

Registration Information

Location

OBA Conference Centre, Suite 200 – 20 Toronto St., Toronto (just north of the King Edward Hotel). Wheelchair access via 33 Victoria Street (between Adelaide and King Street).

Registration Policy

Registrations must be prepaid. Registrations will be accepted by FAX at (416) 642-0424 and at the Ontario Bar Association address shown on the Registration Form. A credit card number must accompany all faxed registrations. Walk-in registrations will be accommodated only if accompanied by credit card or cheque. Seating and meal preference, if applicable, will be given to prepaid registrants.

Refunds and Cancellations

Course fee is refundable (less \$50.00 plus \$2.50 GST) **if notice is received in writing five business days before the course.** We reserve the right to cancel or reschedule courses, refuse admission, or change speakers, location or content at any time. No refunds will be made if notification is received after May 22, 2008. Please note that a CBA member in the same category may attend in your place. If the delegate is not a CBA member s/he will be required to pay the difference in fee. The OBA GST registration number is R100760495.

Fee Categories

CBA Member - A member in good standing of the Canadian Bar Association

CBA Student Member - CBA Law Student OR Articling and Bar Admission Candidate

Non-Member

CAN'T ATTEND THE PROGRAM?

ORDER THE PUBLICATION

Materials for CLE courses are available either in binder format or electronic format (downloadable).

Registration

Construction Remedies: Beyond the Lien

Thursday, May 29, 2008 - 9:00 a.m. to 1:00 p.m.

Name: _____ CBA #: _____

Firm: _____

Address: _____

City: _____ Postal Code: _____

Bus. Tel. #: () _____ Fax #: () _____

E-mail: _____

REGISTRATION *Please circle fee category.*

Live Program (includes course materials)*	CBA Member	CBA Student Member	Non-Member
<input type="checkbox"/> In person	\$195	\$95	\$245

I am unable to attend the program. Please send me:

EDUCATIONAL MATERIALS ONLY *Available 3-4 weeks post-program*

Publication	CBA Member	Non-Member
<input type="checkbox"/> Publication (binder)	\$75	\$100
<input type="checkbox"/> Publication (download)		

* Course Materials:

- Registration fees for live programs include course materials in print.
- Registration fees for webcasts (where offered) include course materials in electronic format.

Sub Total: _____

Add GST (5%): _____

Total: _____

Payment (registrations must be prepaid)

Cheque (payable to Ontario Bar Association) or please charge Visa Mastercard

Credit Card #: _____ Exp. Date: _____

Signature: _____

CONTACT INFORMATION CONSENT

The OBA's programs may be supported by preferred suppliers, sponsors and exhibitors. Subject to the following paragraph, I understand that the provision of contact information on this registration form constitutes my consent to such information being disclosed to the preferred suppliers, sponsors, exhibitors, speakers or attendees of this program. For further information about the CBA's and OBA's treatment of contact information, see Members Privacy Policy at www.cba.org or www.oba.org.

By checking this box , I do not wish my contact information disclosed to the preferred suppliers, sponsors, exhibitors, speakers or attendees of this program.

Phone: 1-800-668-8900 • (416) 869-1047 Have your credit card handy.

Fax: (416) 642-0424 Credit card number MUST accompany faxed registrations.

Internet: www.oba.org/pd

Mail: Ontario Bar Association, 300-20 Toronto St., Toronto, Ontario, M5C 2B8

OBA PROFESSIONAL DEVELOPMENT

Construction Remedies: Beyond the Lien

Thursday, May 29, 2008 - 9:00 a.m. to 1:00 p.m.
OBA Conference Centre - 200 - 20 Toronto St., Toronto

Focus: Comprehensive review of construction remedies beyond the lien.

Highlights will include:

- How to get paid: Trusts, Equitable Remedies, Bonds and Claims against Mortgagees
- Alternative Claims: *The Repair and Storage Lien Act*, and the *Personal Property Security Act*
- Projects in Trouble: Court-Appointed Trustees, Dealing with Insolvencies and with Fraud
- The latest on Delay Claims and Bidding and Tendering
- The Owner's Perspective
- LAWPRO's Perspective

Co-Chairs:



Brendan D. Bowles,
Glaholt LLP



Glenn Grenier,
Lang Michener LLP



**ONTARIO
BAR ASSOCIATION**
A Branch of the CANADIAN BAR ASSOCIATION

Construction Remedies: Beyond the Lien

Thursday, May 29, 2008 - 9:00 a.m. to 1:00 p.m.

