

Curriculum Vitae  
OF  
PAUL M. MANN, B.A., LL.B.

Practice restricted to  
Medical Malpractice and  
Catastrophic Personal Injury

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## **Education**

Bachelor of Arts - Economics - Graduated *Magna Cum Laude* - University of Western Ontario 1969.

Bachelor of Laws - Graduated with Honours - University of Windsor, Faculty of Law - 1974.

Bar Admission Course for the Province of Ontario - 1975.

Admitted to the Ontario Bar, April 1976.

Attended over 75 continuing legal education programs in medical malpractice, civil procedure and advocacy.

Attended Ontario Trial Lawyers Association CLEs and section meetings related to topics on demonstrative evidence, jury openings, jury closing, cross-examination, examination-in-chief, medical malpractice, burden of proof in medical malpractice cases, liability, causation, quantification of damages, use of experts, use of modern technology and presentation of evidence to a judge or jury.

Attended continuing legal education courses at the Law Society of Upper Canada for civil litigators: evidence, rules of practice and civil procedure in the Province of Ontario.

## **Memberships**

The Law Society of Upper Canada  
Ontario Bar Association  
American Association for Justice  
The Waterloo Law Association  
The Holland Group  
Frontenac Law Association

## **Seminars and Lectures**

Lectured extensively on advanced advocacy to third-year law students at Queen's University Law School on jury openings, jury closings, examination-in-chief, preparation for trial, preparation of examination for discovery, use of experts, liability, causation and damages in a civil action.

Lectured at *Insight Canada* on medical malpractice, anatomy of a medical malpractice action, nuts and bolts of a medical malpractice action, how to commence an action, how to proceed through a medical malpractice action and the use (whether it be negative or positive) of structuring settlements.

Lectured on wrongful birth cases, catastrophically compromised children arising out of obstetrical and gynaecological care.

Founder and past Chair of the Medical Malpractice Section of the Ontario Trial Lawyers Association for 8 years, providing case law updates, causation articles, liability in various aspects of medicine including but not limited to the standard of care to be reasonably expected of:

- a. General Practitioners;
- b. Obstetricians and Gynaecologists;
- c. Neurologists;
- d. Orthopaedic Surgeons

Chaired the a 3-day CLE for the Ontario Trial Lawyers Association April, 2008, Marco Island, Florida.

Lectured on the use, the appropriateness and demeanor during an inquest, the process of an inquest in and for the Province of Ontario.

## **Jurisdictional Cases**

Has acted for or assisted as counsel to more than 80 law firms in Canada, from pleadings through trial and on appeal.

A sampling of a few of the leading cases in which Paul Mann has been counsel:

*Allen v. Boyd* - obstetrical and gynaecologic case - Trial 1999; appealed in 2002 (both successful).

Firestone case (Fort McMurray, Alberta) - Inappropriate neurologic care by an emergency physician developing into severe epilepsy, spastic quadriplegia and brain damage - 2000.

Co-counsel with Pierre Tremblay (Bathurst, New Brunswick) on case involving a severely compromised child at the hands of a GP - OB/GYN (settled September 2004);

Lead counsel in Kennedy v. Waterloo Board of Education et al - Trial 1996 - where the general damages broke the cap of damages with non-pecuniary general damages assessed at \$400,000.00.

Lead counsel in Deskin v. Her Majesty the Queen in the Right of the Province of Ontario and involving the Ministry of Health, the Ministry of Education and Ministry of Community & Social Services for the Province of Ontario, for failure to provide adequate treatment or any treatment for autistic children in the Province of Ontario.

Lead counsel in Palmer v. Hernandez - Constitutional challenge to ANo Fault@ legislation in the Insurance industry in the Province of Ontario, introduced in 1990 effecting a change in the format of those who are psychologically compromised in motor vehicle accidents.

Lead counsel in the tainted blood case of an individual, which case is identified as CP v. Canadian Red Cross et al (1995).

Verdicts and/or settlements in excess of 100 cases with settlements and/or verdicts being in excess of \$1,000,000.00.

Co-counsel in a leading case establishing negligence on a hospital for failing to have policies, protocols, procedures or guidelines with respect to referring patients out - Martin v. Listowel Memorial Hospital 1998 - appeal heard 2000.

- j) Lead counsel in numerous wrongful birth (otherwise known as misdiagnosis by ultrasound at 18 weeks gestation) of children with genetic abnormalities.

## **Professional Recognition**

Recognized by Canadian Lawyers Magazine as one of the top ten lawyers in the Dominion of Canada (2001).

Recognized by Martindale and Hubbell in the highest category of advocacy and excellence with an A rating.

Recipient of the H. Bruce T. Hillyer Award for *exemplifying the spirit of OTLA in fearlessly advancing the cause of individual rights by the effective use of trial advocacy*-2000, for *Kennedy v. Waterloo Board of Education et al.*

Recipient of the H. Bruce T. Hillyer Award for exemplifying *the spirit of OTLA in fearlessly advancing the cause of individual rights by the effective use of trial advocacy* - 2004, for *Deskin v. Her Majesty the Queen*

Recipient of Distinguished Service Award by the Ontario Trial Lawyers Association - 2004.

Honoured by the Ontario Trial Lawyers Association in 2006 at the Celebration of the Personal Injury Bar as a leader of the Plaintiff's Bar.

## **Papers and Presentations**

*How to Retain and Instruct Winning Experts* - OTLA 2004 Fall Conference

*First Interview on a Medical Malpractice Case* - Published in *The Litigator*, 2003

*How to Build a Catastrophically Injured Infant Case* - Published in *The Litigator*, 2003

*So You Think You Know How to Build a Medical Malpractice Case?* - 2001 OTLA/ACTLA Medical Malpractice Retreat

*Experts: Who and How* - OTLA 2001 Spring Conference

*Dependents= Claim for Damages* - OTLA 1999 Winter Medical Malpractice Retreat

*Proving Causation in a Medical Malpractice Case* - OTLA 1998 Medical Malpractice Retreat

*A Rogue Speaks Out on Medical Malpractice* - Published in *The Litigator*, 1997

*Using Affidavit Evidence to Save Time and Minimize Risk at Trial* - Published in *The Litigator*, 1996

*Medical Malpractice Cases, Difficult or Not? Myths or Magic?* – OTLA 1993 Fall Conference