

# Caroline Abela

Partner

**Toronto**

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**Practice Areas**

Commercial Litigation

Litigation & Dispute

Resolution

Wills, Trusts & Estates

Arbitration & Mediation

International/Cross Border

Caroline Abela is a distinguished litigator with a practice centred on complex commercial litigation, asset recovery, and estates disputes.

Caroline is particularly recognized for her work tracing and recovering assets in the context of commercial conflicts and contentious estates, advising clients on strategic, results-oriented approaches to protecting and restoring value in high-stakes matters.

Her practice spans corporate and commercial disputes, complex trusts and estates litigation, and cross-border asset tracing and recovery. Caroline regularly represents a broad range of clients, encompassing corporations, institutions, fiduciaries, and business owners, in significant matters involving fraud, breach of fiduciary duty, shareholder and partnership conflicts, and estate-related disputes. She has acted as counsel before all levels of court in Ontario and before the Federal Court of Canada, and also maintains an active arbitration and mediation practice, guiding clients through both adversarial and alternative dispute resolution processes.

Caroline's work frequently involves international and cross-border elements, including navigating multi-jurisdictional asset-recovery strategies, particularly in the context of estates and commercial litigation. Her experience in these matters reflects a sophisticated understanding of the interplay between domestic litigation and global enforcement considerations.

She is consistently recognized as a leader in her field. Caroline has been listed in the *Lexology Index* for Asset Recovery, the *Canadian Legal Lexpert Directory*, and *Best Lawyers in Canada* for Corporate and Commercial Litigation. She was also named a Litigation Lawyer to Watch in Lexpert's *US/Canada Cross-border Litigation Guide*, highlighting her prominence in complex, cross-border disputes.

Beyond her litigation practice, Caroline has held numerous leadership roles in the legal community. She has served as Co-Chair of the International Private Client Committee of the American Bar Association Section of International Law and as National Representative (Canada) for the International Association for Young Lawyers. Her prior service also includes roles on the Council of the Ontario Bar Association,

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as Chair of the OBA Trusts and Estates Law Section Executive, and as President of The Advocates' Society. Caroline currently serves as Chair of the firm's WeirFoulds-Arnup Cup Committee, playing a pivotal role in administering the annual trial advocacy competition for law schools in Ontario.

Caroline is also committed to legal education and thought leadership. She has taught as an adjunct professor at the University of Western Ontario Faculty of Law and is a frequent speaker on topics including asset recovery, cross-border litigation, estates disputes, and developments in commercial litigation and dispute resolution. In recognition of her professional contributions, she was elected a Fellow of the American Bar Foundation, an honour limited to a small percentage of lawyers across North America.

Called to the Bar	Education	Affiliations
<ul style="list-style-type: none"> <li>Ontario (2002)</li> </ul>	<ul style="list-style-type: none"> <li>LL.B., University of Western Ontario, 2000</li> <li>Mediating Disputes Workshop, Harvard Law School Program on Negotiation, 2015</li> <li>B.A. (Hons.), University of Toronto, 1997</li> <li>French Program, Université de Laval, 1996</li> </ul>	<ul style="list-style-type: none"> <li>TEP (Trusts &amp; Estates Professional) Designation, STEP Canada</li> <li>Fellow of Chartered Institute of Arbitrators (FCIArb)</li> <li>The Advocates' Society (Director, 2021-2024)</li> <li>International Association of Young Lawyers (AIJA)</li> <li>Canadian Bar Association</li> <li>Ontario Bar Association</li> <li>Women's Law Association</li> </ul>

## Reported Cases

- [Labyrinth Partners Ltd. et al v. Iberbanco Ltd. et al, 2026 ONSC 705](#) (CanLII)
- [Caroti et al v. Vuletics et al., 2025 ONSC 5868](#) (CanLII)
- [Hermina Developments Inc. v. Epireon Capital Limited, 2025 ONCA 559](#) (CanLII) – Court of Appeal
- [Hermina Developments Inc. v. Epireon Capital Limited et al., 2025 ONSC 4067](#) (CanLII)
- [Bradley J. Grant Investments Inc. v. Nestig Inc., 2023 ONSC 4373](#), 2024 ONSC 21
- [Cain v. Harnett, 2023 ONSC 1019](#) (Divisional Court)
- Caroti et al. v. Kegalj et al., COA-22-CV-0094, COA-22-CV-0106 & COA-22-CV-0116.
- [Caroti et al. v. Vuletics et al.](#), 2022 ONSC 4695: Represented group of investors in real estate development project, obtained judgment for fraud, conspiracy, breach of contract, fiduciary duty and constructive trust remedies.
- (2020) Represented family member in arbitration proceedings related to trust interests.
- WeighPack v. PlanIt Packaging, CV-20-00636874-0000: Represented corporation in respect of misappropriated corporate information.
- [Caroti et al. v. Vuletics et al., 2019 ONSC 5772](#) (CanLII): Represented group of investors in real estate development; preservation order and cpl; [2019 ONSC 7268](#) (CanLII): r.49 offers;
- Hamm v. Shunock et al., 2017 Court File No. 27603/17: Represented property owner in dispute over alleged confidential information and injunctive relief

