



*Have you updated
your commercial
contract terms?*



Drafting Effective Commercial Contracts Post Covid-19 *with Heather Devine*

Thursday, May 27, 2021
Live webinar with chat
*includes 60 day replay**

9:00 am – 10:30 am (Pacific)
10:00 am – 11:30 am (Mountain)
11:00 am – 12:30 pm (Central)
12:00 pm – 1:30 pm (Eastern)
1:00 pm – 2:30 pm (Atlantic)
1:30 pm – 3:00 pm (Newfoundland)

**This program features real-time audio of the presenter with synchronized presentation slides, and a chat feature that allows for live Q & A. SK attendees please verify whether you align with Central (MB) or Mountain (AB) time based on season and location.*

WHO SHOULD ATTEND

If you draft commercial contracts or advise clients on contractual rights and obligations, then this program is for you.

ABOUT THE PROGRAM

The coronavirus pandemic has brought commercial agreements into sharp focus. While *force majeure* clauses were the first flashpoint, it has become increasingly clear that additional contract terms, including those relating to termination and breach, require new consideration. In an environment where pandemics and other global crises are now foreseeable, anticipation and clarity in drafting is more important than ever. Drafters need to take a realistic look at current precedents and practices and earnestly tackle important changes going forward. This highly practical program with experienced commercial litigator Heather Devine will identify key clauses every lawyer should consider including in their commercial contract review checklist and propose simple drafting strategies to help reduce uncertainty and create sensible and effective mechanisms for dealing with major disruptions in the future. Among the topics Heather will address are:

- Defining Act of God and *force majeure*
- The effect of *force majeure* on performance
- Economic hardship clauses
- Deferral of performance and time for performance
- Triggering events for termination clauses
- Due diligence on the resilience of parties
- Specifying obligations to work around obstacles
- Effective alternative dispute resolution mechanisms that are available remotely

Post Covid-19 commercial contracts will require greater emphasis on catastrophic scenarios. Attend this webinar and find out how to update your commercial contract provisions to reflect this new reality!

SCHEDULE (Eastern)

12:00 pm - 1:30 pm

Welcome and Introduction

Anticipating Risk in Commercial Contracts

- **Clear, Precise Language**
- **Termination Clauses**
- **Force Majeure**
- **Entire Agreement Clauses**
- **Tailoring the Contract to Your Client's Business Operations**
- **Damages**

Program Wrap-up and Evaluation

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MEET YOUR PRESENTER



Heather Devine is a Partner in the Toronto office of Alexander Holburn Beaudin + Lang LLP, and one of Canada's leading Defence lawyers and Advocates. A 'fixer' in the field of commercial litigation for businesses and insurers, she develops and implements the strategy, budgeting and case management of complex litigation for private and public, national and international clients. As a commercial litigator, Heather has defended product liability claims regarding pipes, medical devices, lighting fixtures, and transformers and aerospace materials. She has also litigated claims involving property management issues, condominium law and commercial tenancy. Heather has appeared in all levels of Provincial and Federal Courts, in Ontario, Nova Scotia and Alberta. In 2009, Heather learned to fly engine planes. Her love and admiration of aviation led her to an interest in Transportation law. Since 2013, Heather has been included in the peer reviewed publication *Best Lawyers® in Canada* for Transportation Law. She advises brokers, freight forwarders, carriers, 3PLs and 4PLs on all aspects of supply chain logistics and the movement of goods locally and internationally. Most recently, Heather expanded her focus to assist clients with contracts and agreements to minimize their risk. She 'Canadianized' the TIA shipper-broker, broker-carrier agreements as part of her work on the Transportation Intermediaries Association Contract Committee. Heather is a frequent writer and presenter on transportation and other legal topics and is a past President of the Canadian Transportation Lawyers Association.



ON: This program contains 1.5 Substantive hours.

BC: This program has been approved for 1.5 CPD hours.

SK & NB: This program has been approved for 1.5 CPD hours.

Lawyers in other mandatory CPD jurisdictions may count their attendance towards their CPD requirement/plan. Seminar Partners is an Accredited Provider of Professionalism Content by the Law Society of Ontario and a pre-approved CPD Provider of the Law Society of British Columbia.

✓ **Yes, I want to attend Drafting Effective Commercial Contracts Post Covid-19**

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* Materials will be distributed electronically in advance. Live webinars feature real-time audio of the presenter with synchronized presentation slides, and a chat feature that allows for live questions and verbal responses by the presenter. The recording of the webinar is available for 60 days.

REGISTRATION FEE:

On or before May 7, 2021: \$140.00 + \$18.20 (13%) HST* = \$158.20 - Save \$25.00!

After May 7, 2021: \$165.00 + \$21.45 (13%) HST* = \$186.45

*With ON HST. Please adjust tax for attendee's province as follows: 5% in AB, BC, MB, NWT, NU, SK, YK. 13% in ON. 15% in NS, NB, PEI & NL.

Register online: <http://seminarpartners.ca/register-for-courses/>

Register by mail, fax or phone: Return this form with payment to Jennifer Snoyer, Finance and Communications Coordinator, Seminar Partners, 2300 Yonge Street, Suite 1600, Toronto, ON M4P 1E4 Tel. 1.866.606.4212 or 647.352.8633 Fax 416.549.1619. Email: jennifer@seminarpartners.ca. Registration fee is refundable less \$50 admin fee if written cancellation received 10 working days before the program. No refunds will be made after the cancellation date. Program content, speakers and location may change without notice. See our website for all policies. In the event of program cancellation, our liability is limited to refund of registration fees. GST/HST #848208492

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