



## David Elman

### Associé

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[Actions collectives](#)  
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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 Rollup

- Auteur, « There is no foundation in the Class Proceedings Act, 1992 for conditional certifications », article de BLG, avril 2025
- Auteur, « Late registration of a class action to the National Class Actions Database does not render the action a nullity », article de BLG, mars 2025
- Auteur, « Court of Appeal confirms factors for determining compensable mental injury », article de BLG, mai 2023
- Auteur, « Ontario court weighs in on assuming jurisdiction over tort claims against foreign defendants », article de BLG, mars 2023
- Auteur, « Certification denied for Takata air bag recall on basis that existing recalls preferable to proposed class action », article de BLG, octobre 2022
- Auteur, « Certification motion dismissed in proposed roadway design class action in Ontario », article de BLG, juillet 2022
- Auteur, « Certification of proposed bail hearing class action denied », article de BLG, juin 2021
- Auteur, « Actions collectives : les règlements dans l'industrie pharmaceutique chez nos voisins du Sud », article de BLG, mai 2021
- Auteur, « Proximity is paramount: Supreme Court weighs in on duty of care for pure economic loss », article de BLG, décembre 2020
- Auteur, « Alberta court rejects "boilerplate" release language in proposed class action settlement », article de BLG, novembre 2020
- Auteur, « \$name », article de BLG, septembre 2020
- Auteur, « Offers to settle certification motion may have limited cost consequences », article de BLG, août 2020
- Auteur, « Changes to Ontario's Class Proceedings Act passed into law », article de BLG, juillet 2020
- Auteur, « \$name », article de BLG, décembre 2019
- Auteur, « Changes to Small Claims Court and the Rules of Simplified Procedure », article de BLG, octobre 2019
- Class Actions in Canada: What you need to know, vidéo de BLG, octobre 2019
- Auteur, « Law Commission of Ontario Report on Class Actions — Key Recommendations », article de BLG, juillet 2019
- Auteur, « Court Of Appeal Confirms Lack Of Jurisdiction To Hear Proposed Gender discrimination Class Action Against Police Service », article de BLG, avril 2019
- Auteur, « Prospective Self represented Representative Plaintiff Put Out Of Commission », article de BLG, avril 2019
- Co-auteur, "Substantive Changes to Ontario's Highway Minimum Maintenance Standards Now In Effect," BLG Insurance and Tort Liability Bulletin, May 201
- Auteur, « Supreme Court of Canada Reinforces Reasonable Foreseeability of Harm as Critical Limiting Principle in the Law of Negligence », article de BLG, mai 2018
- Co-auteur, "Court of Appeal upholds finding that storefront was occupier of municipal sidewalk," BLG Insurance and Tort Liability Bulletin, May 2017
- Auteur, « J.J. V. C.C.: Court Of Appeal Finds Garage And Car Dealership Owed Duty Of Care To Minor Who Stole Vehicle From Premise », article de BLG, novembre 2016
- Auteur, « Ontario Court of Appeal Considers Whether a Municipality May Owe Duty of Care in Relation to Its Enforcement of Taxi Licensing Bylaws », article de BLG, juillet 2016
- Auteur, « Duty of Care to Victims of Problem Gamblers Not "Hopeless" », article de BLG, juin 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 & Recognitions

- Recognized in the 2025 edition of *Best Lawyers in Canada* (Insurance Law), since 2024 (Personal Injury Litigation) and since 2022 in Product Liability Law.
- 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
- Recognized in the 2024 and 2023 edition of *The Canadian Legal Lexpert® Directory* (Class Actions, Litigation - Commercial Insurance)

## Bar Admission & Education

- Ontario, 2007
- LLB, Université d'Ottawa, 2006
- BA (Hons.), Université de Toronto, 2003

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Borden Ladner Gervais S.E.N.C.R.L., S.R.L. (BLG) est le plus grand cabinet d'avocats canadien véritablement multiservices. À ce titre, il offre des conseils juridiques pratiques à des clients d'ici et d'ailleurs dans plus de domaines et de secteurs que tout autre cabinet canadien. Comptant plus de 725 avocats, agents de propriété intellectuelle et autres professionnels, BLG répond aux besoins juridiques d'entreprises et d'institutions au pays comme à l'étranger pour ce qui touche les fusions et acquisitions, les marchés financiers, les différends et le financement ou encore l'enregistrement de brevets et de marques de commerce.

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