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#### Education

University of Toronto (2002) JD  
Queen's University (1999) BA  
(Honours – Political Studies)

#### Bar Admissions

Ontario (2003)

#### Practice Areas

Commercial Litigation

#### Contact

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# Sarah Millar

## SARAH MILLAR

is Discovery Counsel at Lenczner Slaght.

"Sarah is comfortable at the intersection of law, technology and project management, and is adept at managing relationships both within the firm and with third party service providers." — *Lexpert*

Sarah's practice focuses exclusively on discovery. She also heads the firm's group of interdisciplinary discovery specialists.

Sarah advises clients on the discovery phase of litigation and regulatory proceedings including document preservation, the identification of relevant data in clients' records, the sound capture or collection of data, a litigant's discovery obligations, the use of electronic evidence in proceedings and the law of privilege. She has extensive experience in managing large-scale discovery projects in complex commercial cases and multi-jurisdictional matters. She is well versed in the use of current technology to reduce the cost and burden of discovery. Sarah also advises clients on best practices in document management and data retention to facilitate litigation preparedness.

As part of her discovery practice, she collaborates with clients and our litigators at the outset to strategically design discovery solutions that are customized to a given matter. Her mission is to ensure that discovery solutions are not only legally defensible but also cost-efficient.

Prior to joining the firm, Sarah was a partner at a leading national law firm practicing in discovery and the lead of their discovery management group.

## RECOGNITION

- ▶ Lexpert Zenith Award (2019)  
Change Agent in Law
- ▶ Who's Who Legal: Canada (2015-2020)  
E-Discovery Practitioners (Most Highly Regarded Individuals in North America) (2018)

## SELECT CASES

- **Law Society of Ontario v Sorrenti** – Counsel to the Law Society of Ontario in an application to have a trustee appointed over a Lawyer's mortgage administration practice.
- **Construction Arbitration** – Counsel to a general contractor in respect of a complex mediation/prospective arbitration process regarding a subway extension project.
- **City of Hamilton Judicial Inquiry** – Counsel to the City of Hamilton in a Judicial Inquiry into the Red Hill Valley Parkway.

## SELECT PUBLICATIONS AND PRESENTATIONS

- **The Sedona Canada Commentary on Privacy and Information Security for Legal Service Providers: Principles and Guidelines** – Sarah Millar co-authored *The Sedona Canada Commentary on Privacy and Information Security for Legal Service Providers: Principles and Guidelines*.
- **Ontario Digital Evidence & eDiscovery Institute** – Sarah Millar spoke at the Ontario Bar Association's program on the panel "*The Lifecycle of an eDiscovery Project*." The panel discussion included a walk through of a realistic eDiscovery scenario, relevant issues to consider from both the plaintiff and defence perspectives, and tips for minimizing the burden and costs involved.
- **Innovations in Litigation** – Sarah Millar will be presenting at the Ontario Bar Association's *Innovations in Litigation* program on the panel "Technology, Litigation and the Law". She will be sharing her expertise on new and innovative technologies to streamline your practice, e-discovery and e-filing, apps and other technologies.
- **Surviving a Breakup: Dealing with Departing (and New!) Employees, Confidential Information, and IP** – Sana Halwani, Monique Jilesen, Brian Kolenda, and Sarah Millar presented at the GC Forum's Q3 event on October 3.
- **The Osgoode Certificate in eDiscovery, Information Governance and Privacy** – Sarah Millar shared her expertise as a lecturer for OsgoodePD's certificate program on *eDiscovery, Information Governance and Privacy*. As part of expert faculty, she shared essential tips, knowledge, and strategies to maximize the application of technology to practice.
- **Ryerson's Law Practice Program 2018 (Educator)** – Sarah Millar presented on the creation of Discovery plans and then assessed individual plans drafted by students.
- **Using Technology to Reduce eDiscovery Costs** – Sarah Millar was part of a webinar discussing how to reduce the costs and burdens of discovery. This webinar showed how to effectively use technologies such as conceptual searching, email threading, near-duplicate analysis, and continuous active learning to streamline your eDiscovery process.
- **Get Smart: Legal Innovation and Technology Expo** – Sarah Millar presented on Leveraging the Latest Technologies for Transactions and eDiscovery.
- **Ontario e-Discovery Institute 2015** – Sarah Millar presented at the OBA's 5th Annual Ontario e-Discovery Institute. She shared her expertise on the panel *Advanced Technology Session: Leveraging Technology and Maximizing Technical Investment*.
- **Class Action Preparedness Brief - Document Management** – Sarah Millar led the webinar *Class Action Preparedness Brief – Document Management*. Sarah shared her expert insight on controlling risks and

proactively anticipating and preparing for the class actions process.

