

Mastering Due Diligence

Young Lawyers Division



Webcast

Date: Tuesday, September 28, 2021 | 9:00 am to 12:00 pm

Location: Webinar

Agenda: 9:00 am Webinar Commences
12:00 pm Webinar Concludes



Professionalism Hours: This program contains a total of 1 hour and 45 mins of professionalism content

Substantive Hours: This program contains 1 hour of substantive content

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Due diligence is a necessary requirement for successful negotiations, and an important way to deliver value to your clients. Join us for this primer on due diligence to hear helpful advice and to learn why *effective* due diligence is fundamental for safeguarding your client's position. Our expert faculty will share insights to assist you in:

- Understanding the due diligence process
- Ordering and reviewing due diligence searches
- Key issues to consider in real property, transactional, and environmental due diligence
- Preparing the due diligence report

Register now to hear best practices for conducting the due diligence process and learn how this process is essential to achieving a successful outcome for your clients.

Program Chairs: **Natalie Garvin**, Filion Wakely Thorup Angeletti LLP
Vincent Neil Ho, Loopstra Nixon LLP

9:00 am Welcome and Opening Remarks

9:05 am **Overview of the Due Diligence Process**
Ali Daneshvar, Owens Wright LLP

- What is “due diligence?”
- What are the objectives of due diligence?
- Why is due diligence important?
- Preparing a due diligence checklist
- Electronic data sites: top tips

9:45 am **Ordering and Reviewing Due Diligence Searches**
Althea Yip, Loopstra Nixon LLP

- Overview of the common searches
- What attributes influence the types of searches conducted?
- Properly reviewing and assessing search results
- Issue-spotting

10:25 am **Due Diligence in Various Contexts: Real Property, Environmental, and M&A Due Diligence**

Real Property Due Diligence
Corrine Joseph, Devry Smith Frank LLP

- Problems to look for when conducting real property due diligence – title defects, easements, etc.
- Mitigating risks re: real estate fraud

Environmental Due Diligence
Diana Weir, DLA Piper (Canada) LLP

- Liabilities arising from environmental issues and allocation of the risks
- Reviewing site assessments and environmental reports

M&A Due Diligence

Taisha Lewis, Fasken Martineau DuMoulin LLP

- Creating checklists for required documents
- Key provisions to consider in different types of transactions, including share purchase versus asset purchase transactions and financings

11:05 am Health Break

11:15 pm **Preparing the Due Diligence Report**
Marah Smith, Associate Director of Osler Works – Transactional, Osler, Hoskin & Harcourt LLP
Juda Strawczynski, Director, Lawyers’ Professional Indemnity Company (LawPro)

- Setting out the scope of the due diligence review
- Who will be relying on the due diligence report?
- Discussing the due diligence report with your client: risk analysis and possible courses of action
- Overview of the key sections in a due diligence report
- Disclaimers and limitations

12:00 pm Program Concludes

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Questions? pd@oba.org