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Just For Law

26th ANNUAL CONFERENCE

FAIRMONT THE QUEEN ELIZABETH
Montréal, Québec
MAY 11-14, 2016



The Institute of Law Clerks of Ontario would like to thank the following Platinum and Silver Sponsors of our 26th Annual Conference:

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FIRST BASE SOLUTIONS
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THOMSON REUTERS

SCHEDULE OF EVENTS

WEDNESDAY
May 11, 2016

12:00 pm to
5:00 pm

17th ANNUAL GOLF TOURNAMENT
Golf Île des Soeurs

12:00 pm Start Time

Calling all golfers and those who wish to be introduced to the wonderful game of golf! ILCO is holding its 17th annual golf tournament at Île des Soeurs Golf Course, only minutes away from downtown Montréal. The format is 'best ball' that makes for a fun and pressure-free game. It's the kick-off event of the conference and a great way to begin networking with your colleagues, exhibitors, sponsors and friends. This uniquely challenging 9-hole golf course is accessible to golfers of all levels. After the tournament, relax on site for a drink and hors d'oeuvres with your fellow golfers before returning to the hotel for the pre-conference reception. Make this year's conference memorable by joining us for some fun, camaraderie and prizes! Please see the enclosed flyer and registration form for full details.

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After
3:00 pm

HOTEL CHECK-IN
Fairmont The Queen Elizabeth

5:00 pm to
6:30 pm

CONFERENCE REGISTRATION
Fairmont The Queen Elizabeth

6:00 pm to
8:00 pm

PRE-CONFERENCE MEET & GREET RECEPTION
Fairmont The Queen Elizabeth

Connect with friends – old and new – as we kick off our 26th Annual Conference. Food & refreshments to be served.

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Real partners. Real possibilities.™

**THURSDAY
MAY 12, 2016**

7:30 am to
8:45 am

BREAKFAST

7:45 am to
8:45 am

CONFERENCE REGISTRATION

Fairmont The Queen Elizabeth

8:45 am to
9:00 am

WELCOME & OPENING REMARKS

9:00 am to
10:30 am

**BUSINESS SUCCESS
THROUGH THE BUTLER'S EYE**

Charles MacPherson, Author of *The Butler Speaks*

**Keynote
Speaker**

Why do companies such as The Ford Motor Company, Astellas Pharmaceutical, Louis Vuitton, The Boston Consulting Group and The Royal Bank of Canada hire Charles MacPherson, professional butler? Because Charles has the ability to bring social etiquette and manners into the relevance of the business world, so that mid-level and senior corporate executives learn how to use these techniques to their competitive advantage. Subjects such as cross cultural communication, how and when to shake hands properly, client luncheons, eating difficult foods, small talk, making introductions, are just some of the topics that will be covered in this session.

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10:30 am to
11:15 am

COFFEE BREAK and EXHIBITOR HALL

SPONSORED BY



11:15 am to
12:30 pm

KEEP CALM – QUEBEC ISN'T MARS

Stefan Fewes – Stikeman Elliott LLP

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When you find out that there's a Quebec component to your real estate transaction, don't panic! Although there are some particularities that you should be aware of and you may indeed encounter French language documents, most legal structures have close equivalents under Quebec civil law or can be replicated contractually. We will briefly demystify hypothecs (including the once dreaded but now much simplified rules for granting security in favor of agents), modes and dismemberments of ownership, conveyancing practices, the nature of leases, and the role of notaries. By the end of the presentation, you'll not only know that emphyteusis isn't a disease, but will see that Quebec isn't all that different from what you know.



11:15 am to
12:30 pm

**BEST PRACTICES FOR END-TO-END ELECTRONIC
CASE MANAGEMENT (eCM)**

**Grace Tsakas – Lenczner Slaght Royce Smith Griffin LLP
Sonica Soares – Lenczner Slaght Royce Smith Griffin LLP**

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It is no longer just the discovery process that's electronic! Join us for an interactive session providing you with best practices to ensure consistent and efficient electronic management of information and documentation throughout the life of an action. We will focus on proactive tips to assist you in the collection and maintenance of electronic information, which in turn will enable you to successfully project manage your cases.