Construction lawyers typically represent parties at all levels of the construction pyramid. A construction lawyer must therefore be familiar with the broad range of remedies available when construction work goes badly and the parties are fighting over money. Most practitioners are aware of the construction lien remedy, but the deadlines to exercise these rights are unforgiving and can easily be lost through inadvertence, or if your client comes to see you for advice when it is already too late to register a lien. In some cases, what seems like “construction work” to a layperson may not fall under the *Construction Lien Act* at all, for example if the work was performed in respect of industrial process machinery. Fortunately, in such situations all is not lost. There are many other powerful remedies at your disposal to collect a debt owing for services, labour or materials, or to assert a claim for delayed and deficient work. Attend this conference so that you know how to pursue the appropriate remedies on behalf of your clients with construction problems.

Co-Chairs: **Brendan D. Bowles**, Glaholt LLP
Glenn Grenier, Lang Michener LLP

9:05 a.m. **Construction Trusts**
• Officers and Director’s liability, survival in a bankruptcy
Jeffrey A. Armel, Goldman, Sloan, Nash & Haber LLP

9:20 a.m. **Equitable Remedies**
• *Quantum meruit* and unjust enrichment
Michael V. MacKay, Barrister & Solicitor

This CLE program has been approved for a LAWPRO CLE Premium Credit. To obtain your \$50 LAWPRO insurance premium reduction, please visit their website: www.lawpro.ca/clecredit



This program has been accredited by the Law Society of Upper Canada towards the professional development requirement for certification. Construction Law - 3.5 hrs.



9:35 a.m. **Surety Bonds**
• Payment bonds, performance bonds, bid bonds
Gregory D. Hersen, Torkin Manes Cohen Arbus LLP

9:50 a.m. **Extraordinary Remedy**
• Court appointed Trustee pursuant to Section 68 of the *Construction Lien Act*
Dante A. Capannelli, Capannelli Law Professional Corporation

10:05 a.m. **Liens for Chattels and Articles**
• *The Repair and Storage Liens Act*
Glenn Grenier, Lang Michener LLP

10:20 a.m. **A Novel Alternative**
• Section 34 of the *Personal Property Security Act*
Andrew J. Heal, Blaney McMurtry LLP

10:35 a.m. Break

10:50 a.m. **Claims Against Mortgagees**
• Section 78 of the *Construction Lien Act*, the mortgagee as owner
Charles G.T. Wiebe, Glaholt LLP

11:05 a.m. **Pursuing the Insolvent Construction Company**
• Acting for a Lien claimant or a trust claimant in bankruptcy and CCAA proceedings
Howard Krupat, Blaney McMurtry LLP

11:20 a.m. **Delay Claims**
• Advancing a claim for the impact of delayed construction work
Anna M. Esposito, Pallet Valo LLP - Mississauga

11:35 a.m. **Bidding and Tendering**
• Remedies in Tenders and RFPs
Roger J. Gillott, Osler, Hoskin & Harcourt LLP

11:50 a.m. **Fraud Claims**
• Dealing with fraud and the construction industry
David B. Debenham, Lang Michener LLP - Ottawa

12:10 p.m. **The Owner’s Perspective**
• Claims for latent defects discovered years later.
Kenneth W. Crofoot, Goodmans LLP

12:30 p.m. **The Repair**
• What happens when the lien is gone? LAWPRO’s perspective.
Pauline R. Sheps, LAWPRO

12:50 p.m. Questions and Concluding Remarks

1:00 p.m. Program Concludes

OTHER OBA SPRING CLE PROGRAMS

Emergency Preparedness: Critical Legal Issues

Monday, June 2 and Tuesday, June 3, 2008 9:00 am to 5:00 pm
Location: *OBA Conference Centre, 20 Toronto Street, 2nd Floor*

The Jury Trial and You II: Unwrapping the Enigma

Friday, June 6, 2008 9:00 a.m. to 5:00 p.m.
Location: *OBA Conference Centre, 20 Toronto Street, 2nd Floor*

Representing Clients in Ontario’s New Human Rights System

Wednesday, June 11, 2008 9:00 am to 1:00 pm
Location: *OBA Conference Centre, 20 Toronto Street, 2nd Floor*

Save 20% if you take 2 or more CLE Programs