

André I.G. Michael

Partner - Medical Negligence

Phone: 519.660.7860 Fax: 519.660.7861

Email: andre.michael@siskinds.com

For over 36 years André has represented plaintiffs in medical malpractice cases. For more than 17 of those years he also has represented governments in tobacco health care costs claims.

Fellow of the American College of Trial Lawyers

Education

Western University

Called to the Bar in Ontario, 1988

About

André Michael, a partner with Siskinds LLP since 1993, was called to the Bar in 1988. Born and raised in Antigua in the West Indies, André graduated from De La Salle College in Toronto in 1980 and received his B.A. (Psychology and Economics) in 1983 and his LL.B. in 1986 from Western University in London. André articulated and practiced at the litigation firm, Haines, Livingstone, establishing an interest in medical malpractice that he continued to develop after he joined Siskind, Cromarty, Ivey & Dowler LLP in 1990. André has a special interest and extensive experience in representing adults and children who have suffered brain injuries.

André leads Siskinds' health law medical malpractice group. André has conducted numerous medical malpractice trials, and has extensive experience in all aspects of health care litigation, including obstetrical, diagnostic, pharmaceutical and surgical cases. André also is actively engaged in tobacco health care costs recovery litigation on behalf of a number of provincial governments.

André is a former Director of the Advocates' Society. He was Vice-Chair of the Standing Committee on Advocacy and Practice, and Vice-Chair of Education.

André has been named in the Best Lawyers in Canada List since 2006 for Personal Injury Litigation, and is listed in Canadian Legal Lexpert Directory as a Leading Medical Negligence Practitioner.

Memberships and Associations

- Middlesex Law Association, Member
- Law Society of Upper Canada, Member
- Advocates Society, Former Director



André I.G. Michael Partner - Medical Negligence

Awards and Recognition

André Michael has been named a Fellow of the American College of Trial Lawyers (ACTL), an exclusive fellowship for exceptional trial lawyers from the United States and Canada.

André Michael has been selected by his peers for inclusion in *The Best Lawyers™ in Canada* in 2023 and 2024, and in 2024 he was named as one of *The Best Lawyers™ in Canada's* Lawyer of the Year for Medical Negligence. He has been recognized in *The Best Lawyers™ in Canada* since 2006 for Personal Injury Litigation and Medical Negligence.

André is listed in Canadian Legal Lexpert Directory as a Leading Medical Negligence Practitioner.

Notable Work and Decisions

Obstetrical Malpractice – NST – Hypoxia – Brain Damage, Developmental Delay and Cognitive Deficits

Resolved case alleging failure to respond to non-reassuring fetal heart recordings. Standard of care failure alleged against obstetricians and nurses. Standard of care failures causing in prolonged hypoxia, brain damage, developmental delay and cognitive deficits.

Emergency Physician Malpractice – Neurological Deficits – Spinal Cord Damage and Paralysis

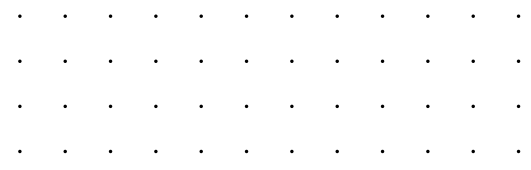
Resolved alleging emergency physicians' failures to examine for neurological deficits and order MRI, and subsequent failure to respond to progressive neurological deficits. Standard of care failures causing spinal cord compression, irreversible neurological deficits and paraplegia.

General Surgical and Medical Malpractice – Failure to anti-coagulate – Stroke – Paralysis

Resolved case alleging failure to anti-coagulate an inpatient for clot prophylaxis causing stroke and quadriplegia.

Chiropractic Malpractice

Trial award of damages for back pain caused by chiropractic failures to adequately discuss the potential risks and alternatives of the proposed treatment, and failure to perform a proper examination, which led to an exacerbation of the underlying lumbar disc herniation.



André I.G. Michael Partner - Medical Negligence

Deboer v. Dr. D.M. Kolyn et al., 2016 ONSC 7108

Trial decision awarding damages to the plaintiff for breaches of the standard of care by a radiologist and a general surgeon which delayed the diagnosis of the Plaintiff's breast cancer. The Trial Judge held that but for the Defendants' negligence, the Plaintiff would not be suffering from cancer metastases in her bones and would not die prematurely from this disease.

Boyd et al. v. Edington et al., 2014 ONSC 1130 (SCJ)

Trial decision awarding damages to the plaintiff for an emergency room physician's failure to recognize the possibility of a stroke, his decision to reduce blood pressure, and his failure to consult with a specialist after his initial assessment. The Trial Judge held that but for these failures the plaintiff would not have suffered a debilitating stroke.

Medical Malpractice Trial Award for Failure to Obtain Informed Consent and Injuries from Delayed Diagnosis of Ureteric Injury

Damages awarded to plaintiff for failure to obtain informed consent to laparoscopic hysterectomy procedure and injuries from delay in diagnosing ureteric injury sustained during the procedure at the Ontario Superior Court of Justice.

Medical Malpractice Trial Motion Regarding Number of Experts

Successfully opposed trial motion of the defence to request leave to call more than three expert witnesses in complex case relating to the recognition and management of neurological symptoms in the plaintiff who was suffering a stroke which ultimately resulted in quadriplegia.

Obstetrical Malpractice – Pediatric Malpractice – Brain Tumour – Delayed Diagnosis

Represented a child who suffered a complex brain injury following a delay in diagnosis and treatment of a brain tumour.

Obstetrical Malpractice – Oxytocin – Bradycardia – Cerebral Palsy

Resolved case for a child with cerebral palsy due to prolonged oxygen deprivation causing hypoxic brain injury. Standard of care issues related to inappropriate commencement, and continuation, of intravenous oxytocin coupled with failures to recognize and manage prolonged bradycardia in the second stage of labour.



André I.G. Michael
Partner - Medical Negligence

Publications and Speaking

- Speaker “Role of Litigation in Public Health” Western University Master of Public Health Program 2014
- Speaker “A Practical Guide to Jurisdiction” The Twelve-Minute Civil Litigator 2012 Skills Instructor, Advocates’ Society - 2007 to present

Community Involvement

- Fall 2020 - Adjunct Professor – Western University Law School – Civil Procedure
- Access Cancer Therapies of London, Ontario