



Patrick J. O'Kelly

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Patrick O'Kelly is a litigator who is primarily focused in the area of professional negligence, product liability and securities with a special emphasis in the area of auditors' negligence and class actions. Patrick spent his entire career at Stikeman Elliot Toronto until retiring after 43 years in June 2026. Patrick now practices as a sole practitioner through his professional corporation: Galtee Professional Corporation.

Accolades

- *The Best Lawyers in Canada 2026* in Class Action Litigation, and Corporate and Commercial Litigation

Representative Work

- The Special Receiver of Livent Inc. in securing a C\$40M judgment against its former auditor in the first auditors' negligence trial involving a public company in Canada.
- Fairfield Sentry in its lawsuit against its auditor arising out the demise of Bernie Madoff's Ponzi scheme.
- KPMG Inc. in defending professional negligence claims.
- Timminco Inc., in successfully defending a statutory secondary market liability claim. This precedent-setting case interpreted the applicable limitation period for seeking leave to bring such actions.
- CV Technologies Inc., manufacturers of Cold-FX, in defending and settling one of the first secondary market liability cases in Ontario as well as acting on related regulatory proceedings. This precedent-setting case established that the target defendants were not compellable witnesses to gather evidence for the motion the plaintiff must bring to get leave to proceed with an action.
- Pfizer Inc. in defending a secondary market securities class action relating to Celebrex and Bextra public disclosure.
- Medtronic Inc., the world's largest manufacturer of pacemakers in defending class action product liability cases relating to medical devices.
- Sunbeam Corporation in defending a class action product liability claim relating to smoke detectors. This precedent-setting case established that there must be a representative plaintiff with a tenable claim against each defendant to a class action in Ontario.
- Silcorp Limited in successfully defeating a class certification motion brought by former convenience store managers of Becker's.

- CAE Inc. in arbitrating international contractual disputes.
- A Canadian bank in the first criminal fraud trial against a bank in Canadian history (which resulted in an acquittal of the client).
- Bell Canada in successfully defending the first Ontario Court challenge under the Charter of Rights which alleged that the use of 65 as a mandatory retirement age constituted unlawful discrimination.
- A citizen's group that brought a successful court challenge of the sale of the Bruce Municipal Telephone System.
- National Life in defending disability and life insurance claims.

Publications

- *Secondary Market Liability in Canada*, Stikeman Elliott, (co-author).
- *Directors and Officers in Canada*, Stikeman Elliott, (co-author).

Speaking Engagements

- "After Trial – Preserving the Record and Using it on Appeal", Electronic Trials, The Advocates Society, June 2016 (panellist).
- "Cross-Border Issues for Litigators", The Advocates Society, September 2016 (panellist).
- "Recent Development in Canadian Securities Class Actions: Secondary Market Liability", Stikeman Elliott seminar, Toronto, November 2010, (panellist).
- "Disclosure Obligations and The Business Judgment Rule: The Final Chapter of Danier Leather" paper, Canadian Institute Advanced Securities Litigation Conference, November 2007.
- "Secondary Market Liability", Canadian Institute's 11th Annual Directors & Officers' Liability – Emerging Trends in D&O Risk Management Litigation Practice and Insurance Coverage Conference, October 2007.
- AIG's Canadian Risk Insurance Management Society, Halifax, September 2007.
- "Defending Class Actions in Multiple Jurisdictions: Fighting the Battle in Canada and the United States" paper, International Association of Lawyers (UIA) seminar in support of the ABA, Section of Litigation, International Litigation Committee and the New York State Bar Association, International Law and Practice Section, International Litigation Committee, February 2006.
- "Litigating an Accountant's Case: The Plaintiff's Perspective" paper, Insight Conference Accounting, Audit and Financial Reporting Reforms in Canada, May 2003.
- "Recent Negligence Actions Against Business Valuators: Caution in the Face of the Curtailment of Indeterminate Liability" paper, The Canadian Institute of Chartered Business Valuators Conference in Vancouver, September 2000.

Professional Activities

Patrick served for several years on the Canadian Bar Association's Continuing Legal Education Committee and the Submissions Review Committee.

Background

Patrick served for many years on the board of the Halton Aphasia Centre and the Oakville Hornets Girls Hockey Association

Education

University of Toronto (LL.B. 1982)

Bar Admission

Ontario, 1984