

Stephen G.A. Pitel – Publications

Books

S.G.A. Pitel & N. Rafferty, *Conflict of Laws*, 2d ed. (Toronto: Irwin Law, 2016)

S.G.A. Pitel, J. Blom, E. Edinger, G. Saumier, J. Walker & C. Walsh, *Private International Law in Common Law Canada Cases, Text and Materials*, 4th ed. (Toronto: Emond Publishing, 2016)

R. Solomon, M. McInnes, E. Chamberlain & S.G.A. Pitel, *Cases and Materials on the Law of Torts*, 9th ed. (Toronto: Carswell, 2015)

V. Black, S.G.A. Pitel & M. Sobkin, *Statutory Jurisdiction: An Analysis of the Court Jurisdiction and Proceedings Transfer Act* (Toronto: Carswell 2012)

R. Solomon, M. McInnes, E. Chamberlain & S.G.A. Pitel, *Cases and Materials on the Law of Torts*, 8th ed. (Toronto: Carswell, 2011)

S.G.A. Pitel & N. Rafferty, *Conflict of Laws* (Toronto: Irwin Law, 2010)

N. Rafferty, J. Blom, E. Edinger, S.G.A. Pitel, G. Saumier, J. Walker and C. Walsh, *Private International Law in Common Law Canada: Cases, Text, and Materials*, 3d ed. (Toronto: Emond Montgomery Publications Limited, 2010)

G. Fridman, A. Botterell, E. Chamberlain, J. Neyers & S.G.A. Pitel, *The Law of Torts in Canada*, 3d ed. (Toronto: Carswell, 2010)

R. Solomon, M. McInnes, E. Chamberlain & S.G.A. Pitel, *Cases and Materials on the Law of Torts*, 7th ed. (Toronto: Thomson Carswell, 2007)

L. Smith, R. Chambers, M. McInnes, J.W. Neyers and S.G.A. Pitel, *The Law of Restitution in Canada: Cases, Notes and Materials* (Toronto: Emond Montgomery Publishing, 2004)

Articles:

S.G.A. Pitel, "Six of One, Half a Dozen of the Other? Jurisdiction in Common Law Canada" (2018) 55:1 Osgoode Hall L.J. 63 (to78)

S.G.A. Pitel & L. Ledgerwood, "Judicial Confidentiality in Canada" (2017) 43:1 Queen's L.J. 123 (to 147)

S.G.A. Pitel & Y.S. Gadsden-Chung, "Reconsidering a Lawyer's Obligation to Raise Adverse Authority" (2016) 49 U.B.C.L. Rev. 521 (to 561)

V. Black & S.G.A. Pitel, "Forum-Selection Clauses: Beyond the Contracting Parties" (2016) 12 J. Priv. Int'l L. 26

S.G.A. Pitel & M. Malecki, "Judicial Fundraising in Canada" (2015) 52 Alta. L. Rev. 519 (to 542)

S.G.A. Pitel & M. Lerner, "Resolving Questions of Law: A Modern Approach to Rule 21" (2014) 43 Adv. Q. 344 (to 361)

S.G.A. Pitel, "Checking in to Club Resorts: How Courts are Applying the New Test for Jurisdiction" (2013) 42 Adv. Q. 190 (to 216)

S.G.A. Pitel & J. Harper, "Choice of Law for Tort in Canada: Reasons for Change" (2013) 9 J.P.I.L. 289 (to 308)

S.G.A. Pitel & J. McKie, "Solicitor-Client Privilege for Ethics Counsel: Lessons for Canada from the United States" (2013) 91 Can. Bar Rev. 313 (to 362)

S.G.A. Pitel & W. Bortolin, "Revising Canada's Ethical Rules for Judges Returning to Practice" (2012) 34 Dal. L.J. 483 (to 528)

S.G.A. Pitel, "Lawyer or Liar? Breaking Down Public Perception" in David L. Blaikie, Thomas Cromwell & Darrel Pink, eds., *Why Good Lawyers Matter* (Toronto: Irwin Law, 2012) 43 (to 55)

R. Solomon, S.G.A. Pitel, B. Tinholt & R. Wulkan, "Predicting the Impact of Random Breath Testing on the Social Costs of Crashes, Police Resources, and Driver Inconvenience in Canada" (2011) 57 C.L.Q. 438 (to 463)

S.G.A. Pitel, "The Canadian Condification of *Forum Non Conveniens*" (2011) 7 J.P.I.L. 251 (to 271)

