

Top Appeals of 2020 from the Ontario Court of Appeal

Civil Litigation

Date: Tuesday, April 27, 2021 | 5:30 pm to 7:45 pm

Location: Webinar Only

Agenda: 5:30 pm Program Commences
7:45 pm Program Concludes



Webcast



This program contains:
1hr 45m of Substantive Content
30m of Professional Content

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

Now in its fifth year, “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.

Join us for this valuable discussion and keep yourself up to speed on key jurisprudence.

Program Chairs: **John Polyzogopoulos**, Blaney McMurtry LLP
Chloe Snider, Dentons Canada LLP
The Honourable Benjamin Zarnett, Court of Appeal for Ontario

2020 Update from the Bench

The Honourable Benjamin Zarnett, Court of Appeal for Ontario

Justice Zarnett to discuss the events of the past year and how COVID-19 has changed the functioning of the Court (appeals heard in writing, oral argument through Zoom, electronic filing and new formatting of documents, what the future holds after the pandemic has passed)

Advocacy Practice Tips from the Court:

[Girao v. Cunningham, 2020 ONCA 260](#)

[OZ Merchandising Inc. v. Canadian Professional Soccer League Inc., 2020 ONCA 532](#)

[Welton v. United Lands Corporation Limited, 2020 ONCA 322](#)

Jordan Goldblatt, Adair Goldblatt Bieber LLP

Sara Erskine, Weintraub Erskine Huang LLP

- Joint trial briefs
- Expert evidence
- Duties of court and counsel when there are unrepresented parties
- Striking jury notices
- Length of Facts and Decisions

Negligently Designed Financial Products – A New Age in Product Liability?

[Wright v. Horizons ETFs Management \(Canada\) Inc., 2020 ONCA 337](#)

Seumas Woods, Blake, Cassels & Graydon LLP

Alistair Crawley, Crawley MacKewn Brush LLP

Elizabeth Bowker, Stieber Berlach LLP

- The legal framework for negligence claims for economic loss
- Recognized categories of negligence claims for pure economic loss
- The duty of care analysis where there is no established duty of care and discussion of latest pronouncement from the SCC - 1688782 *Ontario Inc. v. Maple Leaf Foods Inc.*, 2020 SCC 35
- Does this case create a seventh recognized category of negligently designed financial products?

Developments in Insolvency Law – Priority of Construction Trust Claims and Landlord Claims in Bankruptcy

www.oba.org/pd
Questions? pd@oba.org

[Urbancorp Cumberland 2 GP Inc. \(Re\), 2020 ONCA 197](#)

[7636156 Canada Inc. \(Re\), 2020 ONCA 681](#)

Ken Kraft, Dentons Canada LLP

Kevin Sherkin, Miller Thomson LLP

D.J. Miller, Thornton Grout Finnigan LLP

- Priority of trust claims under ss 9(1) of the *Construction Act* in bankruptcy/insolvency
- Letters of credit and the autonomy principle as it relates to landlord claims
- A discussion of landlords' claims in bankruptcy, trustees' disclaimers of leases and the rights of secured creditors in bankruptcy
- What are the implications of these decisions for stakeholders moving forward?

www.oba.org/pd
Questions? pd@oba.org