



## Loretta P. Merritt

Tel: 416 777 5404 Fax: 1 888 497 8644

Email: lmerritt@torkinmanes.com

**Loretta is one of the few lawyers in Ontario who has substantial experience in dealing with abuse and harassment in civil lawsuits and employment cases. She understands and cares about abuse survivors, recognizing that coming forward, being heard and acknowledged as well as gaining a sense of justice and closure, in addition to the amount of a settlement, are what matter to her clients.**

She has represented hundreds of clients in a variety of historical and recent sexual and physical abuse cases, including abuse by members of clergy, doctors, police officers, teachers, relatives and neighbors. Many of Loretta's cases involve institutions such as school boards (both public and private), children's clubs, children's aid societies, boy scouts, big brothers, group homes and training schools. She represents adults and children, men and women, plaintiffs and defendants.

Loretta provides information for victims of sexual assault who are trying to decide whether to sue. See [www.sexualabuselawyer.ca](http://www.sexualabuselawyer.ca)

Loretta's civil litigation practice also includes traumatic injury litigation (motor vehicle cases, medical malpractice, products liability) and employment litigation.

Loretta is a Fellow of the Litigation Counsel of America. The Litigation Counsel of America is an invitation-only trial lawyer honorary society. Fellows are selected after being evaluated on effectiveness and accomplishment in litigation and trial work, along with ethical reputation.

Loretta is in Register of Preeminent Women Lawyers™ - exclusively for women lawyers who have received the highest possible rating in both legal ability and ethical standards from their peers and she was also selected by her peers for the Best Lawyers in Canada 2014.

In 2012 Loretta was presented with the Diamond Jubilee Medal in commemoration of the sixtieth anniversary of Her Majesty's Accession to the Throne and in recognition of her contributions to Canada in representing abuse survivors.

### Services

- Personal Injury
- Sexual Assault

### Education

- LL.M., Osgoode Hall Law School, York University, 1990
- LL.B., Osgoode Hall Law School, York University, 1985

### Credentials

- Called to the Ontario Bar, 1987

### Recognition

- *The Best Lawyers in Canada* - Personal Injury Litigation (since 2013)
- *The Canadian Legal Expert Directory* - Personal Injury Litigation (2015 — present)
- 2013 Litigation Counsel of America's inaugural Peter Perlman Service Award
- 2012 Diamond Jubilee Medal in commemoration of the sixtieth anniversary of Her Majesty's Accession to the Throne
- *Martindale Hubbell* – AV Preeminent - the highest possible Peer Review Rating: General Ethical Standards Rating V (very high), and Legal Abilities Rating A (very high to pre-eminent)

In 2013 Loretta was selected as a recipient of the Litigation Counsel of America's inaugural Peter Perlman Service Award. The award recognizes LCA Fellows who have contributed in meaningful ways to society by giving their time and resources in an effort to improve the lives of others.

## **Publications & Presentations**

Loretta is a frequent writer and speaker at seminars and conferences in her field. Her recent presentations and publications include:

- **"When Should the Survivor of a Sexual Assault Seek the Advice of a Civil Lawyer?"**, Torkin Manes LegalPoint, March 2018
- **"Pursuing Compensation for Victims of Crime: Civil Lawsuits"**, Office for Victims of Crime, March 26, 2018
- **"Current and Emerging Issues in Civil Sexual Assault: Credibility and Memory Issues in Sexual Assault Cases "**, Osgoode Hall Law School/ York University, February 26, 2018
- **"Understanding your client and assessing causation in sexual abuse case"**, OTLA Webinar, February 6, 2018
- **"Improving the Legal Experience of Sexual Assault Survivors"**, Torkin Manes LegalPoint, December 2017
- **"Class actions for historical sexual abuse cases open doors but pose challenges"**, *The Lawyer's Daily*, November 20, 2017
- **"The Problem with Class Actions for Historical Sexual Abuse Cases"**, Torkin Manes LegalPoint, October 2017
- **"Appeal of \$24K Damages Award Against Assault Complainant"**, Torkin Manes LegalPoint, September 2017
- **"Ontario Disability Support Program Changes Help Abuse Survivors"**, Torkin Manes LegalPoint, August 2017
- **"Relationship Lies"**, Torkin Manes LegalPoint, May 2017
- **"Sexual Assault Cases: Overcoming Significant Client Credibility Issues"**, 2017 OTLA Webinar
- **"'Revenge porn' brings 100k in damages"**, *Lawyers Weekly*, May 2016
- **"The End of Limitation Periods for Sexual Abuse Cases in Ontario"**, Torkin Manes LegalPoint, April 2016
- **"Negligence of Institutions: The Standard of Care"**, *The Litigator* - OTLA, September 2015
- **"Touger Penalties for Child Predators Act"**, May 2015
- **"Can a Children's Aid Society be Liable for Abuse by Foster Parents?"**, May 2015
- **"Sexual Assault: When to Consider a Lawsuit"**, Torkin Manes LegalPoint Video, March 2015
- **"Sexual Assault: Is It Worth It To Sue?"**, Torkin Manes LegalPoint Video, March 2015
- **"When Should the Victim of a Sexual Assault Seek the Advice of a Lawyer?"**, AbuseHurts.com

