



Law Society
of Ontario

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The Six-Minute Estates Lawyer 2019

Presenter Biographical Summaries

(In Alphabetical Order)

April 29, 2019





Jason Allan | Lawyer

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ALLANLAW.CA

Jason was called to the Bar in 2006. He practices in Aurora in partnership with his wife Leslie Allan. Jason's practice areas include wills & estates, real estate and family law.



Jordan M. Atin

COUNSEL
HULL & HULL LLP

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Jordan is a Certified Specialist in Estates and Trusts Law and an Adjunct Professor of Law at Osgoode Hall Law School in Toronto, Canada.

Lexpert rates Jordan as one of its top recommended estate lawyers in Canada as well as being rated as a Best Lawyer in Canada.

In addition to his planning and administration practice, Jordan is Counsel to Hull & Hull LLP and an experienced estates mediator.

He is a Past Chair of the Ontario Bar Association - Trust and Estates Section and a full member of the Society of Trusts and Estate Practitioners (STEP). Jordan was the inaugural winner of the OBA's *Hoffstein Prize* in recognition of his contributions and achievements in the area of wills, trusts and estates.

Jordan Atin is one of the creators of *Hull e-State Planner* (e-stateplanner.com), a will planning app that assists advisors in planning wills for their clients.

He is a frequent presenter and Chair at STEP, Osgoode Hall Law School, Metropolitan Toronto Lawyers' Association, Ontario Bar Association and Law Society programs on estate matters. Jordan is a contributing author to the well-known text "*Estate Litigation*" and his articles are referred to in many of Canada's leading estates texts including "*Widdifield on Executors and Trustees*", "*Feeney's Canadian Law of Wills*", "*Drafting Wills in Ontario*" and "*Oosterhoff on Wills and Succession*".

Jordan's book for non-lawyers, *The Family War - Winning the Inheritance Battle*, has been featured on CanadaAM, BNN and in dozens of Canadian and US newspapers.



Arieh Bloom is a partner at Tupman & Bloom LLP an estate and trust litigation boutique. He specializes in complex estate and trust disputes involving family businesses and estate freezes. Regularly appearing at the Superior Court of Justice Arieh has a knack for managing highly charged family dynamics during the litigation process.

Arieh obtained his bachelor of commerce at McGill University and then went on to obtain his juris doctor from Osgoode Hall law school. Arieh clerked during his articles for the justices of the Ontario Superior Court.

Before obtaining his law degree Mr. Bloom earned his CPA designation working as an accountant both before and through law school.

Clare Burns is an experienced litigator who acts in complex and highly sensitive matters. Her practice focuses on trusts, estates and capacity litigation. Outside the firm, she is actively engaged in the profession and broader community. She has been a Director of The Advocate's Society and Vice President of the National Association of Public Trustees and Guardians. Clare has taught estates, children's law and trial advocacy at the University of Toronto Law School, Osgoode Hall Law School and the University of Western Ontario Law School. Contact Clare at cburns@weirfoulds.com or 416.947.5002.

Carol Craig is a partner at Nelligan O'Brien Payne LLP in Ottawa where she is a member of the Family Law and Estates Law practice groups. She has practised family law since her call to the bar and has a great depth of experience in all aspects of the practice, including custody/access and property issues. She also has expertise in estate litigation, and has represented clients in Will challenges, dependant relief claims, power of attorney disputes and passing of accounts.

Carol is passionate about animal welfare and is devoted to her own pets. Born in San Diego, she is a big fan of the Chargers and American football. Carol also loves to travel, particularly to Scotland, where she grew up and still has extended family.



Elikem Deley

Associate
Sorbara, Schumacher, McCann LLP

Background

J.D. Windsor Law, 2011
B.A. McGill University, 2007
Admitted to the Ontario Bar 2012

Professional Experience

Elikem is an associate in the Wills, Estates and Trusts Group. Her practice focuses exclusively on estate planning, will and trust drafting, estate administration and estate litigation. She is a member of the Waterloo-Wellington Estate Planning Council



Brendan Donovan is a partner at Donovan Kochman LLP, an estates, trusts and guardianship litigation boutique in midtown Toronto. Prior to forming Donovan Kochman LLP with Noah Kochman in 2018, Brendan was a partner at a well-known litigation boutique downtown. His practise includes will challenges, dependant support claims, contested guardianships, mediation, trials and appeals. Brendan is a frequent speaker at continuing professional development seminars.