**THURSDAY
MAY 12, 2016**

11:15 am to
12:30 pm

**WHAT TO THINK ABOUT WHEN THE MONEY
RUNS OUT:**

A PRIMER ON CORPORATE INSOLVENCY

Ziyi Shi – Osler, Hoskin & Harcourt LLP

When a corporation’s financial situation goes south, it may become subject to a number of insolvency, bankruptcy and restructuring proceedings. Due to unclear vocabulary and the specialized nature of the field, things can quickly get confusing. This session aims to help legal professionals orient themselves in these situations by providing, first, an overview of the main types of corporate insolvency proceedings (including proposals, assignments in bankruptcy, receiverships and CCAA filings), and second, some tips and guidelines on how to navigate in such troubled corporate waters.

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11:15 am to
12:30 pm

**RECENT DEVELOPMENTS IN ESTATES –
CASE LAW AND ESTATES LEGISLATION UPDATE**

Ian Hull – Hull & Hull LLP

Suzana Popovic-Montag – Hull & Hull LLP

We will examine what the Courts are doing with will challenge and dependant’s relief cases and consider the impact of the new Ontario Estate Administration Tax legislation.

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12:30 pm to
1:45 pm

LUNCH

1:45 pm to
3:00 pm

“WHAT DO YOU MEAN I NEED A WILL?”

Paul Taylor – Borden Ladner Gervais LLP

Elisabeth Evans-Olders – Borden Ladner Gervais LLP

The advantages to Ontario and Québec residents of having a will, including general issues applicable to all clients and specific issues such as trusts for various types of beneficiaries and cross-border issues to consider when you own real or personal property in a different jurisdiction.

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1:45 pm to
3:00 pm

**TAX COLLECTION: AN ALTERNATIVE METHOD
FOR RESOLVING TAX DISPUTES?**

Nicolas Cloutier – McCarthy Tétrault LLP

The speaker will discuss and illustrate with practical examples the tools and avenues to explore with the COLLECTION BRANCH OF THE TAX AUTHORITIES, including when and how a stay of collection measures can be obtained pending the review of an objection or a final decision on an appeal in the context of commodity tax, payroll deductions and large corporation reassessments; the role of the Federal Court in tax collection matters; and how collection risks are relevant to the resolution of certain tax disputes.

**THURSDAY
MAY 12, 2016**

1:45 pm to
3:00 pm

**FAMILY LAW PLANNING
FOR THE MODERN FAMILY**
Lorne H. Wolfson – Torkin Manes LLP

The “modern family” gives rise to many complex family law issues that were not even imagined fifty years ago. This entertaining seminar will offer practical solutions to these contemporary problems.

1:45 pm to
3:00 pm

ANATOMY OF A MEDICAL MALPRACTICE ACTION
Roger Shoreman – Gluckstein Personal Injury Lawyers

Review of the steps in a medical malpractice case from intake to trial from a Plaintiff perspective. This session will provide an overview of the case law that applies to medical malpractice cases; the steps in each stage of the litigation; the organization of health records, and the importance of good case selection. Since these cases are expert driven, there will be a focus on retaining the right experts and procuring reports that address the standard of care, causation and damages. It will also cover what types of demonstrative evidence will advance your case. The session will serve as a primer to law clerks who have no medical malpractice experience and it will provide some useful pointers to those who have.

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3:00 pm to
3:45 pm

COFFEE BREAK and EXHIBITOR HALL
**Don't miss out on the Thursday Exhibitor Draws
– you must be in attendance to win!**

3:45 pm to
5:00 pm

“I'M DEAD, NOW WHAT?”
Paul Taylor – Borden Ladner Gervais LLP
Elisabeth Evans-Olders – Borden Ladner Gervais LLP

The consequences of death (with or without a Will) - an administration of an estate in Ontario and in Quebec, including where assets are located in more than one jurisdiction.

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3:45 pm to
5:00 pm

**ETHICS - RECOGNIZING AND MANAGING
CONFLICTS OF INTERESTS**
Cara Cameron – Davies Ward Phillips & Vineberg LLP

This presentation will help familiarize you with the relevant Supreme Court of Canada decisions governing conflicts of interest. We will discuss the different measures law firms use to avoid and, if necessary, manage such conflicts. Finally, examples of conflict scenarios that can stem from joint retainers, migrating lawyers and paralegals and other issues will be discussed, as well as the means by which they can be avoided, and if not avoided be resolved.

