



# The Institute of Law Clerks of Ontario **ANNUAL CONFERENCE**



NOVEMBER 1 - 3, 2023 | FAIRMONT CHATEAU LAURIER | OTTAWA

*Capitalize*  
**YOUR SUCCESS**

# OUR SPONSORS

## NETWORKING RECEPTION



## KEYNOTE SPEAKER



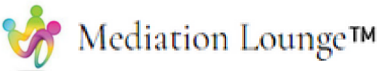
## HOTEL KEY CARDS



## BREAK



## WORKSHOP SPONSORS



# OUR EXHIBITORS



# SUMMARY AGENDA

## WEDNESDAY, NOVEMBER 1

### REGISTRATION OPENS

5:00PM - FRENCH CORRIDOR

### WELCOME RECEPTION

6:00PM - 8:00PM - EXHIBITOR HALL

## THURSDAY, NOVEMBER 2

### REGISTRATION

7:30AM - FRENCH CORRIDOR

### BREAKFAST & EXHIBITOR HALL

8:00AM - 9:00AM - LAURIER ROOM & BALLROOM

### KEYNOTE SPEAKER: SARAH WELLS

9:00AM - 10:30AM - ADAM ROOM

### BREAKOUT SESSIONS

11:00AM - 12:15PM - VARIOUS

### LUNCH & EXHIBITOR HALL

12:15PM - 1:45PM - LAURIER ROOM & BALLROOM

### BREAKOUT SESSIONS

1:45PM - 3:00PM - VARIOUS

### BREAKOUT SESSIONS

3:30PM - 4:45PM - VARIOUS

### COCKTAIL RECEPTION & DINNER

6:00PM - 9:00PM - CANADIAN MUSEUM OF HISTORY





# SUMMARY AGENDA

## FRIDAY, NOVEMBER 3

### REGISTRATION

7:30AM, FRENCH CORRIDOR

### BREAKFAST & EXHIBITOR HALL

8:00AM - 9:00AM, LAURIER ROOM & BALLROOM

### KEYNOTE SPEAKER: THE FLIPSIDE

9:00AM - 10:30AM, ADAM ROOM

### BREAKOUT SESSIONS

11:00AM - 12:15PM, VARIOUS

### LUNCH & EXHIBITOR HALL

12:15PM - 1:45PM, LAURIER ROOM & BALLROOM

### BREAKOUT SESSIONS

1:45PM - 3:00PM, VARIOUS

### BREAKOUT SESSIONS

3:30PM - 4:45PM, VARIOUS



# KEYNOTE SPEAKERS

## SARAH WELLS | DAY 1 THE PURSUIT OF EXCELLENCE

True success knows no bounds nor definitive endpoint. Therefore, excellence is not a destination but rather a mindset that emphasizes action over mere outcome. In this inspiring and thought-provoking keynote from Olympian Sarah Wells, prepare to be equipped with actionable insights and tools that will help you find significance in the obstacles you face and create a path to personal and professional excellence.



## THE FLIPSIDE | DAY 2 DREAM DEEP, PERFORM STRONG: OPTIMIZING SLEEP SUPERPOWERS

Don't overlook the power of sleep in your success story. In the always busy corporate landscape, sleep is often undervalued despite being an invaluable asset in our "health toolbox." This session will dive into the scientific foundations of sleep and you will discover eight essential habits that enhance the quality of your rest. By implementing these habits, you'll experience a significant boost in performance, nurture your overall well-being, and fortify your long-term health. Embrace the potential of sleep for a remarkable transformation in your professional journey!



The Flip  
Side™  
Health & Productivity

SPONSORED BY



# BREAKOUT SESSION SPEAKERS

**THURSDAY, NOVEMBER 2**



**11:00AM - 12:15PM**

## **WHAT'S IN A TITLE? EXPLORING TITLE SEARCHING IN ONTARIO**

In this session, Merredith MacLeannan will review the different types of title in Ontario, provide some tips to make your title searching more efficient, and bring out her inner Captain Jack Sparrow discussing how dead men can't sign deeds

**MEREDITH MACLENNAN**  
PARTNER, MEROVITZ  
POTECHIN LLP

**SPONSORED BY**



**11:00AM - 12:15PM**

## **IDENTIFYING ESTATE PLANNING OPPORTUNITIES FOR OUR CLIENTS**

A discussion and presentation on how law clerks, especially those working outside the estate planning area of practice, can better understand and help to identify estate planning opportunities for our clients in all areas of practice.

**DOUGLAS D. BUCHMAYER**  
PARTNER, GOWLING WLG  
(CANADA) LLP

**SPONSORED BY**



**GOWLING WLG**



**11:00AM - 12:15PM**

## **EMPLOYMENT CONTRACTS 101**

The presentation will give non-practitioners and practitioners a key overview of important clauses in an Ontario employment contract. It will go over, what the clauses intention is, why they are necessary, and key pitfalls to avoid when drafting. It will also review new case law from the last two years and consequences of not drafting in accordance with the jurisprudence.

