

27th Estates and Trusts Summit – DAY ONE



CO-CHAIRS: **Clare Burns, *WeirFoulds LLP***

Kathleen McDormand, *Borden Ladner Gervais LLP*

October 22, 2024

9:00 a.m. to 4:30 p.m.

Total CPD Hours = 5 h Substantive + 1 h Professionalism ^P

+ 30 m EDI Professionalism ^E

**Law Society of Ontario
Donald Lamont Learning Centre
130 Queen St. W.
Toronto, ON**

SKU CLE24-010100

Agenda

DAY ONE:

9:00 a.m. – 9:05 a.m.

Welcome and Opening Remarks

Clare Burns, WeirFoulds LLP

Kathleen McDormand, Borden Ladner Gervais LLP

- 9:05 a.m. – 9:35 a.m.** **Procedural or Substantive Law?**
- **Application vs. Actions**
- Andrea McEwan, *WeirFoulds LLP*
- **Injunctive Relief-Update on RJR from the Recent SCC; Application of the Test to Guardianship/POA**
- Alex Smith, *Henein Hutchison Robitaille LLP*
- **Motions to Enforce Settlement: What to Put in MOS**
- Yasmin Vinograd, *Merovitz Potechin LLP*
- 9:35 a.m. – 9:45 a.m.** **Question and Answer Session**
- 9:45 a.m. – 9:55 a.m.** **The Role of Section Three Counsel**
- Alexander Procope, *Perez Bryan Procope LLP*
- 9:55 a.m. – 10:05 a.m.** **Substantial Compliance**
- Joanna Lindenberg, *de VRIES LITIGATION LLP*
- 10:05 a.m. – 10:15 a.m.** **Passing Over ETs**
- Daniel Dochylo, C.S., *Borden Ladner Gervais LLP*
- 10:15 a.m. – 10:25 a.m.** **Question and Answer Session**
- 10:25 a.m. – 10:45 a.m.** **Break**

10:45 a.m.– 11:15 a.m.	Tax Issues in Estates Litigation Brian Cohen, <i>Gowling WLG (Canada) LLP</i> Sébastien Desmarais, Tax and Estate Planner, <i>TD Wealth Advisory Services</i>
11:15 a.m. – 11:25 a.m.	Question and Answer Session
11:25 a.m. – 11:55 a.m.	First Nations Wills /First Nations Clients in Court/Building Indigenous Intercultural Capacity (30 m 🕒) Mary Chakasim, Staff Lawyer, <i>Keewaytinok Native Legal Services</i> Nicole Woodward, <i>Miller Thomson LLP</i>
11:55 a.m. – 12:00 p.m.	Question and Answer Session
12:00 p.m. – 1:00 p.m.	Lunch Break
1:00 p.m. – 1:40 p.m.	Updates You Didn't Know You Needed to Know <ul style="list-style-type: none"> • Ashes and Bodies Brendan Donovan, <i>Donovan Kochman LLP</i> • Cottrell v. Cottrell 2023 BCCA 471 Lou-Anne Farrell, <i>Harrison Pensa LLP</i> • The Slayer Rule Kavina Nagrani, C.S., <i>NIKA LAW LLP</i>

- **Costs Update: Who You Are Acting For, When can you Fund the Litigation on a Will Challenge from the Estate**

Doreen So, *Hull & Hull LLP*

1:40 p.m. – 1:50 p.m.

Question and Answer Session

1:50 p.m. – 2:30 p.m.

Trial Prep Checklist/What to Add for an Estates or an SDA NTD

Kelly Charlebois, *Miller Thomson LLP*

Andrea Hill, *Turkstra Mazza Associates*

Anne Posno, *Lax O'Sullivan Lisus Gottlieb LLP*

2:30 p.m. – 2:40 p.m.

Question and Answer Session

2:40 p.m. – 3:00 p.m.

Break

3:00 p.m. – 3:10 p.m.

Conflicts of Law in Guardianship Applications

Bryan Gilmartin, *WEL Partners*

3:10 p.m. – 3:15 p.m.

Question and Answer Session

3:15 p.m. – 3:55 p.m.

Ethical Issues in Estates Litigation (40 m )

Suzana Popovic-Montag, *Hull & Hull LLP*

Archie Rabinowitz, C.S., *Aird & Berlis LLP*

Kimberly Whaley, C.S., *WEL Partners*

3:55 p.m. – 4:00 p.m.

Question and Answer Session

4:00 p.m. – 4:30 p.m.

Fireside Chat with a Superior Court Judge (20 m )

The Honourable Justice Sylvia Corthorn, *Superior Court of Justice*

The Honourable Justice Judy Fowler Byrne,
Superior Court of Justice

4:30 p.m.

End of Day One