- **Ontario e-Discovery Institute 2014** – Sarah Millar spoke at the OBA's 4th Annual Ontario e-Discovery Institute. Sarah led the panel discussion *Top Tips for eDiscovery from an In-House Perspective*.
- **Civil Litigation: e-Discovery Bootcamp** – Sarah Millar presented at the OBA's e-Discovery Bootcamp on May 22, 2013. The session provided an overview of the entire life cycle of an e-Discovery matter.
- **Technology in Practice Conference** – Sarah Millar presented at the Technology in Practice Conference 2012. She shared her expertise on the panel 360° Review Management.
- **Litigating Economically** – Sarah Millar spoke at the OBA's program *Litigating Economically* on April 20, 2012. Her panel discussed the options, possibilities, and outcomes of outsourcing.

## SELECT NEWS ARTICLES

- **Who's Who Legal: Canada 2020 Recognizes Lenczner Slaght's Expert Litigators** – In the latest edition of Who's Who Legal: Canada, Lenczner Slaght achieves eight recognitions in the Litigation chapter, with a total of ten expert litigators ranked.
- **Lenczner Slaght's Expert Litigators Ranked in Who's Who Legal: Canada 2019** – Canada's leading litigation firm continues to be recognized for its exceptional litigation expertise.
- **Lexpert Honours Sarah Millar and Shara Roy as Change Agents in Law** – Lenczner Slaght is proud to announce that Sarah Millar and Shara Roy were presented with 2019 Lexpert Zenith Awards on Tuesday, June 18, 2019 at the Lexpert Zenith Gala at Arcadian Court in Toronto.
- **E-Discovery Evolution** – Glenn Smith and Sarah Millar were quoted in the recent Canadian Lawyer Magazine article about the evolution of e-discovery. Glenn and Sarah discuss how e-discovery solutions have become more sophisticated and cheaper, allowing even small firms to reap the benefits. See below for excerpts from the article.
- **Lenczner Slaght Welcomes Expert Discovery Counsel** – Canada's leading litigation firm continues to strengthen its Discovery practice with the addition of Sarah Millar, recognized as one of Canada's leading Discovery lawyers.
- **Document Management and Discovery: Tips, Traps and Best Practice** – Sarah Millar shared expert tips on creating efficiencies in the litigation process through document management and what In-House Counsel needs to know to be prepared for this crucial part of any litigation claim.
- **Standards may require technical competence** – Sarah Millar is quoted in the Law Times article *Standards may require technological competence* on December 4, 2017. This article discusses the proposed amendment to the baseline standards of professionalism for lawyers to include technological competence.
- **Casual or Committed?** – Sarah Millar is mentioned in the Lexpert article *Casual or Committed* on July 30, 2017. The article discusses law firms and their increased use of outsourcing in their hunt for efficiency.
- **Mapping out an e-discovery strategy** – Sarah Millar was interviewed for the Canadian Lawyer Magazine article *Mapping out an e-discovery strategy*. This article explores well-managed e-discovery strategies.
- **Focus: To insource or outsource e-discovery** – Sarah Millar is quoted in the Law Times article *Focus: To insource or outsource e-discovery*

on December 5, 2016. This article explores one of the biggest challenges litigators face.

- **Bringing e-discovery in-house** – Sarah Millar is mentioned in the Canadian Lawyer InHouse article *Bringing e-discovery in-house*. This article explores the e-discovery process and covers tips and risks to consider when deciding whether to bring the e-discovery process in house.
- **E-evidence: Protection is in knowing where your data resides at all times** – Sarah Millar is quoted in the CBA article *E-evidence: Protection is in knowing where your data resides at all times*. This article discusses the significant new factors today's litigators face.
- **How do Protections Apply to M&A Deal Teams?** – Sarah Millar is mentioned in the Law Times article *How do Protections Apply to M&A Deal Teams?* published on August 8, 2011. This article discusses the longstanding assumption that solicitor-client privilege extended to a deal team.

### PROFESSIONAL ACTIVITIES

- Digital Evidence and eDiscovery Working Group
- Law Society of Ontario
- Ontario Bar Association
- Canadian Bar Association
- Sedona Canada