- Lipson v. Lipson et al., 2016 Court File No. CV-16-547366: Represented beneficiary of a trust and minority shareholder
- [Reichmann v. Reichmann, 2015 ONSC 5040](#): Represented option holder and minority shareholder
- [Foss v. Foss 2013 ONSC 1345](#): Represented sibling in respect of power of attorney challenge.
- Tomosvary v. The Estate of Stephen Tomosvary Crt File No. 05-113/13 : Represented spouse in respect of dependant's relief.
- Watt v. Watt Crt File No. 03-77/13: Represented spouse in respect of power of attorney challenge.
- Orfus Estate v. Samuel & Bessie Orfus Family Foundation, 71 ETR (3d) 210, 208 ACWS (3d) 224, [2011 ONSC 3043](#) (Ont Sup Ct): Represented Estate Trustees in respect of will challenge. Also see Orfus Estate (Re) (2010), 62 ETR (3d) 290 (ONSC)
- Belzowski v. Fruitman et al. Crt File No. 03-017/10: Represented family members in contested guardianship.
- Tarah Wright et al. v. Estate of Donald Wright Crt File No. 08-7705: Represented professional in breach of trust, breach of fiduciary duties allegations.
- Law Society of Upper Canada v Canada (Minister of Citizenship & Immigration), 295 DLR (4th) 488, 72 Imm LR (3d) 26, 2008 FCA 243 (FCA): Represented Law Society in its attack on regulations seeking to regulate immigration consultants.
- [Shaw v. Shaw, 2008 ONSC 2151 \(CanLII\)](#)
- [Shaw \(Rodgers\) v. Shaw \(Titus\), 2007 ONSC 56500 \(CanLII\)](#)
- [Shaw v. Shaw, 2007 ONSC 27337 \(CanLII\)](#)
- Grass (Litigation guardian of) v. Women's College Hospital, [2007] O.J. No. 2918 (C.A.): co-counsel for the intervenor the Children's Lawyer dismissing an appeal to set aside a settlement which was not approved by a judge.
- Shaw v. Shaw, [2007] O.J. No. 2758 (S.C.J.): was successful in obtaining an anti-suit injunction restraining the plaintiff and defendants by counterclaim from continuing with actions in the United States notwithstanding the defendants were not parties to that litigation.
- [Shaw v. Shaw, 2006 ONSC 13776 \(CanLII\)](#)
- Shaw v. Shaw, [2006] O.J. No. 1716 (S.C.J.); leave to appeal denied [2007] O.J. No. 73 (Div. Crt): was successful in obtaining an injunction restraining the plaintiff from interfering in or compromising foreign litigation. Also successful in obtaining carriage of the foreign litigation.
- Singh v. Signature Vacations Inc., [2006] O.J. No. 3481 (S.C.J.): Represented Signature Vacations in dispute of share purchase agreement and breach of contract issues.
- [Law Society of Upper Canada v. Canada \(Minister of Citizenship and Immigration\) \(F.C.A.\), 2008 FCA 243 \(CanLII\), \[2009\] 2 FCR 466](#)
- [Law Society of Upper Canada v. Canada \(Minister of Citizenship and Immigration\) \(F.C.\), 2006 FC 1489 \(CanLII\), \[2007\] 4 FCR 132](#)
- [Law Society of Upper Canada v. Canada \(Minister of Citizenship and Immigration\), 2006 FC 1042 \(CanLII\)](#)
- Law Society of Upper Canada v. Canada (Minister of Citizenship and Immigration) (2006), 59 Imm. L.R. (3d) 179 (Fed. Trial Div.): co-counsel for the Law Society of Upper Canada in its attack against the regulation establishing the Canadian Society of Immigration Consultants (an organization responsible for governing immigration consultants).
- John Doe v. Institute of Chartered Accountants of Ontario, [2005] O.J. No. 3013: co-counsel to the Institute of Chartered Accountants of Ontario dismissing an application for judicial review

