Frank McLaughlin

Associé

Toronto

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t. +1 416-601-7531

Admission au barreau

Ontario 1990

Faculté de droit

University of Toronto

Domaines de pratique

Litige et résolution des différends
Actions collectives
Litige en droit commercial et en droit des sociétés
Responsabilité du fait des produits et réclamations en responsabilité délictuelle de masse
Responsabilité professionnelle
Litige en valeurs mobilières

Secteurs d'activité

Industrie pharmaceutique
Santé

Disponible en Anglais seulement

Frank McLaughlin is a litigation partner in our Toronto office. Frank specializes in cases involving medical and scientific evidence. His practice focus is on the defence of pharmaceutical product liability class actions and medical malpractice claims. Frank has represented clients at all levels of court in Canada in a variety of types of cases. Frank is a leading trial lawyer in the field of medical malpractice and has an exceptional record of success as lead trial and appellate counsel. Frank has conducted over 30 trials, both jury and non-jury, and has appeared as lead counsel in numerous appeals before the Ontario Court of Appeal, the Federal Court of Appeal, and the Supreme Court of Canada.

Frank has an established track record of success in the defence of pharmaceutical class actions. He was lead counsel for AstraZeneca In a ground-breaking class action (*Martin v. AstraZeneca)* involving the atypical anti-psychotic medication Seroquel. Frank and his team defeated class certification, which, at that time, was the first successful defence of a contested certification hearing for a prescription pharmaceutical medication in Ontario.

Frank recently led a team on behalf of Lundbeck that defeated class certification in a case involving the SRRI Celexa (*Price v. Lundbeck, 2018)* involving allegations that the drug caused a range of birth defects when taken by women in early pregnancy.

Frank currently acts as national lead counsel for Bayer in litigation involving Xarelto, a leading direct oral anti-coagulant medication, involving allegations concerning a risk of excessive bleeding, and for Lundbeck in cases alleging that Celexa causes autism in children when taken in pregnancy, and cases alleging that Abilify Maintena causes compulsive behaviours.

Frank was an integral part of the team that represented Merck and secured a successful resolution of a major patent infringement action against Apotex and Nu-Pharm relating to enalapril, a blockbuster drug for the treatment of high blood pressure, kidney disease and heart failure.

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Frank received his LL.B. from the University of Toronto Law School in 1988, and was called to the bar in Ontario in 1990. Frank developed his competitive drive as an athlete. Frank is a former world champion in sailing who competed for Canada in three summer Olympic games in 1984, 1988 and 1992, winning a bronze medal at the Olympics in Seoul, South Korea in 1988. Frank was also a bronze medalist at the 1983 Pan American Games in Caracas, Venezuela and at the 1986 Goodwill Games in Tallinn, Estonia.

RECENT ACTIVITIES

- Speaker, A Survival Guide to Obstetrical Malpractice Claims, University of Toronto/Mount Sinai Hospital, January 21, 2017.
- Appeared as lead counsel on behalf of TD Canada Trust in the Supreme Court of Canada in *Teva Canada Limited v. TD Canada Trust et al.* on February 24, 2017.
- Appeared as lead counsel in the Court of Appeal for Ontario in *Sacks v. Ross*, 2017 ONCA 773.
- Appeared as lead counsel for Lundbeck on a motion for class certification, in *Price v Lundbeck et al.* on May 28-31, 2018.
- Speaker, 15th National Symposium on Class Actions, Osgoode Hall Law School/York University, April 26 and 27, 2018.
- Speaker, Best Practices in Medical Malpractice Litigation, Law Society of Ontario, June 12, 2018

Prix et distinctions

Chambers Canada

Leading Lawyer: Healthcare: Contentious

The Canadian Legal Lexpert Directory

Leading Lawyer: Medical Negligence (Represents Defendants); and Litigation - Product Liability

Lexpert Special Edition: Litigation

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Leading Lawyer

Lexpert Special Edition: Technology & Health 2023

Leading Lawyer

Lexpert Special Edition: Technology & Health Sciences

Leading Lawyer

Benchmark Litigation Canada

Litigation Star

Best Lawyers in Canada

Leading Lawyer: Medical Negligence

Best Lawyers in Canada - 2024 and 2021

Lawyer of the Year: Medical Negligence

LMG Life Sciences

Star: Product Liability

Acritas Stars

"Stand-out lawyer"

Acritas Stars Database and Report

Star Lawyer

Publications récentes

- **The Price of Generality: Certification Denied**
  17 janvier 2023