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3:45 pm to
5:00 pm

MINUTE BOOK REVIEW AND RECTIFICATION
Bill Sheppard – Stewart McKelvey

Discussion on when and why minute book reviews are necessary and best practices for reviewing and rectifying deficiencies.

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THURSDAY
MAY 12, 2016

3:45 pm to
5:00 pm

ADVERTISING LAW: A PRACTICAL PERSPECTIVE ON THE QUEBEC AND CANADIAN LANDSCAPE

Julie Laurence – Rogers Communications

A review of the basic principles on misleading advertising and comparative claims and latest developments, the aftermath of the Supreme Court decision in Time vs Richard and a closer look at the Quebec environment in marketing and advertising law.

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NORTON ROSE FULBRIGHT

6:00 pm to
12:00 am

L'AUBERGE SAINT-GABRIEL

Join us for a unique Montréal experience with dinner and drinks at L'Auberge Saint-Gabriel in beautiful Old Montréal. Experience the magic of circus arts with a live performance from Cirque Eloize and then dance the night away.

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**FRIDAY
MAY 13, 2016**

7:30 am to
9:00 am

BREAKFAST

9:00 am to
10:30 am

EATING FOR OPTIMAL HEALTH & HAPPINESS

Liz Pearson – Registered Dietitian

Liz Pearson, registered dietitian and bestselling author, will deliver an eye-opening, informative, and inspiring session on what to eat for optimal health and happiness. This fast-paced, entertaining talk will tell you which foods provide all-star health protection (like kale, blueberries, black beans, quinoa, turmeric, almonds, and more), as well as how much is too much when it comes to dietary villains (like sugar, salt, red meat, and unhealthy fats). Common foods myths and misunderstandings will be clarified, including the truth about gluten-free diets, vitamin supplements, juice cleanses, red wine, coffee, and so much more. You'll also get great advice for healthy snacking on the run and feeding your family well, along with practical tips on how to maintain a healthy body weight in a world where it's almost impossible to do so! Bottom line: Liz's session is one you don't want to miss! It's guaranteed to help you live a healthier, happier, and definitely more delicious life! Check out Liz's website at www.lizpearson.com.

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10:30 am to
11:15 am

COFFEE BREAK and EXHIBITOR HALL

11:15 am to
12:30 pm

RECENT DEVELOPMENTS IN SECURITIES LAW

Jason Van Dam – Rogers Communications
Peter Nguyen – Resolver Inc.

This session will provide a brief overview of certain industry and legislative updates, such as: The new “notice-and-access” rules, disclosure requirements for gender diversity and director tenure, crowdfunding rules and the “top three” in recent case law.

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11:15 am to
12:30 pm

MEETING THE NEEDS OF AN AGING POPULATION

Arthur Fish – Borden Ladner Gervais LLP

This session will address the issues that are emerging as Canadian lawyers and paralegals - and our clients - struggle to meet the needs of an aging population. The session will begin with a summary of the larger social and demographic trends that are shaping the needs and demands of an aging population. It will then focus on issues of mental capacity, continuing powers of attorney for property and joint ownership, offering practical tips and approaches for dealing with each of these.

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11:15 am to
12:30 pm

**EMPLOYMENT LAW:
THE YEAR'S TOP ISSUES AND CONTROVERSIES**

Danny Kastner – Kastner Law

This session will take a close look at recent issues and controversies in employment law. Topics will include termination entitlements, harassment and discrimination, the summary judgment renaissance, and much more.

11:15 am to
12:30 pm

**DOING BUSINESS IN QUÉBEC:
DON'T FORGET THE FRENCH**

Alexandre Fallon – Osler, Hoskin & Harcourt LLP

While everyone knows that Québec is a predominantly French speaking market, few out of province companies doing business here for the first time are prepared for the scope of requirements imposed on their business by the *Québec Charter of the French Language*. This session will explain the basic requirements under this Act, and will also discuss the more extensive requirements that are triggered once your operations in Québec grow beyond the 50 and 100 employee milestones.