*Lisa Filgiano
Estates and Trusts Litigation Partner, Miller Thomson LLP*

Lisa is an experienced estates and trusts litigator, who successfully represents individuals and their families, charities, trust companies and financial institutions in complex estate and trust disputes. Her extensive experience includes claims of breach of trust and fiduciary duties, will challenges, guardianship proceedings, dependant relief applications, power of attorney litigation, passing of accounts and related proceedings.

Lisa invests the time and energy into learning the family dynamics and relationships in each of her files, allowing her to provide her clients with the highest quality of service by determining the issues that are of the outmost importance to them and developing a litigation strategy that is most suited towards their desired outcome. Lisa's clients praise her personalized and strategic advice.

Lisa has been a member of the Ontario Bar Association Executive, Estates and Trusts Section since 2016 and has been the Newsletter Editor for 2018-2019 year. She is a frequent speaker at estate and trust events, including programs put on by the Ontario Bar Association and the Law Society of Ontario. Originally from Montreal, Lisa is proud to be fluently bilingual and trained in in both common law and civil law.



Ian M. Hull

Hull & Hull LLP – Partner

Certified Specialist (Estates and Trusts Law)
Certified Specialist (Civil Litigation)

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Admitted to the Ontario Bar in 1990.

Author of

- Co-author of *Probate Practice* 4th and 5th Edition (Carswell) – 1996 and 2016
- Co-Author – *Feeney's Canadian Law of Wills*, 4th Edition (LexisNexis)
- Co-Author – *Halsbury's Laws of Canada – Wills-Estates* (2016 Reissue) (LexisNexis)
- Co-Author – *Challenging the Validity of Wills*, First Edition (1994) and Second Edition (2018) (Carswell)
- Author of *Power of Attorney Litigation*, (CCH) and *Challenging the Validity of Wills* (Carswell) - 2000
- Author of *Advising Families on Succession Planning: The High Price of Not Talking* (LexisNexis) - 2005
- Contributing Author of *Key Developments in Estates and Trusts Law in Ontario*, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017 Editions
- Contributing Author of *Widdifields on Accounts – Annually*
- *Canadian Estate Administration Guide* (LexisNexis)
- *Estates and Trusts Reports* (Carswell)
- Contributor to *Lexis Practice Advisory – Canada – wills and estates module, passing of accounts and estate litigation modules*

Memberships

- Canadian Bar Association
- The Advocates' Society, and member of Estate Litigation Practice Group
- Former member of the Executive of the Trusts and Estates Section of the Ontario Bar Association
- Toronto Lawyers Association
- Halton County Law Association
- Society of Trust and Estate Practitioners (STEP), former member of the STEP National Executive
- Fellow of the American College of Trust and Estate Counsel (ACTEC)
- Academician of The International Academy of Estate and Trust Law
- Chair of the Board of Trustees Law Society Foundation
- Director, Osgoode Society



Jonathan Keslassy
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Jonathan is a founding partner of Keslassy Freedman Gelfand LLP and his practice focuses on civil and commercial litigation and estate related matters. Since September 2016, Jonathan has developed a full-service firm that has grown to seven lawyers and manages its litigation group. Jonathan's diverse practice history enables him to provide a breadth of knowledge and experience to his clients on various issues including estate planning, administration and litigation.



Kyle B. Lamothe is a partner with Thorsteinssons LLP. His practice focuses on personal, corporate and trust tax planning for high net worth families, professionals, and owner-manager businesses. He advises on all aspects of domestic and international tax planning, including corporate reorganizations, the purchase and sale of businesses, investments and real estate, estate planning, professional incorporations and structuring of professional groups.

Kyle is a regular contributor to several tax publications and a presenter for the Canadian Tax Foundation, Chartered Professional Accountants Ontario, Law Society of Ontario, the Ontario Bar Association and other organizations.



Holly LeValliant, Eisen Law

Holly is a partner at Eisen Law. Holly practices estate litigation and civil litigation. Holly's cases include will challenges, powers of attorney disputes, guardianship applications and dependant support claims. Holly is an expert contributor to content in LexisNexis Canada products in the area of estate litigation, and has authored various publications including:

- Ontario Estates can now advertise for creditors online, Advisor.ca, July 13, 2017
- End of Life Decisions in Canada, Geneva Group International, Insider Magazine, November 2014
- Relief for Dependants Left Out of a Will, Lawyers Weekly, December 5, 2014
- Physician-assisted Dying and the Estate Plan, Law Times, October 26, 2015
- Depositing the Errant Estate Trustee, Lawyers Weekly, March 4, 2016
- Estate Planning to Avoid a Dependant's Support Claim, Deadbeat Magazine, June 24, 2015
- Dependant's Support Claims, Estates, Trusts & Pension Journal

Previously, Holly was a clerk at the Federal Court after graduating from the University of Ottawa, Faculty of Law, with her LL.B. in 2008. Prior to law school, Holly graduated from Carleton University with a B.A. (Highest Honours), majoring in Law and Human Rights. While in school, Holly received awards for legal writing including the Raoul Wallenberg national essay contest and the Osgoode Society Award. In her spare time, Holly serves as a director on the Board of the Advocacy Centre for the Elderly, a community based legal clinic for low-income senior citizens.

