



### **BACKGROUND**

Before 1974, domestic appellate mooting was largely the domain of individual law schools. In 1974, organizers decided to launch the Gale Cup Moot named in honour of the Honourable George A. Gale, Chief Justice of the Ontario Court of Appeal. In 1984, the Gale Cup opened its doors to all law schools in Canada and it is now a national bilingual competitive moot. In most years, between 20-24 common and civil law schools participate. No other moot in Canada has as many participating law schools. The Gale Cup is generally regarded as one of Canada's premiere advocacy moots.

[The Gale Cup](#) is currently co-sponsored by the [Ontario Criminal Lawyers Association](#) and the [American College of Trial Lawyers](#).

### **CASE SELECTION, LOCATION AND DATE**

Each year a Supreme Court of Canada criminal law decision is chosen by the Gale Cup Committee, and the case becomes the moot problem. The moot takes place at Osgoode Hall in Toronto which is the home of the Ontario Court of Appeal. Judges are drawn from provincial trial and appellate courts across the country. This year, the problem is *R v IM* 2025 SCC 23. This year the competition will take place in Toronto on February 27-28, 2026.

## **THE COMPETITION**

Four students are selected with two acting as the appellant and respondent. The appellant and respondent will each moot one time at the competition. There is simultaneous translation for bilingual moots. The top four teams are selected for the finals. Historically, there is a Supreme Court of Canada justice on the final bench. Every two to three years, the winner of the Gale Cup represents Canada at the Commonwealth Finals which have been held in Melbourne, Glasgow, Cape Town, Hong Kong, London, Hyderabad and Nairobi.

## **HISTORY OF WINDSOR LAW SUCCESS**

In its 51-year history, Windsor Law has only won the Gale Cup Moot once (1978). It has made the Finals on ten (10) occasions. Here is a history of our successes.

1978

1<sup>st</sup> Place (Roy Goldberger, Harry Hochman, Wayne McLeish, Thomas R Porter)

1983

Prize for Individual Excellence (Kimberley Edward)

1986

3<sup>rd</sup> Place Team (Adele Malo, Sian Burgess, Jim Stewart, Peter Carey)

1996

2<sup>nd</sup> Place Team (Rosemary Newman, Michael Iny, Patrick Bourk, John Cisorio)

1998

4<sup>th</sup> Place Team (Maureen Bellmore, Mark Polley, Nicole Riggs, Graham Zoppi)

2001

4<sup>th</sup> Place Team (Jane Reid, James Round, Fernand Varlanian, Robert Tomovski)

Chief Justice Dickson Medal for Top Oralist (Robert Tomovski)

2005

2<sup>nd</sup> Place Team (David Palumbo, Philip Norton, Michelle Booth, Heather Hansen)

Chief Justice Dickon Medal for Top Oralist (Michelle Booth)

2010

3<sup>rd</sup> Place Team (Joshua Ginsberg, Lauren Wilhem, Michael Barbero, Andrew Black)

3<sup>rd</sup> Place Factum Award (Appellant - Joshua Ginsberg, Lauren Wilhelm)

2011

3<sup>rd</sup> Place Factum Award (Respondent - Jeremy Tatum, Ashley Paterson)

2012

4<sup>th</sup> Place Team (Selina Andrello, Michael O'Brien, Nana Yanful, Gordon Akilie)

2017

4<sup>th</sup> Place Team (Justin Brinkley, Anjani Rajan, Jeffrey Day, Kelli-Ann Day)

3<sup>rd</sup> Place Factum (Respondent - Jeffrey Day, Kelli-Ann Day)

2020

2<sup>nd</sup> Place Team (Braden Adsett, Siobhan Dundon, Matthew Bedini, Aditi Gupta)  
Chief Justice Dickson Medal for Top Oralist (Finals) (Aditi Gupta)

2022

Newton Prize for Civility (Laila Azizi)

2025

3<sup>rd</sup> Place Factum (Respondent - Julia Ciampa, Samuel Lorinc)

**WINDSOR LAW GALE CUP MOOT ALUMNI**

Attached to this Syllabus is a history of the Windsor Law Gale Cup Moot teams from 2005-Present including where our Gale alumni are now working. You will see that there are as many alumni practicing corporate-commercial/civil litigation as criminal litigation.

