

## Top Appeals of 2018 from the Ontario Court of Appeal

### *Civil Litigation*



In-Person



Webcast

**Date:** Monday, February 25, 2019 | 5:00 pm to 8:00 pm

**Location:** OBA Conference Centre  
20 Toronto Street, 2<sup>nd</sup> Floor, Toronto

**Agenda** 5:00pm Registration and Buffet Dinner  
5:45pm Program Begins  
8:00pm Program Concludes

**Program Chairs** **John Polyzogopoulos**, Blaney McMurtry LLP  
**Lea Nebel**, Blaney McMurtry LLP

This program is eligible for up to 2.25 Substantive Hours



Now in its third season, “Top Appeals” invites you to hear from counsel who have acted on some of the key civil litigation appeals decided by the Ontario Court of Appeal this past year. You will hear diverse points of view and gain unique insights during our discussion of some of the Court’s top decisions, and their impact on the law and your practice. All litigators, whether in-house or external counsel, will benefit from the topics and issues that will be examined here. We will analyze decisions that touch on the law of discoverability and anti-SLAPP legislation, as well as hear from insiders who worked on a case with national implications.

Register now and stay up to date on the latest jurisprudence from Ontario’s highest court.

#### ***Gilham v. Lake of Bays; Mega International v. Yung – Discoverability Redux – “Appropriate Means” and Contribution and Indemnity***

**Eliot Kolers**, Stikeman Elliott LLP

**David Thompson**, Carroll Heyd Chown LLP

**Katherine Di Tomaso**, Stieber Berlach LLP

- Does “appropriate means” under s. 5 of the *Limitations Act, 2002* mean “legally appropriate means” after all?
- How does the “wait and see” approach fit into the meaning of “appropriate means”?
- Discoverability of claims over for contribution and indemnity – can a limitation period to make a claim over be more than two years from when a party is served with a claim?

#### ***Pointes Protection Association; Platnick v. Bent – The Anti-SLAPP “Sextet”***

**Tim Danson**, Danson Recht LLP

**Mark Wiffen**, Wiffen Litigation

**Peter Downard**, Fasken Martineau DuMoulin LLP

- What is the anti-SLAPP legislation?
- Why does it matter to civil litigators?
- Understanding the legal tests and standards to be applied by the Court

#### ***City of Toronto v. Attorney-General – Reduction of Toronto Wards from 47 to 25***

**Glenn K.L. Chu**, Solicitor, City of Toronto

**Yashoda Ranganathan**, Constitutional Law Branch, Ministry of Attorney General

**Donald K. Eady**, Paliare Roland Rosenberg Rothstein LLP

- An examination of the interplay between democratic rights and freedom of expression under the *Charter*
- Did the court’s decision to stay pending appeal avert a potential constitutional crisis?
- Behind the scenes insight into high-stakes, real-time, public-interest litigation
- What are the stakes moving forward in the hearing of the actual appeal?

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

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