E-Zine, February 2015

- **“Negligence and the Standard of Care in Civil Sexual Assault Cases”**, Osgoode PD Webinar Series - Key Issues in Civil Sexual Assault, February 2015
- **“Why Are Damages In Civil Sexual Assault Cases So Low?”**, AbuseHurts.com E-Zine, January 2015
- **“Vicarious Liability Update 2015”**, January 2015
- **“The Standard of Care”**, The Osgoode PD Webinar Series - Key Issues in Civil Sexual Assault, November 2014
- **“Legal Proceedings: Civil or Criminal?”**, AbuseHurts.com E-Zine, October 2014
- **“Mastering Written Advocacy in Mediations”**, The Osgoode Short Course on Mediation Advocacy, September 2014
- **“Concurrent criminal and civil cases: Making the most of evidence”**, The Litigator, Ontario Trial Lawyers Association, July 2014
- **“Written Advocacy in Mediation”**, The Osgoode Short Course in Mediation Advocacy, Osgoode Hall Law School/York University, December 2013
- **“125K Damages Award Against Abuse Complainants”**, AbuseHurts.com E-Zine, October 2013
- **“Defamation”**, Co-Instructor (Loretta Merritt and Marco Falco), Torkin Manes Continued Professional Development, October 2013
- **“Gag Orders: Are They Ever a Good Idea?”**, AbuseHurts.com E-Zine, August 2013
- **“Navigating Settlement in Non-Motor Vehicle Cases”**, OTLA – Spring Conference – Settled! Sowing the Seeds for Settlement, May 2013
- **“Pursuing Compensation for Victims of Crime – Civil Lawsuits”**, The Gatehouse – Transforming Trauma into Triumph Conference, April 2013
- **“Examination and Cross Examination of the Expert Witness”**, Instructor, Torkin Manes Continuing Professional Development, December 2012
- **“Supreme Court of Canada Protects Victims of Cyber Bully Abuse”**, AbuseHurts.com E-Zine, November 2012
- **“Criminal Conviction for Covering up Child Sexual Abuse”**, AbuseHurts.com E-Zine, October 2012
- **“Pursuing Compensation for Victims of Crime: Civil Lawsuits”**, The 2012 International Conference on Sex Crimes Investigation, hosted by the Toronto Police Service, Sex Crimes Unit, October 2012
- **“Personal Injury - What to do when a client calls”**, Instructor, Torkin Manes Continuing Professional Development, March 2012
- **“My Hope for 2012”**, AbuseHurts.com E-Zine, January 2012
- **“Pursuing Compensation for Victims of Crime: Civil Lawsuits”**, Elpizo Counseling Services: Sexual Assault Awareness Conference: The “Holy Hush” Conference – Breaking the Silence, September 2011

- **“Expert Evidence”**, Instructor, Torkin Manes Continuing Professional Development, August 2011
- **“Do the Courts Favour Women Survivors?”**, AbuseHurts.com E-Zine, June 2011
- **“Punching a Bully Can Be Self Defence”**, AbuseHurts.com E-Zine, May 2011
- **“Help for Survivors of Sexual Assault & Sexual Abuse”**, AbuseHurts.com E-Zine, March 2011
- **“Two Wishes for Legal Changes in 2011”**, AbuseHurts.com E-Zine, February 2011
- **“Legal Issues of Most Concern to Survivors”**, AbuseHurts.com E-Zine, January 2011
- **Contributed the article, “Civil Sexual Assault”**, to the 10th edition of the “Annual Review of Civil Litigation,” a national publication by The Honourable Mr. Justice Todd L. Archibald and Mr. Justice Randall Scott Echlin, December 2010
- **“Vicarious Liability”**, Canadian Institute’s 9th National Summit on Institutional Liability for Sexual Assault and Abuse, April 2010
- **“Pursuing Compensation for Victims of Crime: Civil Lawsuits”**, Tackling Sexual Violence, Toronto Police Service, Sex Crimes Unit, 14th Sex Crimes Conference, October 2009
- **“Survivors of Sexual Abuse: Who Represents Them?”**, The Chief Justice of Ontario’s Advisory Committee on Professionalism, 11th Colloquium on the Legal Profession, October 2008
- **“Summit on Institutional Liability for Sexual Assault and Abuse”**, Co-chair, The Canadian Institute, March/April 2008
- **“Personal Injury Cases”**, Leading Edge Seminars Inc., May 2007
- **“Insurance Coverage for Sexual Assault Cases”**, Lawyers Weekly, 2007
- **“Representing Minor Plaintiffs”**, Summit on Institutional Liability for Sexual Assault and Abuse, The Canadian Institute, February 2007
- **“An Update on Crown Liability for Institution Abuse”**, Litigation Against the Crown Conference, The Canadian Institute, June 2006
- **“Vicarious Liability”**, The Litigator, Ontario Trial Lawyers Association, 2006
- **“Helping Plaintiffs in Civil Sexual Abuse Claims Access the Deep Pockets of Insurers”**, The Litigator, Ontario Trial Lawyers Association, 2006
- **“Parole Officer Has Duty to Warn About Sex Offender”**, Lawyers Weekly, 2006
- **“Institutional Liability for Sexual Assault & Abuse”**, Co-Chair, The Canadian Institute, February 2006
- **Opening Statement: “Pushing the Limits and Avoiding a Mistrial”**, Be In The Know: Empowered For Trial, Ontario Trial Lawyers Association, Spring Conference 2005, May 2005
- **“The Application of the *Limitations Act* on Assault and Sexual Assault Litigation”**, The Litigator,