**TRAVIS UJJAINWALLA**  
LAWYER, MANN LAWYERS

# BREAKOUT SESSION SPEAKERS

THURSDAY, NOVEMBER 2



**11:00AM - 12:15PM**

**EFFICIENT USE OF CLERK RESOURCES: HOW CLERKS  
CAN PLAY A MASSIVE ROLE IN MAJOR ARBITRATIONS**

**MARIE-EVE JEAN**

ASSOCIATE, LITIGATION & DISPUTE  
RESOLUTION | EMPLOYMENT &  
LABOUR RELATIONS, MCMILLAN



**1:45PM - 3:00PM**

**THE PURSUIT OF EXCELLENCE**

**SARAH WELLS**

SPEAKER, OLYMPIAN,  
FOUNDER



**1:45PM - 3:00PM**

**EDISCOVERY PROJECT MANAGEMENT**

eDiscovery files can seem overwhelming. There are important decisions to be made at each stage of the EDM. Understanding what to ask for and making the best decisions at the outset can help you and your legal teams avoid a multitude of pitfalls. Join me as I discuss the key things to do from collection all the way through to trial

**CHERYL CURRAN**

DIRECTOR, EDISCOVERY  
BLG BEYOND

# BREAKOUT SESSION SPEAKERS

THURSDAY, NOVEMBER 2



**KATE WRIGHT**  
PARTNER  
MANN LAWYERS

**1:45PM - 3:00PM**

**CASE LAW RE DISCLOSURE OF DIGITAL ASSETS**



**DIRK BOUWER**  
PARTNER, PERLEY-ROBERTSON  
HILL & MCDOUGALL LLP

**1:45PM - 3:00PM**

**PPSA**

PPSA as it pertains to how to search and read searches and the elements of financing statements, registration and associated issued including priorities



**VIRGINIA HARWOOD**  
INDEPENDENT FREELANCER

**3:30PM - 4:45PM**

**PARTNERING FOR SUCCESS: MENTORSHIP FOR LAW CLERKS**

In this session, we will explore the concept of mentoring through a traditional lens while also introducing the concept of mentoring constellations. Additionally, Virginia will share her experiences and best practices in developing a mentorship program; and, through qualitative research methodology, discuss how the mentors and mentees perceived their experiences in the program.

# BREAKOUT SESSION SPEAKERS

**THURSDAY, NOVEMBER 2**



**3:30PM - 4:45PM**

## **BILL OF COSTS OR COSTS OUTLINE - WHAT'S THE DIFFERENCE? PART 1**

Costs analysis. Conversion of client ledger to excel.  
Review and organize dockets into phases of litigation.

**LORI MARKUS**

SENIOR LITIGATION LAW CLERK,  
INSTITUTE OF LAW CLERKS OF ONTARIO



**3:30PM - 4:45PM**

## **ESTATE CHALLENGES WITH HUMAN REPRODUCTIVE TECHNOLOGY**

This session will explain the treatment of human reproductive material and technology in the context of an estate. Specifically, we will explore what this material is, who owns it, how it can be used and by whom after the death of a donor. Challenges arise when stakeholders have conflicting interests in the deceased's reproductive material and any resulting children. Carol will walk through these conflicts, possible resolutions for clients and best practices for planning.

**CAROL WILLES**

DIRECTOR, ESTATE  
PLANNING, BMO  
PRIVATE WEALTH



**3:30PM - 4:45PM**

## **CURRENT TRENDS IN M&A**

In this session, we will provide an update on current case law relating to M&A transactions and other recent regulatory changes that may impact M&A. Additionally, Christine will highlight other current trends we are seeing in Canadian M&A transactions.

**CHRISTINE POUND**

PARTNER  
STEWART MCKELVEY



# BREAKOUT SESSION SPEAKERS

**FRIDAY, NOVEMBER 3**



**11:00AM - 12:15PM**

## **BILL OF COSTS OR COSTS OUTLINE - WHAT'S THE DIFFERENCE? PART 2**

Import Data from Part 1 into Word documents – Bill of Costs and Costs Outline.

**LORI MARKUS**

SENIOR LITIGATION LAW CLERK,  
INSTITUTE OF LAW CLERKS OF ONTARIO



**11:00AM - 12:15PM**

## **IDENTIFYING, REGISTERING AND PROTECTING INTELLECTUAL PROPERTY ASSETS**

**RYAN SHEAHAN**

COUNSEL,  
STIKEMAN ELLIOTT



**11:00AM - 12:15PM**

## **HST AND REAL ESTATE TRANSACTIONS: MIXED-USE PROPERTIES**

Residential real property transactions trigger special HST rules, and these rules get complicated where real property has both residential and non-residential elements. The format of this session will focus on workshopping hypothetical scenarios to issue spot HST issues, and identifying how to address them in agreements and closing documents.

