman

Partner

T 416.367.6031
F 416.367.6749
Toronto
DElman@blg.com
LinkedIn

Class Action Defence
Disputes
Insurance Claim Defence
Municipal Liability
Government & Public Sector
Automotive
Products Law
Institutional Abuse Claims Defence

David focuses on **class actions** and the defence of **complex torts** and **commercial litigation** . He specializes in cases alleging breach of consumer protection legislation, product liability, negligence, breach of contract and public authority liability.

David acts on behalf of large institutional clients, including:

- financial institutions
- telecom companies
- municipalities
- police services
- manufacturers
- educational institutions
- insurers

He regularly appears on motions and appeals before the Ontario Superior Court of Justice and the Ontario Court of Appeal.

David provides counsel on sensitive and high-profile issues to manage reputational risks and concerns. He also represents clients in mediation and arbitration. He is also the Regional Group Manager of BLG's Toronto Insurance and Tort Liability Group.

Insights & Events

- Author, "Supreme Court of Canada recognizes tort of intimate partner violence: Ahluwalia v. Ahluwalia", BLG Article, May 2026
- Author, "There is no foundation in the Class Proceedings Act, 1992 for conditional certifications", BLG Article, April 2025
- Author, "Late registration of a class action to the National Class Actions Database does not render the action a nullity", BLG Article, March 2025
- Author, "Court of Appeal confirms factors for determining compensable mental injury", BLG Article, May 2023
- Author, "Ontario court weighs in on assuming jurisdiction over tort claims against foreign defendants", BLG Article, March 2023
- Author, "Certification denied for Takata air bag recall on basis that existing recalls preferable to proposed class action", BLG Article, October 2022
- Author, "Certification motion dismissed in proposed roadway design class action in Ontario", BLG Article, July 2022
- Author, "Certification of proposed bail hearing class action denied", BLG Article, June 2021
- Author, "Class action lawsuits: Looking south at pharmaceutical settlements", BLG Article, May 2021
- Author, "Proximity is paramount: Supreme Court weighs in on duty of care for pure economic loss", BLG Article, December 2020
- Author, "Alberta court rejects “boilerplate” release language in proposed class action settlement", BLG Article, November 2020
- Author, "Bill 161: Sweeping changes to Ontario's Class Proceedings Act take effect October 1", BLG Article, September 2020
- Author, "Offers to settle certification motion may have limited cost consequences", BLG Article, August 2020
- Author, "Changes to Ontario’s Class Proceedings Act passed into law", BLG Article, July 2020
- Author, "Ontario Announces Significant Proposed Changes to the Class Proceedings Act, 1992", BLG Article, December 2019
- Author, "Changes to Small Claims Court and the Rules of Simplified Procedure", BLG Article, October 2019
- Class Actions in Canada: What you need to know, BLG Video, October 2019
- Author, "Law Commission of Ontario Report on Class Actions — Key Recommendations", BLG Article, July 2019
- Author, "Court Of Appeal Confirms Lack Of Jurisdiction To Hear Proposed Gender discrimination Class Action Against Police Service", BLG Article, April 2019
- Author, "Prospective Self represented Representative Plaintiff Put Out Of Commission", BLG Article, April 2019
- Co-author, "Substantive Changes to Ontario's Highway Minimum Maintenance Standards Now In Effect," BLG Insurance and Tort Liability Bulletin, May 201
- Author, "Supreme Court of Canada Reinforces Reasonable Foreseeability of Harm as Critical Limiting Principle in the Law of Negligence", BLG Article, May 2018
- Co-author, "Court of Appeal upholds finding that storefront was occupier of municipal sidewalk," BLG Insurance and Tort Liability Bulletin, May 2017
- Author, "J.J. V. C.C.: Court Of Appeal Finds Garage And Car Dealership Owed Duty Of Care To Minor Who Stole Vehicle From Premise", BLG Article, November 2016
- Author, "Ontario Court of Appeal Considers Whether a Municipality May Owe Duty of Care in Relation to Its Enforcement of Taxi Licensing Bylaws", BLG Article, July 2016

Beyond our Walls

Professional Involvement

- Member, Canadian Bar Association
- Member, Ontario Bar Associations
- Member, The Advocates' Society
- Committee Member, Toronto Lawyers Association
- Member, Canadian Defence Lawyers
- Subcommittee co-chair, American Bar Association, Section of Litigation, Mass Torts Litigation
- Member, Canadian Bar Association
- Member, Ontario Bar Associations
- Member, The Advocates' Society
- Committee Member, Toronto Lawyers Association
- Member, Canadian Defence Lawyers
- Subcommittee co-chair, American Bar Association, Section of Litigation, Mass Torts Litigation

Community Involvement

- Pro Bono Duty Counsel, Law Help Ontario
- Pro Bono Duty Counsel, Law Help Ontario

Awards & Recognition

- Recognized in the 2027 edition (and since 2025) of *The Best Lawyers in Canada* (Insurance Law), since 2024 (Personal Injury Litigation) and since 2022 in Product Liability Law.
- Recognized in the 2026 edition (and since 2023) of *The Canadian Legal Lexpert Directory* (Class Actions, Litigation - Commercial Insurance)
- Recognized in the 2024 edition (and since 2023) of *Lexpert Special Edition: Litigation*
- Recognized as a 2023 *Thomson Reuters* Stand-out Lawyer
- Awarded the Blake Cassels Graydon LLP prize in Business Organizations
- Awarded the Catherine Helen McLean Prize in Labour Law
- Osgoode Society Prize for Canadian Legal History

Bar Admission & Education

- Ontario, 2007

- LLB, University of Ottawa, 2006
- BA (Hons.), University of Toronto, 2003

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 800 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.

blg.com

© 2026 Borden Ladner Gervais LLP. Borden Ladner Gervais LLP is an Ontario Limited Liability Partnership.