Ontario Trial Lawyers Association, 2005

- **“Institutional Liability For Sexual Assault & Abuse”**, Co-chair, The Canadian Institute, February 2004
- **“The Role of the Therapist in Sexual Assault Cases”**, Leading Edge Seminars Inc., December 2003
- **“Sexual Abuse Case Holds Promise For Abuse Survivors”**, Lawyers Weekly, 2003
- **“Trilogy Of Abuse Cases Examined 6 Issues I and II”**, Lawyers Weekly, 2003
- **“Tort Law: New Trends and Causes of Action”**, Chair, The Law Society of Upper Canada, February 2003
- **“Emerging Trends Across Canada in Proof of Sexual Abuse: Mastering the Connection Between Credibility and Causation”**, Institutional Liability for Sexual Assault & Abuse, The Canadian Institute, February 2003
- **“The Role of Therapists in Civil Sexual Assault Cases”**, Leading Edge Seminars Inc., November 2002
- **“Requests for Opinions”**, The Myth of Minor Brain Injury, Ontario Trial Lawyers Association Fall Conference, October 2002
- **“Sexual Assault and Civil Litigation”**, Sexual Assault Investigators’ Seminar, Toronto Police Services Sex Crimes Unit, September 2002
- **“Understanding the Effects and Assessing the Victim”**, Institutional Liability for Sexual Assault and Sexual Abuse, Canadian Institute, February 2002
- **“Conduct Of The Wrongful Dismissal File”**, Co-chair, The Law Society of Upper Canada, February 2002
- **“New Developments in Employment Law”**, Ontario Long-Term Care Association Management Symposium, November 2001
- **“Understanding and Dealing with Workplace Harassment”**, 2nd Annual Employment Law Forum, The Law Society of Upper Canada, December 2001
- **“Sexual Assault Update”**, 2001 Spring Conference, Ontario Trial Lawyers Association, June 2001
- **“Do Suspension and Progressive Discipline Trigger Dismissal?”**, Torkin Manes Seminar, June 2001
- **“Simpson and Sexual Harassment as Cause”**, 4th Annual Six-Minute Employment Lawyer, The Law Society of Upper Canada May 2001
- **“Diversity in the Workplace”**, George Brown College, April 2001
- **“Employment Issues for Non-Profit and Charitable Organizations: Dealing with Employees and Volunteers”**, Volunteer Lawyers Service, Ontario Bar Association, March 2001
- **“Bad Faith Discharge (Wallace Case)”**, Society of Design Administration Canada, March 2001
- **“The Survivor and the Law”**, Canadian Centre for Abuse Awareness, July 2000

- **“Quality and Risk Management Issues in Sexual Abuse Assessments”**, Millennium Honouring the Past, Embracing the Future: Psychotherapy into the 21st Century, June 2000
- **“Discrimination and Harassment under the Ontario Human Rights Code”**, Sexual Orientation Linked to the Business, Procter & Gamble, June 2000
- **“An Employer’s Right to Know Versus the Employee’s Right to Privacy”**, Society of Design Administrators, April 2000
- **“Recent Supreme Court Decisions Involving Sexual Abuse/Sexual Assault: Implications for Mental Health Professionals Involved in Damages Assessments and Clients Considering Civil Action”**, 53rd Annual Convention, Making a Difference in the New Millennium: Psychology for Everyday Life,” Ontario Psychological Association, February 2000

### Teaching Engagements

- Torkin Manes, Associate and Student Mentor, 1987-2006
- Queen’s University, Trial Advocacy, 1997-2004
- Bar Admission Course, Public Law and Professional Responsibility, 1996-2004
- Torkin Manes Trainer, Rainmaking Program, 1996
- Part-time Professor, Legal Environment of Business, University of Toronto, Scarborough Campus, 1987-1990

### Memberships

- The Advocates’ Society
- Litigation Counsel of America, Fellow
- Mensa Canada Society
- Ontario Bar Association
- Ontario Trial Lawyers Association