Alison Minard is a partner of McCarthy Tétrault LLP in Toronto. Her practice encompasses all areas of trust and estate planning and administration. Alison advises individual and corporate clients on a wide range of Canadian and international trust and estate planning matters. She counsels clients on the establishment, funding and administration of trusts. She also prepares sophisticated estate plans and estate planning documents such as domestic and cross-border wills and powers of attorney. In addition, she represents individuals and families with domestic and multi-jurisdictional business interests on succession and governance issues.

Alison also advises individual and corporate clients on a variety of issues pertaining to trust and estate administration and post-mortem planning. She acts for Canadian and foreign trustees, executors, estate beneficiaries, and attorneys for property and personal care on a variety of contentious and non-contentious issues. She also assists with will challenges, dependant support proceedings, trust variations, and the passing of fiduciary accounts.

Having advised financial institutions in a previous role on issues pertaining to the administration of estate assets, registered and non-registered accounts, and issues relating to powers of attorney and capacity matters, Alison brings the skills and experience acquired during that period to her estate and trust practice.

Angelique Moss
Partner, Casey & Moss LLP

Angelique Moss was called to the Ontario Bar in 2005 after receiving her law degree from Osgoode Hall Law School and an Hon. B.A. (English) from the University of Toronto. She practiced at the Toronto civil litigation firm, Genest Murray LLP, for several years before working at a firm specializing in estate, trust and capacity litigation from 2009-2016. In 2016, she and Angela Casey created Casey & Moss LLP, a firm which focuses on estate, trust and capacity litigation. Angelique advises beneficiaries, estate trustees, trustees, attorneys and guardians of property and personal care, dependants. She is often retained by the Office of the Children's Lawyer to represent minors who have an interest in an estate or trust. Angelique has spoken and written for a variety of continuing legal education events relating to estate, trust and capacity matters including at the Law Society of Upper Canada, the Ontario Bar Association, and the B'Nai Brith Seminar. Angelique is a member of the Executive of the Ontario Bar Association Estates and Trusts Section as well as the Elder Law Section. She is also a member of the Advocates' Society.



Suzana Popovic-Montag
Hull & Hull LLP – Managing Partner

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Hull Estate Mediation Inc. – Mediator
Website: www.hullestatemediation.com

Practice

Suzana was admitted to the Ontario Bar in 1997 and is the managing partner of Hull & Hull LLP, who practices exclusively in the areas of estates, trusts, capacity and fiduciary litigation. She has extensive experience in contentious proceedings, including will challenges, passings of accounts, fiduciary litigation, will interpretations and dependant's relief proceedings.

Suzana is also a specialized estate mediator (having been trained at Harvard Law School) with Hull Estate Mediation Inc., focusing on pre-death and post-death estate resolutions.

Publications and Presentations

Author of numerous academic texts and articles published in various journals, including the *Estates and Trusts Reports*, the *Trusts and Estates Law Journal* (U.K.), *Trust Quarterly Review* (U.K.), and the *Estates and Trusts Pension Journal*.

- Co-author of *Probate Practice*, 5th Edition.
- Co-author of *Feeney's Canadian Law of Wills*, 4th Edition.
- Co-author of *Challenging the Validity of Wills*, 2nd Edition.
- Contributing Author of *Key Developments in Estates and Trusts Law in Ontario*, 2008 – current Editions.
- Co-editor for the *Wills & Trusts Law Reports (U.K.)* and the *Trust Quarterly Review (U.K.)*.
- Regular contributor to *The Law Times* and *Lawyers Weekly*.
- Former Publicity Liaison and member of the STEP Toronto Executive (2004 to 2013).
- Past Chair of the Trusts & Estates Section Executive of the Ontario Bar Association (member from 2003 to present).
- Guest lecturer at the University of Windsor and Western University Faculties of Law.
- Regular guest on Hull & Hull TV, a bi-weekly internet television show.
- Frequent speaker and presenter at conferences, podcasts and teleseminars in her areas of practice.