**BRAEK URQUHART**

SENIOR MANAGER, DELOITTE



# BREAKOUT SESSION SPEAKERS

**FRIDAY, NOVEMBER 3**



**11:00AM - 12:15PM**

## **BUSINESS SUCCESSION PLANNING – DEATH OF A SHAREHOLDER**

**CHARLOTTE MCCURDY**

PARTNER, PERLEY-ROBERTSON,  
HILL & MCDUGALL LLP

**1:45PM - 3:00PM**

## **VALUING A SPOUSE'S INTEREST IN A DISCRETIONARY TRUST FOR THE PURPOSES OF EQUALIZATION**

There has been a shift in approach adopted by the Ontario jurisprudence when valuing a spouse's interest in discretionary trust for the purposes of equalization. This presentation focuses on the original test used by the court, what the more recent approach is, and how this can inform family lawyers and estate planners when best determining how to protect their client's interests in discretionary trusts and prevent imputation of income claims arising upon a breakdown of a relationship



**EMILY O'KEEFE**

LAWYER, MCLEOD  
GREEN DEWAR &  
ASSOCIATES LLP

**1:45PM - 3:00PM**

## **THE LAW CLERKS ROLE IN ESTATE TRUSTEE DURING LITIGATION MANDATES - ASSISTING IN THE INVESTIGATION**

This session will explain the treatment of human reproductive material and technology in the context of an estate. Specifically, we will explore what this material is, who owns it, how it can be used and by whom after the death of a donor. Challenges arise when stakeholders have conflicting interests in the deceased's reproductive material and any resulting children. Carol will walk through these conflicts, possible resolutions for clients and best practices for planning.



**ZIAD YEHIA**

PARTNER, BORDEN  
LADNER GERVAIS LLP

# BREAKOUT SESSION SPEAKERS

**FRIDAY, NOVEMBER 3**



**LORENZO BONERA**  
ASSOCIATE,  
GOWLING WLG

**1:45PM - 3:00PM**

## **DOS AND DON'TS OF CLIENT IDENTITY VERIFICATION: THE END OF THE TEMPORARY COVID-19 EMERGENCY MEASURES AND THE REQUIREMENTS COMING INTO EFFECT ON JANUARY 1, 2024**

The Law Society of Ontario is introducing changes to the requirements for virtually verifying the identity of clients. These changes are intended to address the rising concerns over identity fraud, money laundering and mortgage fraud. The new requirements are effective January 1, 2024. In this session, we will provide an overview of the current obligations of licensees for client identification and verification, and review the upcoming changes. We will also discuss what these changes entail for legal professionals, and explore practical ways to comply with the new requirements.



**LISA TRADER**  
SENIOR CORPORATE LAW CLERK,  
LABARGE WEINSTEIN LLP

**1:45PM - 3:00PM**

## **ISC REGISTERS**

Now that Ontario and Quebec have both introduced this concept, along with Corporations Canada, a refresher on what is required for the Register would be helpful, how to determine who is an ISC – what to do if a discretionary trust is an ISC – what information can be shared with best practices.



**3:30PM - 4:45PM**

## **BRING YOUR MUNICIPAL REAL ESTATE QUESTIONS MUNICIPAL ROUND TABLE FORUM**

**MODERATED BY LANA PAPP**  
INSTITUTE OF LAW CLERKS  
OF ONTARIO

# BREAKOUT SESSION SPEAKERS

**FRIDAY, NOVEMBER 3**



**DEMITRY OMRIN**  
PRINCIPAL, THE REAL  
ESTATE CONSULTING  
GROUP OF CANADA  
LTD.

**3:30PM - 4:45PM**

## **FAMILY MEDIATION OF FINANCIAL ISSUES**

This session will delve into the subject matter of the most common and financially impactful property and support claims. It will start with a foundational overview of real estate asset valuation. Practitioners will gain the requisite knowledge to review and assess appraisal reports. The program will then shift into the main talking points of valuations that form part a Family Mediation and legal pleadings for litigation related files. The remaining portion of the presentation will speak to various spousal/child support scenarios and address how to correctly calculate lump sum spousal support among other topics of importance.

**SPONSORED BY**



**Mediation Lounge™**



**BRIAN KELLS**  
ASSOCIATE, PERLEY-  
ROBERTSON, HILL &  
MCDougall LLP

**3:30PM - 4:45PM**

## **WHAT IS THE EXEMPT SECURITIES MARKET?**

Considerations for your client, including convertible debt and the differences in the kinds of instruments, how each are authorized, when shares are issued, secured vs unsecured instruments



**WILL BOYER**  
PARTNER, GOWLING WLG

**3:30PM - 4:45PM**

## **NORWICH ORDERS**

# The Institute of Law Clerks of Ontario **ANNUAL CONFERENCE**



TM

On behalf of the Board of Directors at The Institute of Law Clerks of Ontario, we would like to extend our gratitude for your participation in our Annual Conference "Capitalize your Success".

We look forward to seeing you in Ottawa!