

SUCCESSION PLANNING



We provide advice and strategies to business owners on how to successfully transition a business to the next generation or to an unrelated buyer. Our clients transition their businesses in a number of different ways, from an immediate sale and exit to a gradual release of control staggered over time.

To ensure a successful transition, we take into consideration the personal estate and corporate planning of the individual as well as the strategic plan and overall structure of the business. We work with our clients' tax advisors to implement the most tax-effective structures available.

OUR EXPERTISE

We assist clients in creating successful strategies to transition a business, optimizing both business continuity and tax implications. We recognize that no one approach will fit all businesses and we spend time with our clients to determine a plan that meets their personal and business goals. Often, we revisit these plans over several years with our clients as we update and adjust a plan to suit a changing personal or corporate landscape.

INDUSTRY INVOLVEMENT

Our lawyers are actively involved in:

- [The Canadian Bar Association, BC Branch, Vancouver Wills and Trusts Section](#)
- [The Estate Planning Council of Vancouver](#)
- [The Society of Trust and Estate Practitioners](#)
- [The Canadian Association of Gift Planners](#)
- [The Continuing Legal Education Society of BC](#)
- [Pacific Business & Law Institute](#)

OUR LITIGATION WORK

The transfer of a business or shares to the next generation or others can result in litigation. This is especially true where there is no Shareholder's Agreement in place, no succession planning or ineffective succession planning was done. Further, family businesses have special considerations as expectations are often oral or implied and no formal agreements are in place. The unique nature of a family business has been recognised by the courts in British Columbia. Our team has experience dealing with litigation

TEAM LEADER



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involving the transfer of a business or some of the shares resulting in shareholder disputes, oppression claims and wind up applications. We have also assisted clients with estate litigation arising from contested wills, wills variation claims made pursuant to the *Wills, Estates and Succession Act*, trust variations, constructive trust claims and other estate-related matters.

We have appeared at all levels of court and are equally comfortable using arbitration and mediation in lieu of the courts in situations where that approach makes the most sense for our clients. We believe in a solutions-oriented approach to litigation management. We are not tied to any single methodology and we look for the right answers, not just the obvious ones. Whatever your situation, we will help you define comprehensive strategies at the outset of each matter. We then deliver responsive service against that strategic plan to help you achieve your strategic litigation objectives. We also understand the financial reality of business disputes and work to consistently deliver value by operating in a cost-effective manner.

