



# Dorothy Charach

## Associée

Toronto

[dcharach@mccarthy.ca](mailto:dcharach@mccarthy.ca)

t. +1 416-601-7710

## Admission au barreau

Ontario 2012

## Faculté de droit

Osgoode Hall Law School

## Domaines de pratique

Litige et résolution des différends

Actions collectives

Responsabilité du fait des produits et réclamations en responsabilité délictuelle de masse

Litige en droit commercial et en droit des sociétés

Responsabilité professionnelle

## Secteurs d'activité

Industrie pharmaceutique

Commerce de détail et marché de consommation

Santé

*Disponible en Anglais seulement*

**Dorothy is known for her keen ability to hone in on the crux of her clients' issues, advocating effectively for their needs and delivering results both in and out of the courtroom.**

Dorothy is a partner in our Litigation Group in Toronto and Co-leader of our [Health Industry Group](#). She maintains a broad practice with an emphasis on commercial litigation and dispute resolution, professional negligence, product liability, class actions, and defamation. She has appeared before several courts and tribunals, including the Ontario Court of Appeal, the Divisional Court of Ontario, the Ontario Superior Court, the Ontario Court of Justice, and the Health Professions Appeal and Review Board. She has experience serving as lead counsel at trial and on appeal.

Dorothy regularly acts for companies, including manufacturers, distributors, and retailers in commercial disputes such as contractual claims, product liability matters, class actions, and environmental tort claims. She also has considerable experience advising corporations and individuals on matters related to defending their reputations.

Dorothy's experience includes:

- Defending multiple physicians in professional negligence cases tried by jury and by judge alone;
- Acting for defendants in class action matters, including:
- Successfully resisting certification of a class action on behalf of a pharmaceutical company in relation to an anti-depressant medication alleged to cause birth defects to expectant mothers;
- Successfully resisting certification of a class action on behalf of a marketer and distributor of spirits and wines in relation to allegations of negligence and negligent misrepresentation for ethanol emissions alleged to cause

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fungal growth;

- Obtaining favourable settlements for clients in class action matters, including pharmaceutical and medical device manufacturers;
  
- Acting for companies in commercial disputes, including:
- Acting on behalf of a leading technology company in a significant lease dispute;
  
- Acting on behalf of a leading food and beverage manufacturer in a dispute involving the alleged negligent supply of contaminated products;
  
- Acting on behalf of a leading retailer in an environmental tort claim involving an alleged historical hydrocarbon spill;
  
  
- Acting for clients in defamation matters, including:
- Having an anti-SLAPP motion dismissed and obtaining summary judgment for an expert defamed on a ratings website (upheld on appeal);
  
- Acting on behalf of the former CEO of a large public company in a claims hearing under the *Companies' Creditors Arrangement Act*;
  
- Acting for a hospitality company in a defamation action against a Union and its representatives;
  
- Acting for multiple companies and individuals to assist them to remove and/or avoid defamatory publications;
  
  
- Acting for clients on procedural motions, including:
- Having a motion for the extension of time for service of a Statement of Claim dismissed such that the action was unable to continue (upheld on appeal);
  
- Obtaining a stay of an Application in the Ontario Superior Court based on the doctrine of *forum non conveniens* on behalf of a retailer in a contract dispute; and
  
- Successfully obtaining multiple Norwich Orders on Applications for information in situations where individuals and companies were wronged by anonymous tortfeasors, including through defamation and breach of

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contract/confidence.

Dorothy is a member of the teaching team for the Trial Advocacy course at Osgoode Hall Law School, and a previous member of the Lawyer as Negotiator teaching team. She also teaches at Queen's University Faculty of Law and has guest-lectured at the University of Toronto and Osgoode Hall Professional Development programs, primarily in the area of professional negligence. She is a contributing author to the fifth edition of *Defending Class Actions in Canada*, published by Lexis Nexis.

Dorothy is also active in the community. She is a Board Member of West Neighbourhood House and regularly volunteers with Pro Bono Ontario's Free Legal Advice Hotline.

Dorothy completed her BA (Hons.) in English and Psychology in 2008 from the University of Western Ontario. She received her JD from Osgoode Hall Law School in 2011. While attending law school, she won the Arnup Cup Trial Advocacy Moot and received a number of awards, including a Dean's Gold Key Award. She was also a Division Leader at the Community and Legal Aid Services Program.

Dorothy was called to the Ontario Bar in 2012. She is a member of the Law Society of Ontario, the Canadian Bar Association, the Ontario Bar Association, and The Advocates' Society.

## Prix et distinctions

### The Canadian Legal Lexpert Directory

Leading Lawyer: Medical Negligence - Represents Defendants

### Benchmark Litigation Canada

Future Star

### LMG Life Sciences

Rising Star: Non-IP Litigation & Enforcement

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## Mandats récents

- **Sanofi retire volontairement Zantac du marché**  
11 mai 2023

## Publications récentes

- **Principaux cas en responsabilité du fait du produit : Actualité T1 2024**  
22 avril 2024
- **The Price of Generality: Certification Denied**  
17 janvier 2023

## Événements

- **Revue trimestrielle des dossiers d'appel**  
10 octobre 2023