

## Property and Family Law: The Meaning of Value

### Family Law and Young Lawyers Division

**Date:** November 4, 2016 | 9:00 am to 12:30 pm  
**Location:** Twenty Toronto Street Conferences and Events  
20 Toronto Street, 2<sup>nd</sup> Floor, Toronto  
**Program Chairs:** **Eric Sadvari**, Goldhart and Associates  
**Aly Virani**, Blaney McMurtry LLP



In-Person



Webcast



This program is eligible for up to 3.5 Substantive Hours

What is value, why is it important, and how do we differentiate between “value”, “fair value”, “fair market value”, and “imputed value”? Take an introductory look at basic and complex property issues for young lawyers centered on the issues of what is value and how to value property in family law. Learn about limitation periods, disclosure, evidence, and tracing in establishing value. Hear advice from chartered business valuers and accountants to understand when you need an expert and what they can do for you. Our expert speakers will also go beyond the basics to demystify trusts and corporate structures and share tips on unusual claims that you can make to add value to your client.

8:50 am Registration and Coffee

9:00 am Welcome and Opening Remarks

#### PART 1: Establishing Value

9:05 am **Valuation Date**

**Jessica Gagné**, Barrister and Solicitor

- Determining the valuation date
- How much discretion do you have?
- Dealing with increase in the value of matrimonial homes after the valuation date
- Disclosure obligations when there are two alleged valuation dates
- Limitation periods: understanding and handling your obligations as a lawyer

9:20 am **Disclosure**

**Marian Gage**, Berry Gage Family Law

- Marriage contracts and cohabitation agreements: is a net worth statement enough?
- Basic disclosure checklist
- Save the forests! How much disclosure is too much?
- What to do when a client refuses to value their property

9:35 am **Evidence and Tracing**

**Fareen Jamal**, Jamal Family Law

- How to prove values without documents
- How do you properly trace excluded assets and what value can you exclude?
- Reflecting the value on your client’s financial statement

#### PART 2: Advice from Chartered Business Valuers and Accountants

9:50 am **When do you need an expert and what can they do for you?**

**Eric Sadvari**, Goldhart and Associates

**Aly Virani**, Blaney McMurtry LLP

9:55 am **Disposition Costs**

**Bonnie Prussky**, ap Valuations Inc.

- Calculating the basics: RRSPs, capital gains, etc.
- Unusual disposition costs that people often forget, but shouldn’t!
- When can you not include disposition costs?

10:20 am **Corporate Valuation**

**Jeffrey Cling**, Fuller Landau LLP

- Different methods of valuing a corporation
- What is goodwill and how do you value it?
- Corporate Disposition Costs and Shareholder Loans
- Panama papers fallout: foreign/offshore assets and tax issues

10:45 am Networking Break

#### PART 3: Beyond the Basics

11:00 am **Demystifying Trusts and Corporate Structures**

**Nathan Wright**, JGW Business and Tax Law

- What you need to know to deal with trusts and corporate structures?
- Why are trusts used?
- Everything you need to know about estate freezes

11:20 am **Unequal Division**

**Sarah Boulby**, Boulby Weinberg LLP

- Under what circumstances does a court order unequal division?
- Assuming you get unequal division, how do you value your claim?

11:40 am **What unusual claims can you make to add value to your client?**

**Andrea Acri**, Layne Family Law

- An analysis of torts related to the invasion of privacy, including intrusion upon seclusion and *Jane Doe 464533 v. N.C. (2016)*
- Offensive and defensive ways to use privacy tort claims in family law litigation
- What monetary damages are available and how do these add value for your client?

12:05 pm **How can business and employment claims add value to your client?**

**Denise Sayer**, Paris & Company

- Wrongful dismissal, quantum meruit and promissory notes
- Protecting your client’s rights as a shareholder, officer or director of a family business
- Effectively using the oppression remedy to add value

12:15 pm Questions and Answers

12:30 pm Program Concludes

**PROGRAM REGISTRATION IS ONLINE** [www.oba.org/pd](http://www.oba.org/pd)

Questions? [pd@oba.org](mailto:pd@oba.org)