

ADVERTORIAL

TRUST TROUBLES LITIGATION, TAX AND ETHICAL ISSUES

Conflict of Interest & Tax Planning Mistakes



CHARLES WAGNER

Wagner Sidlofsky LLP
B'nai Brith Canada
Chair, Trusts & Estates

Brad Phillips, a partner at Wagner Sidlofsky LLP was a childhood star of the TV Ontario show *Dear Aunt Agnes*. This year's B'nai Brith Estates Trust Group Seminar created a fictional scenario where Brad's father invested his earnings during the dot com boom and made millions of dollars. Brad and

his parents meet with one lawyer and accountant. Brad's money is used to settle a trust with Brad and his sister as beneficiaries. Did the professionals address possible conflicts of interest? Was the plan prudent from a tax perspective? Is Brad's father, as the trustee liable for pressuring his son to share his money with his sister and/or because he lost almost all the money in the dot com bust and took millions of dollars in compensation for an apparently bad job?

The methodology of this CLE event is to have the presenters role play with a panel discussion following to address the issues raised in the vignette. In one vignette Stephen Brunswick of Teplitzky Colson LLP will examine Melanie Yach of Aird Berlis LLP who is role playing the lawyer who gave

the advice and drafted the trust. In the next vignette Clare Burns of WeirFoulds LLP will examine the father/trustee played by Craig Vander Zee of Torkin Manes LLP who refused to disclose how much remained in the trust and how much compensation he took.

The vignettes will be followed by a panel discussion chaired by Jordan M. Atin of Hull & Hull LLP will moderate this panel. Panelists will include Sean Lawler of Shibley Righton LLP who will be discussing how to plan and prepare for examinations for discovery, Lisa Filgiano of Miller Thomson LLP will be discussing how to devise questions in the context of trust litigation to solicit valuable admissions for trial, Noah Weisberg of Hull & Hull LLP will be discussing best practices for preparing clients for discoveries in the context of estate and trust litigation. There will also be a panel discussion moderated by Kimberly A. Whaley of WEL Partners. Panelists will

include Jeff Berliner of Cummings Cooper Schusheim Berliner LLP who will discuss why it's not ideal for a settlor to also be the beneficiary. Arthur Fish of Borden Ladner Gervais LLP will discuss what advice should have been provided to meet the Phillips family's needs. Susan Stamm will discuss the OCL perspective with respect to their role in protecting minors in a case like our fact scenario and how OCL might respond to our fact situation?

Bnai 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. **To reserve your place please call Keren at 416-633-6224 x 109.**



JORDAN ATIN
Hull & Hull LLP



JEFF BERLINER
Cummings Cooper Schusheim Berliner LLP



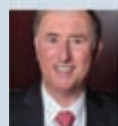
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Counsel, Office of the Children's Lawyer



DEBRA STEPHENS
Whaley Estate Litigation Partners



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Torkin Manes LLP



CHARLES WAGNER
Wagner Sidlofsky LLP



NOAH WEISBERG
Hull & Hull LLP



PETER WEISSMAN
Cadesky Tax



KIMBERLY WHALEY
Whaley Estate Litigation Partners



MELANIE YACH
Aird & Berlis LLP

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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