Professional Memberships

Canadian Bar Association, Ontario Bar Association, The Advocates' Society, Toronto Lawyers' Association, Halton County Law Association, Estate Planning Council (Mississauga), Society of Trusts and Estates Practitioners (STEP), The Appleby College Foundation and National Academy of Elder Law Attorneys, Inc.



Bio: Kathleen Robichaud, Law Office of Kathleen Robichaud

Kathleen Robichaud is a sole practitioner practicing in Manotick, Ontario. She has a business degree from the University of Ottawa obtained in 1994. She earned her law degree at Queens University, graduating in 1997. She articulated at Perley-Robertson Hill & McDougall in Ottawa. She was called to the Ontario bar in 1999 and is a Lawyer member of the Law Society of Upper Canada. Shortly after articling, Kathleen moved to Toronto and practiced there until returning to the Ottawa area and settling in Manotick in July of 2010. She has worked primarily as a sole practitioner throughout her years of practice. Kathleen organizes, moderates and co-chairs CPD programs for lawyers regularly and has done so for several years. She has been a previous speaker at Law Society CPD programs as well. She is a member of the County of Carleton Law Association. She is past co-chair and current member of the organizing Committee for the East Region Solicitors Conference. She is also Past-Chair of the Sole, Small and General Practice Section of the Ontario Bar Association (OBA) and Past-Chair of the Pro Bono Sub Committee of the OBA. She is an East Region Representative of Council for the OBA. Kathleen has been a member of the Discipline Committee of the Professional Engineers of Ontario since 2013 and presides over professional conduct hearings as part of panel of adjudicators. Kathleen's practice includes Corporate Law, Real Estate and Wills and Estates.

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SUSAN J. STAMM
Counsel, Property Rights
Office of the Children's Lawyer
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Susan is legal counsel in the Property Rights department at the Office of the Children's Lawyer.

She completed her LLB at the University of Toronto in 1992 and was called to the Bar of Ontario in 1994. She worked in private practice at Gowlings LLP and Goodman and Carr LLP as a civil litigation lawyer, while developing a focus in the areas of estates and trusts.

In 2007, she joined the Office of the Children's Lawyer as counsel.

Susan practices exclusively in the area of estate and trust litigation, as well as following estate administration on behalf of minor beneficiaries. She is an experienced litigator in all aspects of estate accounting, administration, trustee removal and replacement, will and trust interpretation, will challenges, support claims, *quantum meruit* claims, variations of trust and trustee liability.

Susan previously served on the OBA Trusts and Estates Executive and edited its magazine *Deadbeat*. She is regular contributor at LSO, OBA and Osgoode CPD programs.



PAUL W. TAYLOR

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Family Wealth Counsel

Estates and Trusts

Private Company

Education / Bar Admissions

LLB, University of Manitoba
(Robson Hall), 2007

Faculty of Arts, University of
Manitoba

Ontario, 2008

Nunavut, 2017

Professional Involvement

STEP Ottawa Executive Committee
Vice Chair

STEP Canada National Conference
Planning Committee Member

STEP Inside Editorial Committee
Member

Member, Law Society of Ontario,
Law Society of Nunavut, Canadian
Bar Association and County of
Carleton Law Association

Community Involvement

Board President, Ottawa Salus

Former board member, Bruce
House, Ryan's Well Foundation, and
Fund for a New Generation

EXECUTIVE SUMMARY

Paul Taylor is a Partner in the Ottawa office of Borden Ladner Gervais LLP. Paul's practice focuses on issues relating to trust, estate, and incapacity planning and administration, as well as related tax issues. Paul has a wide range of experience in this area, including advising financial institutions, planning for individuals with cross-border, high value and complex assets, working with clients to provide for beneficiaries with disabilities, and preparing, amending, and interpreting trusts.

REPRESENTATIVE WORK

- Estate planning and drafting wills, powers of attorney and trusts, including for individuals with cross-border assets, complex assets, and beneficiaries living with disabilities.
- Completing a secondment with a financial institution to assist in the interpretation and administration of wills, powers of attorney and trusts.
- Drafting, amending, and interpreting trusts, including for financial institutions and aboriginal groups.
- Drafting account agreements, client intake forms, and other related documentation for financial institutions.
- Administering and advising on the administration of estates and trusts.

