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Fiduciary Duties in Canada

Ellis

Release No. 1, January 2025

This service gives a comprehensive, up-to-date case law analysis of fiduciary responsibility. Separate chapters give specific analysis of fiduciary duty as it applies to each individual business and professional relationship. The updatable format ensures currency.

What's New in this Update:

This release features updates to Chapter 2 (Trustees), Chapter 4 (Substitute Decision-Makers), Chapter 6 (Family Relations), Chapter 8 (Real Estate Agents), Chapter 12 (Lawyers), Chapter 16 (Partnerships), Chapter 17 (Joint Ventures), Chapter 20 (Directors), Chapter 21 (Employees), Chapter 23 (Shareholders), and Chapter 25 (Governmental Authorities).

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Highlights:

- **Chapter 12—Lawyers—XVI. Case Synopses—§ 12:63 Generally**—This section has been updated to include new case digests of recent decisions from the Supreme Court of British Columbia and the British Columbia Court of Appeal, including the BCCA decision in *Hakemi & Ridgedale LLP v. 1011173 B.C. Ltd.*, 2024 BCCA 347, 2024 CarswellBC 3028 (B.C. C.A.). In that case, the BCCA considered an appeal of the BCSC dealing with whether a law firm had appropriately discharged its fiduciary duties to its client during a billing dispute.
- **Chapter 23—Shareholders—II. Case Synopses—§ 23:15 Generally**—This section has been updated to include new case digests of recent decisions from the British Columbia Court of Appeal and the Supreme Court of British Columbia, including the BCCA decision in *Eastern Platinum Limited v. Ren*, 2024 BCCA 109, 2024 CarswellBC 759, 49 B.L.R. (6th) 215, 495 D.L.R. (4th) 79 (B.C. C.A.), leave to appeal refused 2024 CarswellBC 3221, 2024 CarswellBC 3222 (S.C.C.). In that case, the BCCA considered an appeal of a lower-court decision which allowed a shareholder’s application to begin a derivative action in part, where a claim was permitted against one director of a mining organization for breach of fiduciary duty.
- **Chapter 25—Governmental Authorities—XXVI. Case Synopses— § 25:85 Generally**—This section has been updated to include case digests of recent decisions from the Manitoba Court of the King’s Bench, the Ontario Superior Court, the Ontario Court of Appeal, the Alberta Court of Appeal, the Federal Court of Appeal, and the Supreme Court of Canada. It includes detailed digests of the decisions in *Ontario (Attorney General) v. Restoule*, 2024 CSC 27, 2024 SCC 27, 2024 CarswellOnt 11020, 2024 CarswellOnt 11021, 494 D.L.R. (4th) 383 (S.C.C.) and *Saulteaux First Nation v. Canada*, 2024 FCA 100, 2024 CarswellNat 1980 (F.C.A.).