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12:30 pm to
1:45 pm

LUNCH

1:45 pm to
3:00 pm

**PROTECTING SENSITIVE TAX DATA
& NUANCES OF TAX LITIGATION**

Angelo Gentile – Dentons Canada LLP

This session addresses two areas of critical importance facing law clerks involved in either transactional or litigation practices. First, it is important to know the rules and best practices regarding protection of sensitive tax data belonging to clients. In reviewing the ways in which law clerks may protect sensitive tax data, we will review the rules of privilege and how law clerks can take steps to ensure privileged documents remain privileged, even in the face of inquiries from the Canada Revenue Agency. Second, we will review the key differences in tax litigation matters, as compared to regular civil litigation matters in Ontario. The rules pertaining to federal tax litigation differ markedly from those of Ontario civil litigation matters. Such topics include: initiating an appeal, differences in the discovery process in tax litigation matters, cost awards in tax disputes and limitations in settling tax disputes.

1:45 pm to
3:00 pm

**THE FALSE FRIEND AS FRAUDSTER:
IS THERE A FRAUDSTER IN YOUR OFFICE?**

David Debenham – McMillan LLP

This session will look at how to detect a fraudster within your firm, where and how to investigate a suspected fraud as well as steps to take when the suspect has left the building.

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**FRIDAY
MAY 13, 2016**

1:45 pm to
3:00 pm

COMMERCIAL LEASING PRIMER
Catherine Murray – Rogers Communications

What are the main elements of a lease? How does a lease differ from a license or an easement? In drafting a lease, what will a commercial landlord be looking for, versus a tenant? Join us for a primer on what to think about in dealing with commercial leases.

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1:45 pm to
3:00 pm

**MANITOBA LIMITED PARTNERSHIPS:
YOUR HIGH-MAINTENANCE FRIEND**
Richard L. Yaffe – Aikins MacAulay & Thorvaldson LLP

Manitoba's unique partnership law offers some interesting strategic opportunities. Along with the advantages that come with using Manitoba limited partnerships come a few risks and inconveniences. This presentation will highlight the significant provisions of Manitoba limited partnership law, explain the initial and ongoing filing requirements, and address some practical considerations – focusing on ways to ensure that the limited liability of limited partners is not jeopardized. The session will also offer a few strategies – not necessarily unique to Manitoba - to protect general partners and limited partners of limited partnerships in commercial transactions.

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3:00 pm to
3:45 pm

COFFEE BREAK, EXHIBITOR HALL
Don't miss out on the Friday Exhibitor Draws
– you must be in attendance to win!

3:45 pm to
5:00 pm

**GOOD TITLE IN THE ATLANTIC
PROVINCES – OLD VS. NEW**
Darren O'Keefe – Cox & Palmer
Marc Beaubien – Cox & Palmer

Join Cox & Palmer partners, Darren O'Keefe and Marc Beaubien for the latest on title in Atlantic Canada. While there are similarities across the region and to the Ontario land registry system, there are indeed some differences, and some costs, you should be aware of to ensure smooth registration for your clients.

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3:45 pm to
5:00 pm

**THREE BIG DEVELOPMENTS AND HOW THEY
ARE AFFECTING YOUR WORK: BHASIN (GOOD
FAITH), SATTVA (CONTRACT INTERPRETATION)
AND HRYNIAK (SUMMARY JUDGMENT)**
Tim Pinos – Cassels Brock & Blackwell LLP

This topic discusses how the Supreme Court of Canada has changed the law in each of these areas, how those changes have been received by the courts and profession, and how they impact the management of litigation.

3:45 pm to
5:00 pm

**IMMIGRATION AND COMPLIANCE –
AN EMERGING LEGAL MARKET**

Stephanie MacIntosh – Baker & McKenzie LLP

This session will be about the growing role for legal clerks in the context of the rapidly changing Canadian immigration system and new employer compliance regulations.

3:45 pm to
5:00 pm

COPYRIGHT AND ENTERTAINMENT LAW

Susan H. Abramovitch – Gowling WLG

Directed both at law clerks interested in joining an entertainment law practice and those interested in copyright more generally, the various legal needs of clients in the entertainment industries (music, film, television, book publishing) and the different types of issues and contracts that are dealt with will be explored. Included will be a primer on copyright law as the legal backbone of these entertainment industries, including an explanation of what copyright is and protects, how copyright is defended and how and whether to register copyright. The types of documentation a clerk may be asked to draft related to copyright in the entertainment industries will be discussed – e.g. demand letters, notices of infringement, licenses and other agreements.

