

## ADVERTORIAL

## TRUST TROUBLES LITIGATION, TAX AND ETHICAL ISSUES

Featuring Brad Phillips, Star of *Dear Aunt Agnes*

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On June 4, 2019 the B'nai Brith Canada Estates and Trusts Group presents its CLE seminar for lawyers, paralegals and accountants. What follows is a summary of the fictional scenario, a description of the first two vignettes and panel discussions. Brad Phillips was a child actor in

the TV Ontario 1985 *Dear Aunt Agnes* children's show. While Brad's TV role is factual, the scenario is fictional. Brad's earnings were invested by his father and greatly increased in value. His parents persuaded Brad to place all that money in a trust benefiting Brad and his sister. The lawyers and accountants involved arguably made some mistakes. In the years that followed the trustee lost a good deal of Brad's money, refused to distribute and declined to account. Brad is a lawyer at Wagner Sidlofsky LLP. He meets with his colleague Gregory Sidlofsky as well as his accountant Peter Weissman of Cadesky Tax. Greg reviews the legal basis for busting the trust, suing the professionals and getting an accounting.

Peter speaks about possible missteps in tax planning, damages that may flow and whether the professionals met the requisite standard of care. The first panel is chaired by Charles Ticker of Charles B. Ticker Law Office. There are three panelists. Nimali Gamage of Goddard Gamage LLP will speak about trust litigation. Aaron Blumenfeld of Borden Ladner Gervais LLP will discuss if courts are open to appoint an interim trustee to manage the property while the trust is being challenged. Debra Stephens of WEL Partners will discuss difficulties in proving allegations of negligence.

The second panel is chaired by Kimberly A. Whaley of WEL Partners. Jeff Berliner of Cummings Cooper Schusheim Berliner LLP will discuss the settlor's role. Arthur Fish of Borden Ladner Gervais LLP will opine how he might have advised the Phillips family. Susan Stamm of The Office of the

Children's Lawyer will discuss the OCL's role in protecting minors where it appears that the trustee has breached his fiduciary duties and taken too much compensation. Over 200 professionals attend this seminar. It is approved as an Eligible Educational Activity providing CPD Substantive Hours and Professionalism Hours dealing with professional responsibility, ethics and/or practice management and on advancing equality, diversity and inclusion (the EDI Hours requirement).

B'nai Brith Canada expresses its gratitude to its sponsors and especially The Bank of Nova Scotia Trust Company and Canada Israel Bonds (Platinum Sponsors), and the Royal Bank of Canada (Gold Sponsor). The event will take place on June 4, 2019 at Sha'arei Shomayim Synagogue at 470 Glencairn Avenue, Toronto, Ontario M5N 1V8 and is open to lawyers, accountants and paralegals.



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**MELANIE YACH**  
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Tuesday June 4th, 2019  
Shaarei Shomayim Synagogue  
470 Glencairn Avenue, Toronto

Registration & Breakfast: 7:30 AM  
Program: 8:00 AM - 12:35 PM  
Cost: \$136 plus HST

This program is eligible for CPD hours required of Lawyers and Accountants

To register, contact Keren at 416-633-6224 x 109 or at ar@bnaibrith.ca

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