SELECTED PUBLICATIONS & PRESENTATIONS

- Speaker, "Discretionary Trusts and Unique Estate Planning and Administration Issues", STEP Ottawa, January 2019
- Speaker, "Incapacity and Other Legal Issues", IAFP 2018 Symposium, Gatineau, September 2018
- Panel Moderator, "Planning and Administering a Discretionary Trust – Absolute Freedom?", STEP National Conference, Toronto, May 2018.
- Speaker, "Cross Border Tax Update", LSO Six-Minute Estates Lawyer, May 2018.
- Speaker, "2018 Federal Budget: What Every STEP Advisor Needs to Know", STEP National Webcast, March 2018.
- Speaker, "Jurisdictional Issues in Powers of Attorney", LSUC Estates and Trusts Summit, Toronto, October 2017.
- Speaker, "Wills, Estates & Incapacity", Law Society of Nunavut, September 2017.
- Panel Moderator, "International Planning Issues – Updates from the UK to the Far East", STEP National Conference, Toronto, June 2017.
- Speaker, "Border Walls and a Hard Brexit: The Current State of Cross-Border Planning", LSUC Six-Minute Estates Lawyer, Toronto, May 2017.
- Speaker, "Common Complexities: There is no such thing as a simple estate", STEP Ottawa, February 2017.
- Instructor, "Changes to Testamentary Trust Rules – A Comprehensive Case Study", Canadian Tax Foundation National Conference, November, 2016.



LISA S. TONER

Lisa is a partner and leader of the Wills, Estates and Trusts Group at Sorbara, Schumacher, McCann LLP, with offices in Kitchener-Waterloo, Guelph, Fergus and Markham. Her broad experience in twenty-five years of practice means that she is uniquely positioned to provide the best possible advice and representation in all matters relating to Wills, Trusts and Estates, whether at the planning stage, the administration stage or during litigation.

Lisa obtained a Certificate in Elder Law at Osgoode Professional Development in the spring of 2016. Lisa has previously worked as a tax and estate planning lawyer at Canada Trust and Manulife Financial. Her experience in family law enables Lisa to recognize and resolve the sometimes delicate issues that can arise in estate planning for blended families, while her work in the insurance and financial services industries ensures that the estate plan addresses all areas of a client's financial well-being.

A certified mediator and trained in the collaborative process of dispute resolution, Lisa is a strong proponent of negotiated solutions to conflicts between parties. However, when it is necessary, Lisa is a skilled litigator and has effectively protected her clients' interests at every level of court in Ontario.

Lisa has been an active member of the Trusts and Estates Law Section of the Ontario Bar Association since the 2014-2015 year, having served as Co-chair of the OBA Brown Bag Lunch Subcommittee for three years, Chair of the Regional Issues Subcommittee for one year, and as a member of the Statutory Review Committee and the Estates List Users Committee. Lisa was also a member of the OBA Working Group for the successful creation of an OBA Elder Law Section.



Kimberly A. Whaley, CS, TEP, LLM

KIMBERLY A. WHALEY, CS, TEP, LLM, Founding Partner, **WHALEY ESTATE LITIGATION PARTNERS** (a litigation firm in Toronto, practicing throughout Ontario and repeatedly ranked by Canadian Lawyer as one of Canada's Top 5 Boutique Trusts & Estates Firms and now in the Top 10 category), practices in the areas of Estate, Trusts, Fiduciary Litigation including Power of Attorney Disputes, Accounting Applications, Guardianship, Claims for Dependents' Support, and Elder Law.

Kimberly is designated as a Certified Specialist in Estates and Trusts Law by the Law Society of Ontario and is recognized as a leading practitioner by Chambers, Lexpert, Lawday, Best Lawyers, Martindale-Hubbell and Canadian Lawyer. Kimberly has held various executive positions with the Society of Trust and Estate Practitioners Worldwide (STEP) and holds the designation as TEP, the OBA and CBA. She is the immediate Past Chair of the CBA Elder Law Section and current Chair of the OBA Elder Law Section.

Kimberly is a frequent lecturer and has been an Adjunct Professor at the University of Toronto, Queen's University and Western University. Kimberly regularly presents and chairs programs with the Law Society of Ontario, the Canadian Bar Association, and the Ontario Bar Association. Kimberly is an active leader in the community in her elder law initiatives serving as Civilian Co-chair on a Toronto Police Services Consultative Committee, and sits on the Ontario Securities Commission Seniors Expert Advisory Committee. Kimberly was invited to become a member of The International Academy of Estate and Trust Law.

Kimberly is also a Solicitor of the Supreme Court of England and Wales.