

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 a.m.** **First Nations Wills /First Nations Clients in Court/Building Indigenous Intercultural Capacity (30 m 🕒)**
- Mary Chakasim, Staff Lawyer, *Keewaytinok Native Legal Services*
- Nicole Woodward, *Miller Thomson LLP*
- 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**
- **Ashes and Bodies**
- Brendan Donovan, *Donovan Kochman LLP*
- ***Cottrell v. Cottrell 2023 BCCA 471***
- Lou-Anne Farrell, *Harrison Pensa LLP*
- **The Slayer Rule**
- Kavina Nagrani, C.S., *NIKA LAW LLP*
- **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: Doing Topics 11 and 12**

Kelly Charlebois, *Miller Thomson LLP*

Andrea Hill, *Turkstra Mazza Associates*

Anne Posno, *Lax O'Sullivan Lisus Gottlieb*

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.

Ethics TBD (40 m )

Suzana Popovic-Montag, *Hull & Hull LLP*

Archie Rabinowitz, *Aird & Berlis LLP*

Kimberly Whaley, *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 Silvia Corthorn, *Superior Court of Justice*

The Honourable Justice Judy Fowler Byrne,
Superior Court of Justice

4:30 p.m.

End of Day One