

**Surviving the Avalanche:  
 The Expert Guide to Changes in Personal Injury Law**



**Date:** Thursday, February 6, 2014 | 1:30 pm - 4:50 pm

This program contains 0.5 Professionalism Hours.

**Location:** Westin Harbour Castle Conference Centre, 2 Harbour Square

This program is eligible for up to 2.75 Substantive Hours.

**Program Chairs:** **Audrey P. Ramsay**, Hughes Amys LLP  
**Amanda J.H. McBride**, Smith McBride Ducharme (New Liskeard)

Practicing in the area of personal injury law has become a minefield for lawyers thanks to an avalanche of changes. Significant legislative changes and developments in the law make this program a must for lawyers of all levels of practice. Hear from seasoned practitioners and members of the judiciary as they delve into the changes that will impact your practice.

This program will help you stay ahead of the curve and harness the necessary information to properly serve your clients. Hear about the most important tort and accident benefit cases of the last twelve months, what's new in the deductibility of collateral benefits, loss transfer and priority disputes, and learn about the latest trends in damages. Don't miss this opportunity to ensure that you have the latest information in this constantly evolving area of the law.

1:30 pm **WELCOME AND INTRODUCTION**

1:35 pm **PRIORITY DISPUTES & LOSS TRANSFER ARBITRATIONS**

- Loss Transfer Arbitrations under s.275 of the *Insurance Act*:
  - Limitation periods for loss transfer disputes
  - The reasonableness & timeliness of payments
  - Applying the fault determination rules
- Priority Disputes:
  - Commencing an arbitration: Who to blame? How many to name?
  - Dependency: Tell me all about your family & your finances ...

**Catherine H. Zingg**, Flaherty Dow Elliott & McCarthy LLP

2:00 pm **DEDUCTIBILITY OF COLLATERAL BENEFITS: ACCIDENT BENEFIT CASES**

**Adam Wagman**, Howie, Sacks & Henry LLP

2:20 pm **DEDUCTIBILITY OF COLLATERAL BENEFITS: TORT CASES**

**Claire E. Walker**, Moodie Mair Walker LLP

2:40 pm **TOP 10 ACCIDENT BENEFIT CASES IN THE PAST YEAR**

**Kadey B. J. Schultz**, Hughes Amys LLP

3:00 pm **NETWORKING BREAK**

3:20 pm **TOP 10 TORT CASES IN THE PAST YEAR**

**R.W. Howard Lightle**, Weaver Simmons LLP (Sudbury)

3:40 pm **UPDATE ON THE FUTURE COST OF CARE**

**Barbara L. Legate**, Legate & Associates LLP (London)

Questions? Toll Free: 1-800-668-8900 | Tel: 416-869-1047 | pd@oba.org



4:00 pm

**CIVILITY/INCIVILITY – PRACTISING WITH PORCUPINES**

- when does the Prickly Porcupine become something more dangerous?
- what are your options when dealing with a bully?
- how do you keep control of yourself, keep control of the situation, and still keep your eye on the prize – your client's best interests?

**Eugene Meehan Q.C.**, Supreme Advocacy LLP (Ottawa)

4:20 pm

**DAMAGES ASSESSMENT PANEL**

- assessing damages - multiple fact scenarios
- practical strategies in proving damages
- the role of the expert in the assessment of damages
- choice of experts (or not) in each scenario

**The Honourable Mr. Justice Thomas J. McEwen**, Ontario Superior Court of Justice

**The Honourable Madam Justice Giovanna Toscano Roccamo**, Ontario Superior Court of Justice (Ottawa)

**Cameron C.R. Godden**, Bell, Temple

**Barbara L. Legate**, Legate & Associates LLP

4:45 pm

**QUESTIONS AND CONCLUDING REMARKS**

4:50 pm

**PROGRAM CONCLUDES**

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