

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, *Gowling WLG (Canada) LLP*

Sébastien Desmarais, Tax and Estate Planner, *TD Wealth Advisory Services*

11:15 a.m. – 11:25 a.m.	Question and Answer Session
11:25 a.m. – 11:55 p.m.	<p>First Nations Wills /First Nations Clients in Court/Building Indigenous Intercultural Capacity (30 m 🕒)</p> <p>Nicole Woodward, <i>Miller Thomson LLP</i></p> <p>Mary Chakasim, Staff Lawyer, <i>Keewaytinok Native Legal Services</i></p>
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.	<p>Updates You Didn't Know You Needed to Know</p> <ul style="list-style-type: none"> • Ashes and Bodies <p>Brendan Donovan, <i>Donovan Kochman LLP</i></p> <ul style="list-style-type: none"> • <i>Cottrell v. Cottrell</i> 2023 BCCA 471 <p>Lou-Anne Farrell, <i>Harrison Pensa LLP</i></p> <ul style="list-style-type: none"> • The Slayer Rule <p>Kavina Nagrani, C.S., <i>NIKA LAW LLP</i></p> <ul style="list-style-type: none"> • Costs Update: Who You Are Acting For, When can you Fund the Litigation on a Will Challenge from the Estate <p>Doreen So, <i>Hull & Hull LLP</i></p>
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: Doing Topics 11 and 12
	Kelly Charlebois, <i>Miller Thomson LLP</i>
	Andrea Hill, <i>Turkstra Mazza Associates</i>
	Anne Posno, <i>Lenczner Slaght LLP</i>
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, <i>WEL Partners</i>
3:10 p.m. – 3:15 p.m.	Question and Answer Session
3:15 p.m. – 3:55 p.m.	Ethics TBD (40 m )
	Speaker TBD
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 Silvia Corthorn, <i>Superior Court of Justice</i>
	The Honourable Justice Judy Fowler-Byrne, <i>Superior Court of Justice</i> (Awaiting Confirmation)
4:30 p.m.	End of Day One