

# **Business Valuation Issues In Family Law: Your Chance To Hear From The Decision Makers (Livestreaming)**

**Wednesday November 18, 2015  
1:30 PM – 4:30 PM ET**

*A link to log-into this livestreaming session will be sent to you the day before the seminar.*

*Livestreaming registrants will have the ability to send the moderator questions during the session via email.*

## **Presentation Overview**

During this 3-hour session, join our expert panel of judges and CBVs as they discuss:

- a) Role of the Expert and other trial matters
  - Current rules and the obligation of experts
  - Neutrality, impartiality and objectivity
  - Implications during settlement vs trial
  - Proportioning costs
- b) Business Valuation Issues
  - Alternative levels of assurance
    - i. Understanding of difference in Calculation, Estimate and Comprehensive valuation reports
    - ii. Implication on weighting given by Court
  - Alternative valuation approaches (capitalized income, discounted cash flow, EBITDA)
  - How to make evidence helpful to the Court
  - Exclusion of assets due to gifting/inheritance rules
  - Disposition costs
    - i. Contingent income taxes at corporate level
    - ii. Contingent personal income taxes
    - iii. Other asset based valuation disposition costs
- c) Guideline income – common errors and areas of diverse judgment:
  - Expectation of Court with respect to level of “forensic review” to be done
  - Attribution of corporate income
  - Imputation of income on underutilized assets
  - Imputation of income on unrealized gains
  - Tax gross up on personal benefits received
  - Double dip
    - i. Inclusion of income with respect to realization of gains clearly equalized through Net Family Property
    - ii. Impact of inclusion of income from one year on subsequent years

## **Panelists**

### **Moderator ~ Dwayne N. Pyper, B.Comm., CPA, CA, CBV, Q.Med. – Partner, Durward Jones Barkwell & Company LLP**

Mr. Pyper has been with Durward Jones Barkwell & Company LLP since its inception in October 1982 and as a partner since January 1988. He is the Partner in Charge of the Firm's Business Valuation practice. He has in excess of thirty-five years experience in public accounting, servicing a broad range of clients and gaining experience in agricultural, retail, distribution, manufacturing, construction, professional service and non-profit organizations. He has been involved in business valuation, guideline income and loss quantification work for approximately twenty-five years, being actively involved in this field since 1996.

### **Madam Justice Kendra Coats, Superior Court of Justice, Milton, Ontario**

The Honourable Madam Justice Kendra Coats was appointed as a Justice in the Superior Court of Ontario in September of 2003. She is assigned to the Central West Region which includes Brampton, Milton, Guelph, Orangeville, Walkerton and Owen Sound. Justice Coats primarily sits in Milton, Ontario. Justice Coats presides over civil, family and criminal cases. She has been the Local Administrative Judge in Milton since February 12, 2015.

Prior to her appointment Justice Coats was a partner at the law firm Ross & McBride, in Hamilton, Ontario. She had been at Ross & McBride since 1984; first as an articling student, then associate, then partner. She practiced in the area of family law. While at the firm she became Vice-Chair of the partnership.

She is presently a member of the provincial Family Rules Committee and the Senior Family Judge Consultation Committee. Justice Coats also sits on the Halton Family Law Liaison Committee and the Family Law Resource Committee.

### **Mr. Justice R. John Harper, Superior Court of Justice, Brantford, Ontario**

Mr. Justice Harper was appointed to the Ontario Superior Court of Justice in 2006 and has served as Senior Family Judge of the Family Court. He received a Bachelor of Laws from Dalhousie Law School in 1972 and was called to the Bar of Ontario in 1974.

Prior to his appointment, he practised with Harper Jaskot in Hamilton. He was recognized as a Certified Specialist in family law in 1996. He has served on several professional and community organizations, including the Community Child Abuse Council and Association of Family and Conciliation Courts. He is also past president of the Hamilton Law Association.

### **Paul Amey, Partner, Waterous Holden Amey Hichon LLP**

Paul has 38 years of trial and settlement experience in a broad range of civil litigation which includes personal injury claims (motor vehicle accidents, slip and falls), professional negligence claims (including against doctors, lawyers, etc), claims against insurance companies (e.g. LTD), employment issues (including wrongful dismissal for both employees and employers), estates disputes and general commercial disputes (e.g. real estate deals gone bad). In addition, Paul maintains over fifty percent of his practice in family law.

Additionally, Paul has extensive experience in appeal work and has a reputation for taking on difficult and complex cases. He regularly receives referrals from lawyers in Hamilton, Kitchener-Waterloo and Norfolk County.

### **Nicholas Mastroluisi, MBA, CPA, CA, CBV, TEP – Partner, Pettinelli Mastroluisi LLP**

Nick is a partner in the CA Firm of Pettinelli Mastroluisi LLP and principal of Pettinelli Mastroluisi Valuations Inc. He specializes in the areas of taxation, business valuations and litigation support. He has testified in Ontario Courts on many occasions on taxation, valuation and family law matters.

Nick is also a member of the DeGroot School of Business, McMaster University. Since 1985 he has taught various undergraduate and graduate courses in taxation.

**TO REGISTER FOR LIVESTREAMING (video/audio feed)**

<https://cicbv.ca/events/business-valuation-issues-in-family-law-your-chance-to-hear-from-the-decision-makers-attend-via-livestreaming/>

**Cost:**           **\$ 100.00 + applicable provincial taxes**

Once you register for this seminar, no refunds will be issued, however you may substitute your attendance with someone else as long as a written request is emailed in advance.

**CE Credit**       3.0 hours