

Civil Litigation Section Report 2012-2013

The Civil Litigation Section Executive consists of:

- Trevor Brown, Chair (MPI – Legal Department)
- Alison McCullough-Butchart, Vice-Chair (Residential Tenancies Commission)
- Kathryn Hordienko, Co-Secretary (Myers Weinberg LLP)
- John Martens Co-Secretary (Aikins MacAulay Thorvaldson LLP)
- Bailey Harris, Member-at-Large, (Thompson Dorfman Sweatman LLP)

During the 2012 - 2013 term (September 1, 2012 to June 30, 2013) the Civil Litigation Section sponsored three professional development seminars. The first CPD seminar was held on December 13, 2012. Chris Wullum (Tapper Cuddy LLP) and Alfred Thiessen (Tapper Cuddy LLP) spoke about the recent Ontario Court of Appeal decision in *Jones v. Tsigas* as well as a discussion of the *Privacy Act*.

The second seminar was held on January 24, 2013 at the MBA Mid-Winter Conference. The title of the seminar was Civil Trials - Procedural and Evidentiary Issues. The presenters were Kyle Dear (Taylor McCaffrey LLP) who spoke on the rule of *Browne v. Dunn*, James Edmond (Thompson Dorfman Sweatman LLP) who spoke on expert witnesses, Thor Hansell (Aikins Law) who spoke about adverse inferences in civil cases, Michael Richards (D'Arcy & Deacon LLP) who spoke on cross-examining expert witnesses, and Faron Trippier (Hill Sokalski Walsh Trippier LLP) who spoke on similar fact evidence.

The third CPD seminar was held on May 23, 2012. Associate Chief Justice Pearlmutter (Court of Queen's Bench of Manitoba) and Madam Justice Simonsen (Court of Queen's Bench of Manitoba) spoke on recent amendments to the Queen's Bench Rules, Rule 20A one year after the major amendments, and discussed proposals for future amendments in anticipation of the general opening of the rules.

The executive is currently planning CPD's for the fall of 2013 and for the 2013 MBA Mid-Winter Conference.

Respectfully submitted,
Trevor M. Brown, Chair