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### **GUIDE TO ONTARIO AND FEDERAL LIMITATION PERIODS**

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This is a comprehensive manual provides an authoritative, one-stop reference to legislated limitation periods in both Ontario and federal legislation. It identifies excerpts and organizes those sections in each statute which contain notice requirements, time for appeals, limitation of actions, time for judicial review and other time requirements in a convenient and easy-to-use table format. Case annotations are included for every limitation section that has been interpreted by the courts. This looseleaf also has an **Issues in Focus** section related to Ontario limitation periods which features memoranda on points of law relevant to Ontario limitation periods.

### **What's New in this Update:**

This release features nineteen new case summaries. Case updates have been added to the following subject area: Alternative Dispute Resolution, Barristers and Solicitors, Class Proceedings, Contracts, Corporations, Crown, Debtor and Creditor, Executors and Administrators, Insurance, Landlord and Tenant, Limitation of Actions, and Motor Vehicles.

### **Highlights**

The following is a highlight of new content added to this publication:

**Barrister and Solicitors — Assessment of Costs — *Solicitors Act* — Requisition by Client — Assessment Order — Accounts Delivered More Than One Month But Less Than 12 Months Before Assessment Sought — Accounts Unpaid — Superior Court Having Inherent Jurisdiction to Order Assessment — Special Circumstances Not Required** — The law firms acted for the clients in complex lawsuits. Without the law firms' knowledge, the clients obtained an assessment order after an unfavourable decision in a summary judgment motion was rendered, and after counsel had requested payment of the outstanding accounts. The assessment order did not specify which accounts the clients sought to assess, nor were the accounts attached to the order. The law firms were ordered to produce a brief containing the bill of all fees and disbursements, and they complied with the said order. The clients then sought assessment of all 32 accounts paid over the course of the retainer. The law firms brought a motion to set aside the clients' assessment order on the ground that it was statute-barred. Their motion was granted. The accounts rendered by the law firms were all final accounts. No accounts were requested to be assessed within the applicable one-month time limit as set forth at s. 3(b) of the *Solicitors Act*, R.S.O. 1990, c. S.15 (Act). As final accounts, they could only be assessed if fraud or gross misconduct were demonstrated. The clients raised neither of these allegations, and they were accordingly not applicable. The client's arguments under ss.3(b) and 4(1) of Act were dismissed. The motion judge ordered the clients to pay the law firms' outstanding fees. The clients appealed, and their appeal was allowed in part: *Crosslink Bridge Corp. v. Fogler, Rubinoff LLP*, 2024 CarswellOnt 4626, 2024 ONCA 230 (Ont. S.C.J.), varying *Crosslink Bridge Corp. et al. v. Fogler Rubinoff & David Moldaver LLP* (2023), 2023 CarswellOnt 10176, 2023 ONSC 3466 (Ont. S.C.J.).