3:45 pm to
5:00 pm

**COMPARING THE PROVISIONS OF THE QUÉBEC
BUSINESS CORPORATIONS ACT AND THE CANADA
BUSINESS CORPORATIONS ACT**

Marc Guénette – Thomson Reuters

2011's QBCA was borne out of efforts to harmonize its provisions with those of the CBCA. Five years later, we look at how close the two acts are, as well as how some of those provisions remain vastly different. In reviewing the main differences between these laws, the speaker will also discuss how court decisions went both in favour of harmonization as well as moving away from it, thus helping to develop a set of decisions made in Québec.

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5:00 pm to
7:00 pm

COCKTAIL RECEPTION

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**SATURDAY
MAY 14, 2016**

8:00 am to
9:30 am

BREAKFAST

9:30 am to
10:30 am

**MIND OVER MUSCLE: 'FITNESS' AS A VESSEL-
A HO-LISTIC APPROACH – (INTRODUCTION)**

**Keynote
Speaker**

Julian Ho – Holistic Trainer

Part 1 - The Key to Core is Connection. An introductory workshop to core and coordination.

Part 2 - The Who? What? When? Where? How? Why? of Fitness ... as it relates to your life.

Success in any program requires that it be specific, measurable, attainable, relative, timely. We will explore these key parameters and how they can be leveraged with S.M.A.R.T. questions.

The benefits of this session will provide both instant gratification and lasting transformation. Come prepared to change your physical and mental wellness, while preparing the mind and body for long-term health. All attendees are invited to participate in this session. Wear loose-fitting clothing to participate in this active session.

All participants will receive a yoga mat sponsored by ILCO.



10:30 am to
11:00 am

NUTRITIONAL BREAK

11:00 am to
12:00 pm

**MIND OVER MUSCLE: 'FITNESS' AS A VESSEL-
A HO-LISTIC APPROACH – (CONCLUSION)**

Julian Ho – Holistic Trainer

Part 3 - The Key to Aging Gracefully. An introductory workshop to flexibility, mobility, and plasticity.

Part 4 - What a 3x Ultramarathon Champion has in common with Law Clerks.

An intimate and interactive conversation discussing modern philosophy, psychology, and purpose.

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Quotes that will fuel Julian's presentation:

"Judge a man by his questions, rather than his answers" – Voltaire

"We hear only those questions for which we are in a position to find answers" – Nietzsche

"Human communities depend upon a diversity of talent, not a singular conception of ability" – Sir Ken Robinson

"You must understand the whole of life, not just one little part of it. That is why you must read, that is why you must look at the skies, that is why you must sing, and dance, and write poems, and suffer, and understand, for all that is life." – Jiddu Krishnamurti

12:00 pm to
12:15 pm

CLOSING REMARKS and FAREWELL

SPECIAL EVENTS

Wednesday, May 11, 2016

GOLF TOURNAMENT

SPONSORED BY

Île des Soeurs Golf Course

12:00 pm Start Time

We are kicking off this year's Conference with our 17th annual golf tournament...a great way to meet your fellow law clerks, exhibitors and sponsors. See enclosed flyer and registration form for full details about participating.

RICOH

PRE-CONFERENCE MEET & GREET RECEPTION

SPONSORED BY

Fairmont The Queen Elizabeth

6:00 pm – 8:00 pm

Come and join us for a casual evening of networking at the pre-conference meet & greet.

stewart title
Real partners. Real possibilities.™

Thursday, May 12, 2016

THURSDAY NIGHT EVENT

SPONSORED BY

L'Auberge Saint-Gabriel

6:00 pm – 12:00 am

Join us for a unique Montréal experience with dinner and drinks at L'Auberge Saint-Gabriel in beautiful Old Montréal. Experience the magic of circus arts with a live performance from Cirque Eloize and then dance the night away.