- Powell v. Dempster as Estate Trustee of the Estate of Jo-Anne Powell et al. Crt File No. 05-19-05: Represented spouse in dependant's relief application as a result of exclusion from bequests.
- Former Student of the Institute of Chartered Accountants (Ontario) v Institute of Chartered Accountants (Ontario), 140 ACWS (3d) 1052, 200 OAC 293, 2005 CarsewellOnt 3113 (Ont Sup Ct): co-counsel to the Institute of Chartered Accountants of Ontario dismissing an application for judicial review.
- [Uniform Custom Countertops Inc. v. Royal Designer Tops Inc., \[2004\] O.J. No. 3306 \(S.C.J.\)](#): successfully set aside an Anton Piller order.
- Kistulincova v. Dental wise et al and Subryan in her capacity as Estate Trustee of the Estate of Leslie Subryan Crt File No. 66469/03A: Represented Third Party executor.
- Porter v. Atchison and the PGT, Crt File No. D44190/01: Represented children in a guardianship contested estate.

## Awards

- Repeatedly recognized by *Best Lawyers in Canada* as a leading lawyer in Corporate and Commercial Litigation, and Trusts and Estates.
- Repeatedly recognized as a leading lawyer in the Asset Recovery and Professional Negligence categories in *Lexology Index: Canada*
- Recognized as a leading lawyer in the Private Client category in *Lexology Index: Canada* (2023, 2024)
- *Lexpert Zenith Award Celebrating Mid-Career Excellence*, 2018
- Named a Fellow of the American Bar Foundation (ABF), March 2017
- Repeatedly recognized in the *Canadian Legal Lexpert Directory* as a leading practitioner in Estate & Personal Tax Planning (Estate Litigation) and Litigation – Corporate Commercial
- Named as “Litigation Lawyer to Watch” in *Lexpert US/Canada Cross-border Litigation Guide*, 2014
- International Association of Young Lawyers (AIJA), 52nd Congress Prague 2014 Past Presidents' Award for Best National Report, Private Client and Immigration Working Session (with Hayley Peglar)
- *Lexpert Top 40 Under 40 Leading Lawyer*, 2013
- Law Society of Upper Canada Award (University of Western Ontario Law School for outstanding cumulative achievement in the top 10 percent of graduating class)
- Dean's Honour List (University of Western Ontario for top 15 per cent of the third year class)
- Australian Government and Politics Award (Faculty of Law, Bond University)
- Shibley Righton Tax Award (University of Western Ontario)
- J. Edward Chamberlain Graduation Award (University of Toronto for cumulative achievement in literature)
- All Souls Historical Essay Award (University of Toronto for outstanding historical research essay)

## Professional Activities

- Chair, Estates Litigation Practice Group, The Advocates' Society (2019-2020)
- Vice-Chair, Estates Litigation Practice Group, The Advocates' Society (2018-2019)
- Director, The Advocates' Society (2021-2024)
- Chair, Ontario Bar Association, Trusts and Estates Law Section (July 2017 to June 2018, July

2018 to June 2019)

- Council Member, Ontario Bar Association (July 2017 to June 2018)
- Co-Chair, International Private Client Committee, ABA Section of International Law (September 2016 – Present)
- Vice-Chair, Ontario Bar Association, Trusts and Estates Law Section (July 2016 to June 2017)
- Vice-Chair, International Private Client Committee, ABA Section of International Law (September 2015 – Present)
- Secretary, Ontario Bar Association, Trusts and Estates Law Section (September 2015 – June 2016)
- Extended Bureau, National Representative of Canada, International Association of Young Lawyers (September 2016 – Present)
- Chair, Ontario Bar Association, Trusts and Estates Law Section, Statutory Review Committee (2014 – 2015)
- Executive Board Member-at-large, Ontario Bar Association, Trusts and Estates Law Section (2013 – present)
- Committee Member, Ontario Bar Association, Trusts and Estates Law Section, Statutory Review Committee, (2012 – 2013)
- Extended Bureau, National Representative Canada, International Association for Young Lawyers (2010 – September 2013)
- Member, Advocates' Society, Sub-Committee on Advocacy and Practice (May 2012 – Present)
- Active Member, Young Advocates' Committee, Advocates' Society, (2008 – 2010)

