

# Emma Romano

Partner

## Toronto

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## Practice Areas

Media & Defamation

Commercial Litigation

Litigation & Dispute

Resolution

Technology & Intellectual

Property

Emma Romano is a partner in the Commercial Litigation and Technology & Intellectual Property groups at WeirFoulds LLP.

Emma maintains a hybrid practice, litigating on behalf of media organizations and journalists as well as negotiating technology agreements on behalf of both providers and customers. Drawing on her dual expertise, Emma frequently acts for technology-sector clients in contractual and intellectual property disputes, representing them in court, arbitration, and pre-litigation negotiations.

Emma has extensive experience defending defamation claims and regularly acts for media clients before courts and administrative tribunals on a range of matters, including challenging reporting restrictions and access to information. She also provides pre-publication/broadcast advice, including regarding defamation, publication bans, copyright, and investigative techniques.

On the technology side, Emma is adept at drafting and negotiating agreements for both buyers and sellers of technology products and services, including SaaS providers, software developers, and public and private sector organizations procuring critical technology. She also advises on privacy and cybersecurity compliance. Her litigation background gives her a strategic edge in contract negotiation, allowing her to proactively address risk and provide clients with pragmatic advice.

She has appeared before all levels of court in Ontario, as well as the Federal Court of Canada and the Federal Court of Appeal.

Prior to becoming a lawyer, Emma earned a Bachelor of Journalism degree from the University of King's College, Halifax, and worked as an associate producer in local and national current affairs at CBC Radio. After her call to the Ontario Bar, Emma began her legal career at a national full-service firm, followed by a boutique litigation firm, before ultimately establishing her practice at WeirFoulds.

## WeirFoulds LLP

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Called to the Bar	Education	Affiliations
<ul style="list-style-type: none"> <li>• Ontario (2018)</li> </ul>	<ul style="list-style-type: none"> <li>• J.D., Faculty of Law, University of Toronto, 2017</li> <li>• B.A. (Honours), Journalism, University of King's College, 2013</li> </ul>	<ul style="list-style-type: none"> <li>• Ontario Bar Association</li> <li>• The Advocates' Society</li> </ul>

## Reported Cases

- *Windrift Adventures Incorporated v. CTV-Bell Media Inc.*, 2025 ONCA 346 (represented a media outlet, journalists, and sources in upholding a successful anti-SLAPP motion on appeal)
- *Windrift Adventures Incorporated v. CTV-Bell Media Inc.*, 2023 ONSC 6488 (represented a media outlet, journalists, and sources bringing an anti-SLAPP motion)
- *Volpe v. Wong-Tam*, 2023 ONCA 680 (represented a media outlet and journalist in upholding a successful anti-SLAPP motion on appeal)
- *Volpe v. Wong-Tam*, 2022 ONSC 3106 & *Volpe v. Wong-Tam*, 2022 ONSC 4071 (represented a media outlet and journalist bringing an anti-SLAPP motion)
- *Gill v. Maciver*, 2022 ONSC 1279 (represented two journalists bringing an anti-SLAPP motion)
- *Berenguer v. SATA Internacional – Azores Airlines, S.A.*, 2021 FCA 217 (represented the respondent air carrier in a motion to admit new evidence on appeal and determine the contents of the appeal book)
- *Mpamugo v. FlightHub Canada Inc.*, 2021 ONSC 1671 (represented the moving party in a motion to strike a claim against air carriers and an online travel agency for approximately \$8 million relating to a missed flight)
- *Savary v. Tarion*, 2021 ONSC 2409 (represented a media outlet and journalists in a motion to strike claims relating to a broadcast about an Ontario builder)
- *Berenguer v. SATA Internacional – Azores Airlines, S.A.*, 2021 FC 394 (represented an air carrier in a motion to strike a claim relating to compensation under EU261 for flight delays for want of jurisdiction and simultaneously opposed a motion to certify the action as a class proceeding)
- *Volpe v. Wong-Tam*, 2021 ONSC 7685 (represented the moving party in a motion to enforce terms of settlement)
- *Codina v. Canadian Broadcasting Corporation*, 2020 ONCA 116 (represented the respondents on a motion resulting in the dismissal of the appeal of CBC's successful anti-SLAPP motion)
- *Core Insight Strategies Inc. v. Advanced Symbolics*, 2019 ONSC 2109 (successfully resisted a motion to add as a party to a commercial dispute an individual who filed access to information requests alleged to be defamatory)
- *A.P. v. L.K.*, 2019 ONSC 4010 (opposed publication ban and sealing order on behalf of media conglomerate)
- *Lotin v. Gregor*, 2019 ONSC 1510 (represented the defendant/respondent on a defamation summary judgment motion)
- *Toronto (City) v. Ontario (Attorney General)*, 2018 ONCA 761 (represented the intervener, the City Clerk of the City of Toronto, in high profile litigation regarding Toronto's ward structure in advance of the municipal election)

