

York faces lawsuit

Contributed by Andrew Fletcher, Senior Staff
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Suit seeks \$250 million in damages

Hey, remember that strike that closed down York University for three months last year?

One year later, the fallout of the strike continues, as illustrated by an ongoing court battle between some of York University's students and the administration.

In January 2009, more than 5,000 York students signed up to yorktookmymoney.com. The site's creators advertised that they had hired law firm Juroviesky and Ricci LLP to fight against the York University administration for the financial losses caused by the strike.

Juroviesky and Ricci LLP originally announced that they were taking the York University case to the Superior Court of Justice Ontario on Jan. 25, 2009. They allege that the university failed to meet the required duties owed to their students.

In the past year, Juroviesky and Ricci LLP have been waiting for the case to go to hearing to receive certification, in order for the proceedings to go further.

Henry Juroviesky, managing partner at Juroviesky and Ricci LLP, explained the current status of the class-action lawsuit to Excalibur.

Juroviesky said the certification motion is important, because it allows them to put forth their case to the judge. Before that process, there are several back-and-forth conversations between the plaintiff, meaning the students, and the defendants, York administration.

Juroviesky said conversations revolve around potential preliminary motions and involve both sides trading legal arguments before moving toward the certification motion.

He said that he expects the hearing to take place during the summer, and he mentioned that nearly 95 percent of lawsuits are settled during the certification motion.

"If we win certification, the judge will have three to four months to write his opinion, as it is a complicated process to go through the motions, and, after that, hopefully, we will be able to strike a deal with the university," said Juroviesky.

Over the past month, students who agreed to sign up and participate in the lawsuit have been receiving emails asking them to submit their statements and testimonies to Juroviesky and Ricci LLP.

As it stands, Juroviesky said the law firm is asking for \$250 million in general damages to the students.

According to Juroviesky, these damages include the amount of money that each student has lost as a result of the strike. He went on to specify costs such as tuition fees, textbooks and any other academic damages suffered by the students.

York University administration has not addressed the accusations laid by the plaintiff, because there is no need to release a defence statement until the certification motion has been passed by a judge, according to Juroviesky.

Alex Bilyk, director of media relations for York University, said that the lawsuit against the university has not yet been classified as a class-action lawsuit, adding that they "will address this issue when it comes up."

Last year's teaching assistant and part-time faculty strike caused the longest closure of the school in its more than 50-year history. It began on Nov. 6, 2008 and lasted until Jan. 29, 2009, when the Ontario provincial government, headed by Dalton McGuinty, legislated over 3,300 faculty members back to work. How we got here: Aug 31, 2008: Three-year contract ends between contract faculty and York University administration

Oct 20, 2008: Eighty-six percent of contract faculty members vote yes for the union's strike mandate

Nov 7, 2008: Members of CUPE 3903 hit the picket lines after talks break down

Jan 20, 2009: The union votes no to the university's final offer

Jan 25, 2009: [Yorktookmymoney.com](http://yorktookmymoney.com) is launched in order to demand financial reparations due to the strike

Jan 29, 2009: Strike ends after 85 days, when the Ontario government passes back-to-work legislation

Feb 2, 2009: York University students return to classes