

## A Key Update on Accident Benefits

### Insurance Law



Webcast

**Date:** Wednesday, August 05, 2020 | 9:00 am to 12:00 pm

**Location:** Webcast Only

**Agenda:**  
8:30 am Registration  
9:00 am Program Commences  
12:00 pm Program Concludes



**Substantive Hours:** This program contains a total of 3 hours of Substantive content.

*The OBA has been approved as an Accredited Provider of Professionalism Content by The Law Society of Ontario.*

Join us for our popular Accident Benefits update! Find out the latest developments in this key area of the law in order to best serve your clients and address their needs. Hear from our expert faculty on recent catastrophic impairment updates, the most recent changes to the law surrounding limitation periods and how to efficiently navigate the appeal process. Our experienced practitioners will also focus on the significant areas of the law such as the ever evolving analysis of what may fall under the definition of “accident,” loss transfer and priority, costs and special awards. This comprehensive and engaging program will ensure that you are provided with all the relevant changes in accident benefits in order for you to provide your clients with the most informed advice.

Register now for this timely and insightful program.

**Program Chairs:** **Andrea Lim**, Dutton Brock LLP  
**Laura Emmett**, Strigberger Brown Armstrong LLP (London)

8:30 am Registration and Coffee

9:00 am Welcome and Opening Remarks

9:05 am **Loss Transfer and Priority – Top 5 cases**

**Jennifer Griffiths**, Zarek Taylor Grossman Hanrahan LLP

- Impact of COVID-19 on limitation period for loss transfer and priority
- Discuss dependency and acceptance
- Explore fault determination rules

9:30 am **Definition of “Accident” – Overboard or Over-Narrow?**

**Lisa Pool**, Sullivan Festeryga LLP (Hamilton)

- Egg throwing, vehicle repairs at home and car-surfing - What is now considered an “accident”?

9:55am **CAT update – Is Everything Perfect?**

**Philippa Samworth**, Dutton Brock LLP

- Review Section 25 assessments, *Tomec* repercussions for CAT claims, brain impairment assessments and other relevant CAT updates

10:20 Break

10:35 am **Limitation Period**

**Lisa Armstrong**, Strigberger Brown Armstrong

- Impact of COVID-19
- Examine jurisdiction and s. 7 of the LAT Act
- Discoverability and accident benefit disputes – Mixed opinions

11:00 am **Costs and Special Awards**

**Maura Thompson**, Shillingtons LLP (London)

- When are costs and special awards warranted?
- How much, how frequent and what are the odds?

11:25 am **Appeals Panel: Reconsideration, Judicial Review and Appeal on an Issue of Law to Divisional Court**

**Heather Kawaguchi**, Kawaguchi Krajden LLP

**Fabio Longo**, Longo Lawyers

- Update on procedure re COVID-19
- Timing and efficiency – When to reconsider, judicial review or appeal on an issue of law
- Discuss the changes to the Standard of Review with the Supreme Court of Canada decisions of *Bell* and *Vavilov*

12:00 pm Questions & Concluding Remarks

Choose an item. [www.oba.org/pd](http://www.oba.org/pd)  
Questions? [pd@oba.org](mailto:pd@oba.org)