## Professional Activities

- Chair, Ontario Bar Association, Entertainment, Media, and Communications Law Section Executive (2025-2026)
- Vice-Chair, Ontario Bar Association, Entertainment, Media, and Communications Law Section Executive (2024-2025)
- Member at Large for the Ontario Bar Association Entertainment, Media, and Communications Law Section Executive (2020-2022)
- Member at Large for the Ontario Bar Association Young Lawyer's Division (Central) Section Executives (2020-2021)

## Community Involvement

- Cast Member, Nightwood Theatre's Lawyer Show, 2018-2025

## Speaking Engagements

- Speaker, "Defamation 101: What You Need to Know", Litigating Defamation Claims, The Advocates' Society, Online, June 3, 2025
- Co-Chair, "Online Harassment Tort: What You Need to Know and Best Practices for Representing Victims ", Ontario Bar Association, Online, November 30, 2021
- Speaker, "Help Me Help You - A Mentoring Event for the Next Generation of Entertainment, Media and Communications Lawyers", The Canadian Bar Association, Online, October 27, 2021
- Speaker, "Reputation Management for Corporations and Executives: Dealing with Defamation", 2021 In-House Counsel Update: Continuing Challenges in a Changing World, WeirFoulds LLP, May 4, 2021
- Co-Chair, "5G and Beyond: The Latest in Telecommunications Law", The Canadian Bar Association, Online, February 16, 2021
- Speaker, "Help Me Help You - A Mentoring Event for the Next Generation of Entertainment, Media and Communications Lawyers", The Canadian Bar Association, Online, November 10, 2020

## Additional Publications

- "Defamation in Academia: A Legal and Practical Limit on Academic Freedom" (2022) 24:1 *Canadian Labour and Employment Law Journal* (co-author).

## Publications

- Defamation in Academia: A Legal and Practical Limit on Academic Freedom, January 13, 2025
- Canadian vs. U.S. Defamation Trials: What if Depp v. Heard Took Place in Canada?, July 15, 2022
- A Deal's a Deal: Court of Appeal Reaffirms That Setting Aside Contractual Provisions on Public Policy Grounds Should Be Done Sparingly, May 13, 2022
- Fair is Fowl and Fowl is Fair: Implications of the Ontario Court of Appeal's Decisions in *Subway v CBC*, February 18, 2021
- Transportation Notes: Air Carrier Avoids Liability for Refusal to Transport Disruptive Passenger,

February 16, 2021

- Transportation Notes: Air Passenger Rights Group Challenges CTA Statements on COVID-19 Vouchers, November 06, 2020
- Transportation Notes: Transportation Appeal Tribunal Unable to Consider Costs After Withdrawal, July 27, 2020
- Transportation Notes: Passenger's Fall Due to Unsteadiness Not an Accident Under the Convention, July 20, 2020
- Transportation Notes: Proposed Class Action Claims Refunds for COVID-19 Cancellations, April 15, 2020
- Transportation Notes: Canada's Accessible Transportation For Persons With Disabilities Regulations, February 28, 2020
- Transportation Notes: Proposed Discrimination Class Action by Airline Employee May Proceed, July 17, 2019
- Transportation Notes: Québec Court Rules One Passenger One Ticket Applies in Class Action, April 26, 2019
- Transportation Notes: Court Rules on Entitlement to Lost Baggage Compensation, March 18, 2019
- Transportation Notes: Class Action Regarding Flight Passes Denied Certification, February 28, 2019
- Transportation Notes: Federal Government Proposes Air Passenger Protection Regulations, January 01, 2019