**STEWART
MCKELVEY**
LAWYERS • AVOCATS



ACCOMMODATION and TRANSPORTATION FAIRMONT THE QUEEN ELIZABETH, MONTRÉAL, QUÉBEC

ACCOMMODATION

Fairmont The Queen Elizabeth is holding blocks of rooms for Conference until **April 19, 2016**. To reserve a room, please call the Reservations Department at 514-861-3511 or the Global Reservation Centre at 1-800-441-1414. You must mention the block code **0516ILCO 001**.

The following provides details as to the room type and rates:

Room Type	Single/Double Occupancy Rates*
Fairmont Room	\$229.00
Fairmont View Room	\$249.00
Junior Suite	\$329.00
Fairmont Gold Room	\$329.00
One-Bedroom Suite	\$409.00

*Accommodation Tax, Federal Goods and Services Tax (GST), Provincial Sales Tax are extra. Complimentary internet is available in all guestrooms.

The above rates are also available to Conference attendees for 3 days prior and 3 days post the ILCO Conference (subject to availability).

TRANSPORTATION

AIRLINES

Porter

Porter is offering a 15% discount on their best available regular fare at the time of booking (excluding web and promotional fares). Attendees must make their travel arrangements through the online booking at www.flyporter.com or by calling 1-888-619-8622 quoting account code **ILCO16**. The discounted rates are available for travel from May 6, 2016 to May 15, 2016 and bookings will be available until May 18, 2016.

Air Canada

Air Canada is offering a 10% discount on their best available regular fare at the time of booking (excluding web and promotional fares). Attendees must make their travel arrangements through the online booking at www.aircanada.com quoting promotion code number **VUV8XTK1**. The discounted rates are available for travel from May 4, 2016 to May 23, 2016.

VIA RAIL

VIA Rail is offering a 10% discount off the best available fare in Economy, Economy Plus, Business, Business Plus, Sleeper, or Sleeper Plus class. Attendees must make their travel arrangements through www.viarail.ca quoting promotion code **13155**. The discounted rates are available for travel from May 9, 2016 to May 18, 2016. Attendees must create an online profile to receive the discount.

CAR – RENTAL

Budget

Budget Rent a Car is the preferred car rental for Conference. Attendees must make their travel arrangements through Budget Rent a Car and use program number **U341193** at time of booking. For more information regarding booking a car rental with Budget please contact **(866) 380-8239** or make reservations by using the following link: www.budget.com.

CAR – DRIVING

Directions are available at the Fairmont The Queen Elizabeth website by using the following link: <http://www.fairmont.com/queen-elizabeth-montreal/map/mapanddirections/>.

Thank you to the SPONSORS of this year's conference

SPONSORS



Thank you to the EXHIBITORS of this year's conference

EXHIBITORS



We encourage attendees to circulate among the exhibitors' booths and have their Exhibitor Hall Passport stamped. Collect stamps from 8 different exhibitors on each day and be eligible to win some great prizes. Exhibitor draws will take place on **Thursday, May 12 at 3:00pm** and **Friday, May 13 at 3:00pm** in the Exhibitor Hall. **You must be in attendance in order to be eligible to win.**

The 2016 Conference Committee and Board of Directors are not eligible to participate in the draws.

The Institute of Law Clerks of Ontario wishes to express a special thanks to the members of the 2016 Conference Committee and their firms for their continuing support throughout the year.

2016 Conference Committee

Margaret Tsetsakos, *Rogers Communications (Co-Chair)*

Ian Curry, *Rogers Communications (Co-Chair)*

Stella De Billy, *The Institute of Law Clerks of Ontario*

Wanda Doiron, *Stewart McKelvey*

Zadiha Iqbal, *Greater Toronto Airports Authority*

Rose Kottis, *Borden Ladner Gervais LLP*

Lisa Matchim, *Stikeman Elliott LLP*

Rana Mirdawi, *McMillan LLP*

Christopher Poirier, *Baker & McKenzie LLP*

Clint Savary, *West Face Capital Inc.*

Anna Traer, *Davies Ward Phillips & Vineberg LLP*

The Institute of Law Clerks of Ontario
26th ANNUAL CONFERENCE
Just For Law, Montréal 2016

Fairmont The Queen Elizabeth; Montréal, Québec
May 11 – May 14, 2016