



THE HONOURABLE JUSTICE JACQUELINE HORVAT:

The Attorney General has made another outstanding appointment to the Superior Court of Justice. **Jacqueline A. Horvat** obtained her LL.B. from the University of Windsor in 2001 and was called to the Bar of Ontario in 2002. Justice Horvat was a litigation lawyer by training. In 2022, during her third term as a Bencher she was elected as the Treasurer of the LSO serving two complete years in that role. During her career she served the professions and public in numerous other capacities and championed equity, diversity and inclusion, access to justice, women in law, and the use of technology in law.

LSO: “UNREASONABLE” “STONEWALLING”

Who would think these words would be attributed to our regulatory authority? The unnecessary bun fight provoked by the LSO refusal to accommodate Bencher Murray Klippenstein’s documentary request for information was finally settled by the voluntary delivery of documents by the Law Society. However, with respect to Costs and with the apparent support of our elected Benchers the LSO maintained its intransigence, requiring a court hearing, in respect of Klippenstien’s entitlement as a successful litigant. The Law Society submitted in its Costs Submissions that Mr. Klippenstein only be awarded partial indemnity costs of \$30,000.00. The Superior Court disagreed. In awarding Mr. Klippenstein elevated costs of \$65,000.00, all inclusive, on a substantial indemnity basis, the Court concluded “It was **not reasonable** for the LSO which has often described its benchers as the equivalent of directors .. to “**stonewall**” a director for over a year before capitulating and producing everything he had requested. Justice Stevenson detailed the manner of “**stonewalling**”. Court filed documents reveal the LSO spent almost \$50,000.00 on its lawyers to May, 2024 for the extensive effort of asserting an indefensible position. That modest account (which did not include the expense of the June Costs submissions) was achieved as described in the LSO Costs Outline because very favorable below market rates (\$180.00 to \$350.00) were charged to the LSO for its legal representation team which included a former Treasurer / former Superior Court Judge. Hopefully many lessons have been learned that will improve more cost

COMMITTEE AND OTHER APPOINTMENTS:

The Treasurer, approved by Convocation, has made the following significant appointments:

Access to Justice

Cheryl Siran (Co-Chair)
Doug Wellman (Co-Chair)

Audit & Finance

Sidney Troister (Chair)
Heather Hansen (Vice-Chair)
Mark Surchin (Vice Chair)

Audit & Finance - Compensation Fund Subcommittee

Laura Emmett (Chair)

Compensation

Peter Wardle (Chair)

Equity and Indigenous Affairs

Catherine Banning (Co-Chair)
Gerald Chane (Co-Chair)
Annamaria Enenajor (Vice-Chair)

Futures

Karen Hulan (Co-Chair)
Quinn Ross (Co-Chair)

Governance Review Task Force

Genevieve Painchaud (Chair)
Peter Wardle (Co-Chair)

Human Rights Monitoring Group (Equity)

Tanya Walker (Chair)

Lawyers Professional Indemnity Review Task Force

William McDowell (Chair)
Pam Hrick (Vice-Chair)

Paralegal Standing

Michelle Lomazzo (Chair)
Cheryl Siran (Vice-Chair)

Proceedings Authorization

Megan Shortreed (Chair)

Professional Development and Competence

Atrisha Lewis (Chair)
Jasminka Kalajdzic (Vice-Chair)
Michael Winward (Vice-Chair)

Professional Regulation

Rebecca Durcan (Chair)
Jonathan Rosenthal (Vice-Chair)
Matthew Wilson (Vice-Chair)

Real Estate Liaison Group

Matthew Wilson (Chair)

Restaurant Working Group

Michael Winward (Chair)

Strategic Planning and Advisory

Peter Wardle (Chair)

Tribunal

Karen Hulan (Chair) (Ex-officio)

Catherine Banning (Vice-Chair)

GOVERNANCE: WHAT IS HAPPENING ELSEWHERE?

In Ontario a number of industries are more modernly regulated by Administrative Authorities. The Government, in the case of the Ontario Motor Vehicle Industry Council has decided it can improve governance and ensure a balanced, skills-based Board by:

1. Decreasing the number of board members from 12 to 9.
2. Ensuring all board members possess a positive orientation for proactive consumer protection initiatives.
3. Ensuring no more than 34% of the board members are drawn from the industry.
4. Establishing an industry advisory council comprised of members representing the interests of motor vehicle dealers and sales persons to report to and advise the board.

What should the LSO consider?

**ENJOY A HAPPY HEALTHY SUMMER –
YOU HAVE EARNED A BREAK**

I am sending this public service newsletter to you at the email address you provided or published, as permitted by Canada's Anti-Spam Legislation. If you no longer wish to receive it please "Unsubscribe" below.

Larry Banack
Banack Resolutions, Inc.
Bay Adelaide Centre
333 Bay Street, Suite 900
Toronto, ON M5H 2R2
email: larry@banackresolutions.com
Phone: (416) 477-6880

Banack Resolutions, Inc. | Bay Adelaide Centre 333 Bay Street | Toronto, ON M5H 2R2 CA

[Unsubscribe](#) | [Update Profile](#) | [Constant Contact Data Notice](#)