



# Frank N. DelGiudice

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Frank practices civil litigation in the areas of personal injury, occupiers' liability, municipal liability, transportation law, subrogation, and accident benefits. Frank frequently provides risk management advice to various retailers and is often retained to defend retailers and other entities in large exposure claims.

Frank was an associate at McCague Borlack LLP from 2002 to 2006 and rejoined the firm in 2012 after 6 years as Senior Legal Counsel and Manager in the In-House Legal Department at an international insurance company. His experience as In-House Counsel, and as a 'client', provided Frank with excellent insight and an appreciation for the type of skills and expertise that insurers look for when retaining defence counsel.

Frank has extensive trial experience with both jury and non-jury trials before the Ontario Superior Court of Justice.

Over his 19 years of practice, Frank has participated in well over 450 mandatory and private mediations as counsel for both defendants and plaintiffs, which has allowed him to develop and hone his negotiation skills. In 2016, Frank obtained a Certificate from the Faculty of Law, University of Windsor in Alternative Dispute Resolution through the renowned Stitt Feld Handy Group ADR Workshop. More recently, Frank has acted in the capacity of mediator for various personal injury cases involving motor vehicle accidents, occupiers' liability claims and related matters.

In his downtime from legal, Frank enjoys buying and selling real estate and is a car enthusiast.

*Partner*

*Bar Admission: 1998*

## Practice Areas

Accident Benefits  
Animal Law  
Commercial & Business Litigation  
Construction Law  
Employment Law  
Environmental Liability  
Health, Life & Disability Insurance  
Human Rights, Harassment & Abuse  
Insurance Coverage  
Mediation, Arbitration & ADR  
Municipal Liability  
Not For Profit and Charity  
Personal Injury  
Product Liability  
Professional Liability  
Property Insurance  
Risk Management Services  
Sports, Recreation & Resort Liability  
Subrogation  
Transportation Law

## Professional & Business

### Affiliations

Ontario Bar Association  
Canadian Bar Association  
The Advocates' Society

## Education

- York University – Specialized Honours B.A., Political Science - 1992
- University of Toronto – Master of Arts (M.A.) Degree, Political Science -1993
- University of Ottawa – Faculty of Law – Bachelor of Laws (LL.B) Degree -1996
- Law Society of Upper Canada – Admitted to the Bar of Ontario – 1998
- University of Windsor, Faculty of Law, Alternative Dispute Resolution, Stitt Feld Handy Group, ADR Workshop - Certificate of Achievement - April 2016

## Featured Cases

A member of the Canadian Litigation Counsel. Through CLC's association with The Harmonie Group & DAC Beachcroft, our clients have access to legal excellence throughout North America, Mexico, the UK, and Europe.

### ***Trial & Tribunal Decisions***

- Mandel v. Fakhim, 2016 ONSC 6538
- Mandel v. Fakhim, 2016 ONSC 7390
- Elder v. Rizzardo Bros. Holdings Inc., 2016 ONSC 7098
- Elder v. Rizzardo Bros. Holdings Inc., 2016 ONSC 7235
- Elder v. Rizzardo Bros. Holdings Inc., 2016 ONSC 7241
- Behmanesh v. Zahoor 2013 (Unreported)
- Spring v. Zellers Inc., 2005 CarswellOnt 3547
- Forbes et al v. Schoenmaker et al, 2004 (Unreported)

### ***Summary Judgment Motions and Motions to Dismiss***

- Disepolo et al v. Lecavalier and Transport Robert (1973) Ltee, (2016)
- Zuk v. Atkinson, 2014 ONSC 4090
- Zuk v. Atkinson, 2014 ONSC 4708
- upheld at the Court of Appeal Zuk v. Atkinson, 2015 ONCA 96
- Espinoza v. Wallis, 2015 ONSC 3963.

### ***Workplace Safety and Insurance Appeals Tribunal***

- Kavenga v. Wiet Peeters, Decision No. 1929/09, 2010 ONWSIAT 2014

### ***Case Studies***

- Zuk v Atkinson Answer Undertakings in a Timely Fashion or Your Case May Be Dismissed!!



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