Are you sure you’ll meet your next deadline?

Limitations law is convoluted, time consuming and risky. This program will provide the tools you need to calculate even the most complex limitation periods, including:

- How to undertake a limitations analysis in any claim
- When does the clock start to run? Understanding the section 5 discoverability provisions
- How do the limitation of crossclaims, third party claims and adding a new defendant alter the limitation period?
- The various situations when time starts, stops, starts again, and runs out
- Tools to help avoid missing a deadline

You will come away from this program confident in your ability to identify and plan for your next limitation period.

Register today at:
osgoodepd.ca/limitation-periods
The Ontario limitations scheme isn’t getting any less complicated or easier to digest. When faced with a limitations issue, it’s crucial that you get it right. Unlike some other areas of law, there are no second chances – limitation periods are often black and white. You need to stay on the right side of a limitation period, every time – your clients, and your professional reputation, depend on it.

In this information-packed program, you will take a deep dive into the Ontario limitations scheme. An expert faculty of lawyers and judges will cover the key issues you need to know to manage your risk in this troublesome area, including:

- How to avoid missing a limitation period, including tickler systems and other ways to protect yourself
- Procedural considerations, including pleading and replying to limitations defences and motions to dismiss an action as time-barred
- The Real Property Limitations Act, and the running of time for real property claims
- Conducting a thorough step-by-step limitations analysis

Also, don’t miss the Optional Workshop in the afternoon. In small group breakout sessions, you will apply your learning by analyzing two limitations problems under the watchful eye of an expert faculty member. You will work through:

- A general civil litigation limitation problem
- Your choice of a limitations problem drawn from tort or contract

Who Should Attend?

- Litigators newer to practice
- Experienced litigators who want a refresher on limitation periods

Register today at: osgoodepd.ca/limitation-periods
• Critical recent discovery decisions, including: Yasmin v. Alexander, Fennell v. Deol et al, and Galota v. Festival Hall Developments Limited

10:15 a.m.
Refreshment Break

10:30 a.m.

When Does the Clock Stop?

William E. Pepall, Lerners LLP

• How parties can vary limitation periods
• The function and requirements of a tolling agreement
  • Understanding the circumstances that will suspend the limitation period: an introduction to the minor plaintiff, the plaintiff without capacity, attempted resolution, and acknowledging liabilities

10:50 a.m.

Procedural Considerations

The Hon. Justice Graeme Mew, Superior Court of Justice

• How to plead and reply to limitations defences
• How and when to move for judgment on the basis of a limitations defence
• Crucial discovery considerations you need to know
• The bench’s perspective on limitations defences

11:15 a.m.

Critical Professionalism Tips: How to Protect Yourself

Jordan Nichols, Claims Counsel, LawPRO

• Recognizing the various ways in which you can miss a limitation period, including adding a new defendant, crossclaims, and third party claims

12:00 p.m.
Networking Luncheon

12:45 p.m.

Fundamentals of Real Property Limitations

Debra E. Rolph, Research Director, Claims (LawPRO)

• Introduction to the Real Property Limitations Act
• Understanding the running of limitation periods for:
  • Adverse possession
  • Easements
  • Mortgages
  • Constructive Trusts on Real Property
  • Landlord and Tenant

1:05 p.m.

Limitations Analysis: A Step-By-Step Guide

Daniel Zacks, Clyde & Co.

This informative session will teach you a step-by-step approach to analyse the limitations issues in any claim. Benefit from learning a structured methodology that you can take-away and implement in your practice immediately, and for years to come.

1:30 p.m.
Q & A/ Open Discussion

Optional Workshop

1:45 p.m.

Small Group Exercise #1:
Civil Litigation Limitation Problem

In breakout groups of no more than eight participants, you will have a chance to apply what you’ve learned as you work through a typically ambiguous civil litigation limitations problem, specifically designed for the program. Led by expert facilitators, you will benefit from extensive instruction and discussion.

2:45 p.m.
Refreshment Break

3:00 p.m.

Small Group Exercise #2: Tort or Contract Limitation Problem

For the second small group exercise, you will have the opportunity to select either a tort or contract limitations problem to work through. Faculty will be on hand to lead you through the problem, focusing on tips, traps and avoiding common errors. This “no consequence” setting provides a chance for you to get comfortable analyzing even the toughest limitation issues.

4:00 p.m.

Large Group Debrief: Lessons Learned and Top Practice Management Tips & Tactics

In the final session of the day, faculty will facilitate a discussion of lessons learned from the small group exercises in the afternoon. A recap of key practice management pointers will round out the program.

4:45 p.m.
Program Concludes
Registration Details

Fee per Delegate
Program (In Person and Webcast): $395 + HST
Program & Workshop (In Person only): $595 + HST

Fees include attendance, program materials, continental breakfast, lunch and break refreshments. Group discounts are available. Visit www.osgoodepd.ca/groupdiscounts for details. Please inquire about financial assistance.

Program Changes
We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University’s and Osgoode Hall Law School’s liability is limited to reimbursement of paid fees.

Cancellations and Substitutions
Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund (less $75 administration fee) is available if a cancellation request is received in writing 5 days prior to the program date. No other refund is available.

OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSUC.

Program Only: LSUC (ON): 4.0 CPD Hours (2.5 Substantive, 1.5 Professionalism)
Program & Workshop: LSUC (ON): 7.0 CPD Hours (4.0 Substantive, 3.0 Professionalism)
OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian jurisdictions. To inquire about credit eligibility, please contact cpd@osgoode.yorku.ca

The 2017 Essential Guide to Limitation Periods in Ontario

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osgoodepd.ca/limitation-periods