## Speaking Engagements

- Speaker, "Module 2 - Non-Contentious & Contentious Proceedings", The Osgoode Certificate In Estate Litigation, Osgoode Professional Development, Toronto, ON, October 16, 2024
- Co-Chair, "Litigation Skills Part 2: Appellate Advocacy for Estate Litigators", Ontario Bar Association, April 16, 2024
- Speaker, "Conducting Effective Virtual Examinations", Seminar Partners, Online, November 25, 2021
- Speaker, "Effective Witness Preparation", A Litigator's Guide to Case Preparation, The Advocates' Society, Webinar, December 9, 2020
- Speaker, "Objection to Issuing a Certificate of Appointment", Osgoode Professional Development's Estate Litigation Program, Toronto, May 21, 2019
- Speaker, "When Estate Law Meets Business Litigation", Scarborough Estate and Financial Planning Council, Scarborough, ON, December 4, 2018
- Discussion Leader, "Who Pays The Piper Calls The Tune: The Effect of Costs Consequences on Estate Litigation Strategy", Cambridge Estates & Trusts Practitioners' Forum, Cambridge, ON, November 6, 2018
- Panel Member, "Dealing with Challenges in Will and Trust Administration", STEP Toronto Seminar, October 10, 2018
- Panel Member, "Intergeneration Transfers: Lessons to be Learned from Family Owned Enterprises in Transition – Avoiding the Family Breakdown: Minority Shareholder's Rights and Oppression Claims in Context of Intergenerational Transfers", American Bar Association 2018 Spring Conference, New York

- Speaker, "Estate Tax Planning Gone Awry", B'nai Brith Canada, Toronto, ON, May 30, 2018
- Instructor, "Cross-Examination", The Advocates' Society, Toronto, ON, January 30, 2018
- Panel Member, "Experts in Contested Passings of Accounts – Ethics regarding Communication with Experts", Estate Accounting Program, Law Society of Upper Canada, January 15, 2018
- Instructor, "Leading Your Case: Opening Statements and Examination-in-Chief", The Advocates' Society, Toronto, ON, December 15, 2017
- Speaker, "The Agreement: The Key Components of an Effective Shareholder Agreement", FEX Cafe Lunch Series Presentations, Toronto, ON, December 7, 2017
- Speaker, "Make a Will Talk", Don Mills Toronto Public Library, Toronto, ON, November 15, 2017
- Speaker, "The Process: Creating a Values Based Shareholder Agreement", FEX Cafe Lunch Series Presentations, Toronto, ON, November 14, 2017
- Speaker, "Make a Will Talk", Leaside Toronto Public Library, Toronto, ON, November 1, 2017
- Panelist, "Master Winning Discovery Techniques", The Advocates' Society, Toronto, ON, October 30, 2017
- Panel Member, "How to Win an Undue Influence Case", 20th Annual Estates and Trusts Summit, Law Society of Upper Canada, October 16, 2017
- Speaker, "Shareholder Disputes: The Anatomy of a Shareholders' Dispute", FEX Cafe Lunch Series Presentations, Toronto, ON, October 12, 2017
- Speaker, "The Anatomy of a Shareholder Dispute", Shareholder Disputes Lunch Series, Webinar, CAFÉ/FEX Central Ontario, Fall 2017
- Speaker, "Successful Settlements 2017: Strategies and Tactics For Civil Litigators", Osgoode Hall Law School, Toronto, ON, March 24, 2017
- Panel Member, "Preparing Winning Court Documents (Key Principles: Drafting Proper Affidavits)", The Advocates' Society, Toronto, ON, March 23, 2017
- Skilled instructor, "Leading Your Case: Opening Statements and Exam-in-chief", The Advocates' Society, Toronto, ON, December 14, 2016
- Skilled instructor, "Mastering Winning Discovery Techniques", The Advocates' Society, Toronto, ON, October 31, 2016
- Moderator, "Keeping the Property in the Family: Succession and Heirship", AIJA Half-Year Conference, Chicago, May 18-21, 2016
- Speaker, "Residency and Constitution: Attacks on Trusts by the Canada Revenue Agency", presented as part of "Trusts in Family Wealth and the 3D Problem Is It Child's Play", ABA Section of International Law Spring Meeting, New York, April 12-16, 2016
- Skills Instructor, "Mastering Winning Discovery Techniques", The Advocates' Society, October 7, 2014 and October 29, 2015
- Panel Moderator, "Game of Thrones: Jousting for Power in the Family Enterprise", American Bar Association Section of International Law, 2015 Fall Meeting, October 22, 2015
- Presenter, "Top Estates Cases of 2014", RBC Trust, July 28, 2015
- Co-Chair, "Litigation and Administration of Foreign Trusts Assets", Ontario Bar Association, April 9, 2015
- Co-Presenter, "Tips, Tricks and Tragedies: The Law of Privilege", 2015 Professional Development Seminar, WeirFoulds LLP, February 24, 2015.
- Presenter, "Top Estates Cases of 2014", The Advocates Society, February 10, 2015
- Skills Instructor, "Cross-Examinations: Strategies for Success", The Advocates' Society, January 23, 2015
- Presenter, "Essential Tax Issues Every Estate Litigator Should Know", Ontario Bar Association,