**LEARNING OUTCOMES**

After completing the Gale moot students will be able to:

1. Analyze an appellate judgment moot problem and identify grounds of appeal.
  2. Identify the standard format of an appellate factum for both the appellant and respondent.
  3. Distinguish cases based on the facts and application of the law.
  4. Develop a persuasive opening and closing statement.
  5. Identify and develop persuasive legal arguments.
  6. Identify and explain the relevant legal, social and policy issues surrounding the specific topic under appeal.
  7. Identify the relevant procedures and protocols associated with appellate advocacy.
  8. Conduct research that enhances the strength of the legal arguments.
  9. Identify elements of a persuasive factum and oral argument; and,
  10. Recognize when advocacy becomes unprofessional.
-

## **EXPECTATIONS**

As a member of the Gale mooting team, it is expected that you will:

1. Read all the required readings.
2. Watch the oral hearing of the case before the Supreme Court of Canada and to review all the facta filed by the parties and intervenors (if any).
3. Meet in early November to decide on teams and issues.
4. Prepare a draft of the Appellant’s factum by mid-December.
5. Commit and properly organize your time to prepare your written and oral argument. This includes a minimum of 10 practice rounds organized by Professor Tanovich and/or the team.
6. Attend all meetings prepared and on time.
7. Work collaboratively with your team members and Professor Tanovich; and,
8. Ensure that your conduct meets the standards of professionalism for appellate advocacy and courtroom decorum.

## **READING LIST**

*R v IM* 2025 SCC 23

Gale Cup Moot Rules 2026

Gale Cup (Windsor Law) Casebook

### **Effective Factum Writing (Tabs A-C)**

#### TAB A

Justice John Laskin, “Forget the Wind-Up and Make the Pitch: Some Suggestions for Writing More Persuasive Factums” (1999)

#### TAB B

Justice Robert Richards, “Some Thoughts on Effective Briefs” (2012)

#### TAB C

Justice Eleanore A Cronk (Windsor Law alum), “Lessons from Lewis Carroll on excellence in written appellate advocacy” (2011) & “More lessons on excellence in written appellate advocacy” (2011)

**Effective Oral Advocacy (Tabs 4-10)**

TAB 4

Justice Ruth Ginsberg, "Remarks on Appellate Advocacy" (1999)

TAB 5

William Richardson, "The Art and Science of Appellate Advocacy" (2009)

TAB 6

Justice Renee Pomerance, "Appellate Advocacy: Presenting the Oral Argument" (2002) (written when she was at Crown Law Criminal)

TAB 7

Justice John Laskin, "What persuades (or, What's going on inside the judge's mind) (2004)

TAB 8

Justice Marshall Rothstein, "Winning Appellate Advocacy: Persuasive Presentations" (2006)

TAB 9

Torys, "Keys to Successful Oral Advocacy: One View from the Bar" (2013)

TAB 10

Allan Ruben, "Oral Argument before the Supreme Court of Canada"

**EVALUATION**

**The Factum** [40%]

**Appellant's Factum - Due January 9, 2026**

**Respondent's Factum - Due January 23, 2026**

The team factum will be evaluated on the following basis with an assessment of the extent to which it reveals the relevant learning outcomes:

Format

Identification of Issues

Research

Analysis

Organization

**Oral Argument [60%] (February 27-28, Toronto)**

The oral argument grade will be based on the following factors, including progress through the practice rounds to the competition:

1. Effectiveness Of Oral Argument

Preparation

Development of Argument

Strength/Creativity of Argument

Familiarity of Argument

Persuasiveness of Argument

Integration of Facts and Law

2. Presence

Etiquette/Deportment

Voice Level

Diction

Eye Contact

3. Response To Questions

Directness of Response

Reference to Authorities

Interaction with Bench

Ability to Return To Argument

---

GALE CUP SYLLABUS 2026 – Professor Tanovich

<b>YEAR (2005-Present)</b>	<b>WINDSOR LAW GALE CUP MOOT ALUMNI</b>				<b>AWARDS</b>
2005	Michelle Booth	Heather Hansen <b>McCarthy Hansen</b>	David Palumbo <b>Baker McKenzie (Chair Corporate Transactions)</b>	Phil Norton <b>Norton Barristers</b>	<b>2<sup>nd</sup> Place Team Michelle Booth – Chief Justice Dickson Medal</b>
2006	Christopher Sunstrum <b>Goodmans</b>	Saman Wickramasighne <b>Ursel Phillips Fellows Hopkinson</b>	Natasha Ihnat	Diana Lumba <b>PPSC</b>	
2007	<b>Amy Ohler Appointed to SCJ (2025)</b>	Jason Beitchman <b>Loopstra Nixon</b>	David Smith	Michelle Velvet	
2008	Jillian Rogin <b>Associate Professor (Windsor Law)</b>	Yetenayet Akalehiynot	Sarah Clarke <b>Clarke Child &amp; Family Law</b>	Mahan Keramati <b>PPSC</b>	
2009	Andrew Franklin <b>Matthews Abogado</b>	Colin Chant <b>Intact Insurance</b>	Robert Tarantino <b>Tarantino Law</b>	JA Pankiw- Petty <b>JPL Litigation (BC)</b>	
2010	Lauren Wilhem <b>Paquette Wilhelm</b>	Joshua Ginsberg <b>Director, Ecojustice Environmental Law Clinic</b>	Michael Barbero <b>McLennan Ross</b>	Andrew Black	<b>3<sup>rd</sup> Place Team 3<sup>rd</sup> Place Factum (Appellant) (Coach: Larry Wilson)</b>
2011	Monique Emdon (Sassi) <b>Cassels</b>	Noah Schein <b>Norton Rose</b>	Ashley Paterson <b>Bennett Jones</b>	Jeremy Tatum <b>Crown Law Criminal</b>	<b>3<sup>rd</sup> Place Factum (Respondent)</b>
2012	Selina Andrello (Mamo) <b>Gowling WLG</b>	Michael O'Brien <b>Tyr LLP</b>	Nana Yanful <b>Yanful Law</b>	Gordon Akilie	<b>4<sup>th</sup> Place Team</b>
2013	Jenna Dafoe <b>Crown Attorney (Barrie)</b>	Donald Pyper <b>Crown Attorney (Toronto)</b>	Andrew McLean <b>BC Prosecution Service</b>	Fariya Walji <b>Manager LLP Program</b>	
2014	Sandra Ponce	Katherine Zanutto <b>Crown Law Criminal</b>	Alyssa Silvaggi <b>Black Srebnick (Miami)</b>	Julienne Canthorne- Hwang <b>CIBC (Senior Legal Counsel)</b>	

GALE CUP SYLLABUS 2026 – Professor Tanovich

2015	Leanne Sassin <b>Sessional Instructor (Windsor Law)</b>	Shane Miles	Myles Anevich <b>Brauti Thorning</b>	Colin Wood <b>Staff Lawyer (Legal Clinics) (TMU)</b>	
2017	Justin Brinkley	Anjali Rajan <b>Ministry of the AG (Complex Prosecutions)</b>	Jeffrey Day <b>Rubenstein, Siegel</b>	Kelli-Ann Day <b>Black &amp; Associates</b>	<b>4<sup>th</sup> Place Team</b> <b>3<sup>rd</sup> Place Factum (Respondent)</b> (Coaches: Ilana Mizel & Myles Anevich)
2019	Sara Little <b>Bytensky Shikhman</b>	Paris Wildman-Sisk <b>Crown Attorney (Toronto)</b>	Ashley Haines	Christian Davies <b>Rusonik O'Connor</b>	
2020	Braden Adsett <b>Lamont Law</b>	Matthew Bedini <b>PPSC</b>	Aditi Gupta <b>Tyre LLP</b>	Siobham Dundon <b>Crown Attorney (Kitchener)</b>	<b>2<sup>nd</sup> Place Team</b> <b>Aditi Gupta (Final Round) – Chief Justice Dickson Medal</b>
2021	Mark Omenugha <b>Whitelaw Twining</b>	Kristan Jazuac <b>PPSC</b>	Meghan Chant <b>Crown Attorney (Halton)</b>	Nisheet Karthikeyan <b>Paul Weiss (NY)</b>	
2022	Laila Azizi <b>SCC Clerk (Martin J)</b>	Dala Hijih <b>Weir Foulds</b>	Jacob Benson <b>Shibley Righton</b>	David Delle Fave <b>Smith Litkowski</b>	<b>Newton Prize for Civility – Laila Azizi</b>
2023	Rudra Krishman <b>McCarthy's</b>	Kate Hunter <b>McLeish Orlando</b>	Sabastien Gerdun	Talissa Mohamed <b>Dallas Criminal Defence</b>	
2024	Abigail Sutherland	Janson Fu <b>Dentons</b>	Abbey James	Gabby Verdicchio	
2025	Caitlyn Massad	Brandon Bernardon	Julia Ciampa	Samuel Lorinc	<b>3<sup>d</sup> Place Factum (Respondent)</b>