S.G.A. Pitel, "The Portability of Judicial Remedies at Common Law" in R. Weaver & F. Lichere, eds., *Recognition and Enforcement of Judgements: Comparative and International Perspectives* (Aix-en-Provence: Presses Universitaires D'Aix-Marseille, 2010) 126 (to 153)

V. Black & S.G.A. Pitel, "Proposed Reform of Ontario's Law on Jurisdiction" (2009) 47 C.B.L.J. 469 (to 482)

S.G.A. Pitel, "Rome II and Choice of Law for Unjust Enrichment" in John Ahern & William Binchy, eds., *The Rome II Regulation on the Law Applicable to Non-Contractual Obligations* (Leiden: Martinus Nijhoff Publishers, 2009) (231 to 255)

S.G.A. Pitel & J.-M. Corbeil, "Commencing Proceedings Just After the Limitation Period" (2009) 35 Adv. Q. 265 (to 282)

S.G.A. Pitel, "Choice of Law for Unjust Enrichment: Rome II and the Common Law" [2008] *Nederlands Internationaal Privaatrecht* 456 (to 463)

S.G.A. Pitel & J. de Vries, "The Standard of Proof for Jurisdiction Clauses" (2008) 46 C.B.L.J. 66 (to 88)

S.G.A. Pitel, "Enforcement of Foreign Non-Monetary Judgments in Canada (and Beyond)" (2007) 3 J.P.I.L. 241 (to 260)

S.G.A. Pitel, "Charting New Courses: Leadership in Curriculum Reform" (2007) 5 J.C.L.L.E. 39 (to 48)

S.G.A. Pitel & A. Valentine, "The Evolution of the Extra-territorial *Mareva* Injunction in Canada: Three Issues" (2006) 2 J.P.I.L. 339 (to 396)

S.G.A. Pitel and C. Dusten, "Lost in Transition: Answering the Questions Raised by the Supreme Court of Canada's New Approach to Jurisdiction" (2006) 85 Can. Bar Rev. 61 (to 86)

C. Brown, J.W. Neyers and S.G.A. Pitel, "The Impact of Recent Legal Developments on Liability Insurance" (2006) 17 Aust. Ins. L.J. 118 (to 181)

S.G.A. Pitel, "Litigating Conspiracy: An Introduction" in S.G.A. Pitel, ed., *Litigating Conspiracy: An Analysis of Competition Class Actions* (Toronto: Irwin Law, 2006) (3 to 14)

S.G.A. Pitel, "The Teaching of Legal Ethics: Recent Developments in Ontario" (2005) 55 J. of Legal Ed. 592 (to 599)

C. Dusten and S.G.A. Pitel, "The Right Answers to Ontario's Jurisdictional Questions: Dismiss, Stay or Set Service Aside" (2005) 30 Adv. Q. 297 (to 315)

S.G.A. Pitel and J. de Vries, "The Ontario Limitation Period for Actions to Enforce Foreign Judgments" (2004) 29 Adv. Q. 312 (to 323)

S.G.A. Pitel, "Garnishing Foreign Debts in Ontario" (2004) 29 Adv. Q. 184 (to 193)

S.G.A. Pitel, "Enforcement of Foreign Judgments: Where *Morguard* Stands After *Beals*" (2004) 40 C.B.L.J. 189 (to 226)

S.G.A. Pitel, "Characterisation of Unjust Enrichment in the Conflict of Laws" in J.W. Neyers, M. McInnes and S.G.A. Pitel, *Understanding Unjust Enrichment* (Oxford: Hart Publishing, 2004) (331 to 358)

Chapters in Books:

S.G.A. Pitel, "Counselling and Negotiation" in Alice Woolley *et al.*, *Lawyers' Ethics and Professional Regulation*, 3d ed. (Toronto: LexisNexis Canada, 2017) (453 to 478)

S.G.A. Pitel, "Counselling and Negotiation" in Alice Woolley *et al.*, *Lawyers' Ethics and Professional Regulation*, 2d ed. (Toronto: LexisNexis Canada, 2012) (411 to 433)

S.G.A. Pitel, "Counselling and Negotiation" in Alice Woolley *et al.*, *Lawyers' Ethics and Professional Regulation* (Toronto: LexisNexis Canada, 2008) (405 to 425)

Case Comments:

V. Black & S.G.A. Pitel, "Out of Bounds: Can a Court Sit Outside its Home Jurisdiction?" (2013) 41 Adv. Q. 503-16

S.G.A. Pitel, "Reformulating a Real and Substantial Connection" (2010) 60 U.N.B.L.J. 177-85

