

CITATION: HAKIM v. PFIZER INC. et al, 2026 ONSC 1615

COURT FILE NO.: CV-25-00099909-0000

DATE: 2026-03-06

SUPERIOR COURT OF JUSTICE - ONTARIO

RE: Natassia Hakim, Plaintiff

AND:

Pfizer Inc. and Pfizer Canada ULC, Defendants

BEFORE: Associate Justice Fortier

COUNSEL: Natassia Hakim, self-represented plaintiff

Paul Macchione for the defendants

HEARD: February 26th 2026

ENDORSEMENT

1. The plaintiff, Natassia Hakim brings a motion for an order disqualifying the firm Norton Rose Fulbright Canada (“NRFC”) and Joseph Cohen-Lyons as counsel of record for the defendants, Pfizer Inc. and Pfizer Canada ULC (together “Pfizer”) and for the appointment of a case management judge pursuant to Rule 77 to oversee the transition of counsel and the litigation schedule.
2. The defendants oppose the motion.
3. On May 27, 2025, the plaintiff commenced this action against Pfizer, alleging wrongful dismissal, among other things. The plaintiff is self-represented.
4. The plaintiff’s motion materials, including her motion record, factum, reply affidavit and reply factum, all mainly focus on the issue of disqualifying NRFC and Mr. Cohen-Lyons as counsel for the defendants.
5. The defendants’ responding record and factum addressed only that issue as well.

6. Counsel for LawPro also attended the motion on a watching brief to observe and to answer any questions that the Court may have.
7. According to the plaintiff's materials, the motion to disqualify defence counsel is "necessitated by a structural breakdown in the administration of justice where Counsel of Record's professional independence has been vitiated by extraordinary commercial duress" (Plaintiff's Factum, para. 1). The plaintiff also stated that she issued a formal "Notice of Intent to Sue" to counsel for the defendants for breach of fiduciary duty, professional negligence, and bad faith litigation, which she says gives rise to a further conflict of interest.
8. At the hearing, the plaintiff submitted that although she initially brought the motion due to what she perceived as a deadlock caused by conflict of interest, she now recognizes that her requested relief "may be extreme". The plaintiff indicated that the motion was brought out of frustration and was likely not the best way to address the issue; she is now seeking case management instead.
9. Indeed, it is well established that litigants should not be deprived of their counsel of choice without good cause, and courts exercise the highest degree of restraint before interfering with that choice: *Kaiser, Re*, 2011 ONCA 713 at para. 21.
10. In the present case, the allegations of conflict of interest are clearly without foundation and were only belatedly abandoned.
11. The plaintiff's change in position was not communicated to the responding parties prior to the motion nor to the Court in the Confirmation Form. Nevertheless, the plaintiff withdraws her motion for an order disqualifying NRFC and Mr. Cohen-Lyons as counsel of record.
12. The defendants do not oppose case management; however, they submit that it may be premature to make such an order at this time, as the decision on their motion to strike portions of the plaintiff's claim, heard on January 20, 2026, has not yet been released. I agree. In my view, a case conference should be scheduled once the decision on the defendants' motion to strike has been released.
13. The defendants seek costs of the motion on a substantial indemnity basis in the amount of \$25,372.84. They argue that significant resources were expended only for the plaintiff to abandon her position during the hearing. They submit that a motion seeking to remove opposing counsel is entirely inappropriate, and that the plaintiff's materials advanced a complex and unfounded theory of conflict, including threats of personal litigation against

Mr. Cohen-Lyons.

14. Costs on a substantial indemnity basis are generally awarded only where there has been reprehensible, scandalous, or outrageous conduct (*Laczko v. Alexander*, 2012 ONCA 872 at para. 2). Although, in my view, the conduct of the plaintiff in bringing this motion was problematic as outlined below, I do not find that it justifies payment of substantial indemnity costs in the sum of \$25,372.84.
15. In my view, the responding parties are entitled to costs. Considerable resources were spent preparing to defend a motion that was ultimately withdrawn. Bringing a motion out of frustration and seeking relief that she acknowledged was “extreme”, and in attempting to manufacture a “conflict” by threatening legal action against counsel for the defendants, warrants the imposition of a sanction by the court. The motion constituted misuse of both the respondents’ resources and those of the court. Moreover, the plaintiff is aware of the risk of an adverse cost award. In an email dated January 28, 2026, the plaintiff wrote to defence counsel: “*I will not be conceding this matter under threats of cost awards. I have the resources and the resolve to see this through.*”
16. Section 131 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, provides that costs are in the discretion of the Court.
17. In exercising that discretion, I am mindful that fixing costs is not a mechanical exercise; the objective is to set an amount that is fair and reasonable in all the circumstances (*Boucher v. Public Accountants Council (Ontario)* (2004), 71 O.R. (3d) 291 (C.A.), at para. 26). I am also mindful that costs may serve “as a tool in the furtherance of the efficient and orderly administration of justice” (*British Columbia (Minister of Forests) v. Okanagan Indian Band*, 2003 SCC 71 at para. 25).
18. For these reasons, I find that an award of \$10,000 inclusive of HST and disbursements, is fair, reasonable, and necessary for the efficient and orderly administration of justice.

ORDER

19. The plaintiff’s motion to disqualify Norton Rose Fulbright Canada and Mr. Cohen-Lyons as counsel of record for the defendants is dismissed.
20. Following the release of the decision on the defendants’ motion to strike heard on January 20, 2026, the parties shall contact the Case Management Coordinator to schedule

a case conference to address next steps and the need for case management.

21. The plaintiff shall bring no further motions prior to the case conference.
22. Costs to the defendants, payable by the plaintiff, are fixed at \$10,000, inclusive of HST and disbursements, payable within 60 days.

Associate Justice Fortier^(MF)

Date: March 6th, 2026