D. Ives & S.G.A. Pitel, "Going Over the Implied Undertaking in Respect of Evidence of a Crime: *Juman v. Doucette*" (2008) 12 I.J.E.P. 234-45

S.G.A. Pitel, "Revival After Dismissal for Delay: *Marche D'Alimentation Denis Theriault Ltee v. Giant Tiger Stores Ltd.*" (2008) 34 Adv. Q. 240-245

S.G.A. Pitel, "Nuances in the Analysis of Jurisdiction: *Schreiber v. Mulroney*" (2008) 34 Adv. Q. 126-132

D. Ives & S.G.A. Pitel, "Filling in the Blanks for Litigation Privilege" (2007) 11 I.J.E.P. 49-56

S.G.A. Pitel, "Choice of Law in Tort: A Role for *Renvoi*?" (2006) 43 C.B.L.J. 171-176

S.G.A. Pitel, "A Modern Approach to Enforcing Judgments: *Beals v. Saldanha*" [2004] L.M.C.L.Q. 288-292

S.G.A. Pitel, "Negligence: Canada Remakes the *Anns* Test" [2002] C.L.J. 252-254

S.G.A. Pitel, "A Reformulated *Anns* Test for Canada" [2002] Tort L.R. 10-13

S.G.A. Pitel, "Jurisdiction over Restitutionary Claims" [1998] C.L.J. 19-22

Book Reviews:

Review of Coughlan, Currie, Kindred and Scassa, *Law Beyond Borders: Extraterritorial Jurisdiction in an Age of Globalization*: (2016) 58 C.B.L.J. 113-20

Review of Maddaugh and McCamus, *The Law of Restitution*, 2d ed.: (2004) 40 C.B.L.J. 475-480

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Review of Goff and Jones, *The Law of Restitution*: (2000) 34 C.B.L.J. 307-312

Review of Castel, *Canadian Conflict of Laws*: (1999) 31 C.B.L.J. 314-322

Materials:

S.G.A. Pitel and J. Sadler, *Legal Research, Writing and Advocacy Materials*, 15th ed. (2001)

Edited Collections:

S.G.A Pitel, J. Neyers & E. Chamberlain, eds., *Tort Law: Challenging Orthodoxy* (Oxford: Hart Publishing, 2013)

J. Neyers, R. Bronaugh & S.G.A. Pitel, eds., *Exploring Contract Law* (Oxford: Hart Publishing, 2009)

J. Neyers, E. Chamberlain & S.G.A. Pitel, eds., *Emerging Issues in Tort Law* (Oxford: Hart Publishing, 2007)

S.G.A. Pitel, ed. *Litigating Conspiracy: An Analysis of Competition Class Actions* (Toronto: Irwin Law, 2006); also published as (2006) 3(1) C.C.A.R.

J.W. Neyers, M. McInnes and S.G.A. Pitel, eds. *Understanding Unjust Enrichment* (Oxford: Hart Publishing, 2004)

S. Beaulac, S.G.A. Pitel and J. Schulz, eds. *The Joy of Torts* (Markham: LexisNexis Canada Inc., 2003); also published as (2002) 17 S.C.L.R. (2d)

Studies and Reports:

S.G.A. Pitel & R. Solomon, "Estimating the Number and Cost of Impairment-Related Traffic Crashes in Canada: 1999 to 2010", a report prepared in 2013 for MADD Canada

S.G.A. Pitel & R. Solomon, "Estimating the Number and Cost of Impairment-Related Traffic Crashes in Canada: 1999 to 2009", a report prepared in 2012 for MADD Canada

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D. Kelly, A. Murie, R. Solomon, S.G.A. Pitel & B. Tinholt, "Predicting the Impact of Random Breath Testing on the Social Costs of Crashes, Police Resources, and Driver Inconvenience in Canada", a report prepared in 2010 for MADD Canada

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R. Solomon & S.G.A. Pitel, *Rating the Provinces and Territories: The 2006 Report Card. A Comprehensive Review of Provincial and Territorial Impaired Driving Laws* (Mississauga, Ontario: MADD Canada, October 2006)

C. Brown, J.W. Neyers and S.G.A. Pitel, "The Impact of Recent Developments on Liability Insurance", a study prepared in 2005 for the Insurance Bureau of Canada.

R. Solomon, S.G.A. Pitel and L. Visser, *Rating the Provinces and Territories: The 2003 Report Card. A Comprehensive Review of Provincial and Territorial Impaired Driving Laws* (Mississauga, Ontario: MADD Canada, June 2003)