October 9, 2014

- Presenter, "Insurance Broker's Errors and Omissions Awareness, Attention & Avoidance Seminar", Pro-Form Sinclair Professional, September 24, 2014
- Panel Presenter on "Mental Incapacity, Movement of High Net Worth Individuals", AIJA Congress, Prague, August 2014
- Instructor, Intensive Trial Advocacy Workshop, Osgoode Hall, July 2012, July 2013 and July 2014
- Skills Instructor, "Ready, Set, Litigate", The Advocates' Society, February 25, 2014
- Presenter, "Top Estates Cases of 2013", The Advocates' Society, February 20, 2014
- Speaker, "Crime and Punishment: An Overview of the Enforcement of the *Corruption of Foreign Public Officials Act* in Canada", Association of Caribbean Corporate Counsel, Trinidad & Tobago, December 2013
- Speaker, "Ontario Bar Association Sunrise Series: Offers to Settle", OBA, November 26, 2013
- Mentor, "Practice Makes Perfect", The Advocates' Society, Mentoring Dinner Series, November 2013
- Skills Instructor, "Mastering Winning Discovery Techniques", The Advocates' Society, October 8, 2013
- Speaker, "The Recovery of Stolen Assets in Canada: Civil and Criminal Remedies", American Bar Association, Section of International Law 2013 Fall Meeting, London, United Kingdom, October 2013
- Presenter, *The Six Minute Estate Lawyer*, The Law Society of Upper Canada, April 24, 2013.
- Presenter, "Top Estates Cases of 2012", The Advocates' Society, February 27, 2013
- Speaker, "Natural Disasters and Human Catastrophes: A Global View on How to Prevent, Manage and Litigate Crisis", AIJA, Montreal, November 2012.
- Speaker, "How to Avoid Family Litigation After You Die", CAFE Central Ontario, November 6, 2012.
- Co-Chair, "Ready Set Litigate", The Advocates' Society, Upcoming Program, February 2012
- Speaker, "Summary Judgment Motions: Persuasive Advocacy - Winning Tactics", Ontario Bar Association, May 2, 2011
- Speaker, "Leading Your Case: Opening Statements and Examination-in-chief", The Advocates' Society, March 1, 2011
- Speaker, "Ontario Rules of Pre-trial Documentary Discovery: Top Ten Reasons to Choose Ontario for Your Litigation", 48th AIJA Congress (International Association of Young Lawyers), Charleston, SC, August 24-28, 2010
- Speaker, "Managing E-Litigation Costs and Timelines", 4th E-Discovery Conference, Toronto, March 2010
- Co-Chair, "ReAct Like A Pro", The Advocates' Society, October 2009
- Speaker, "Managing E-Litigation Costs and Timelines", E-Discovery Conference, Calgary, 2008

### Additional Publications:

- Co-author (with Natalia Sidlar), "[Interim Possession of Personal Property \(Rule 44 of the Rules of Civil Procedure\)](#)", *Civil Procedure & Practice in Ontario*, September 7, 2021
- Author, "Success and Failure: The Advocate's Road Map to Domestic Contracts in SLRA Applications", B'Nai Brith Canada, May 30 2018
- Co-author (with Mike McDonald), "Avoiding the Family Breakdown: Minority Shareholder's Rights and Oppression Claims in the Context of Intergenerational Transfer", American Bar

Association 2018 Spring Conference, New York

- Co-Author (with Shalome Barrow), "Expertly Passing the Ethics Test: Experts, Ethics and Passing of Accounts", *Law Society of Upper Canada, Estate Account* 2018, January 15, 2018
- Co-Author (with Lia Boritz), "Top Ten Reasons Wills are Litigated", Editorial for the OBA's Make a Will Month, *Lawyers' Weekly*, November 2017
- Co-Author (with Lia Boritz), "Subtle, Secret and Circumstantial Evidence: The Intricacies of Winning an Undue Influence Case", *The Advocates' Quarterly*, Volume 48, Issue 1, February 2018 (also presented at the 20th Annual Estates and Trusts Summit, LSUC, October 16, 2017)
- Co-Author (with Nabila Khan), "The Impact of Alternative Fee Structures on Settlement", *The Advocates' Quarterly*, Volume 47, Number 1, June 2017
- Co-Author (with Robert Bell), "A Lawyer's Duty to the Court", *The Advocates' Society*, January 2009 (Cited in: *The Roman Catholic Episcopal Corporation for the Diocese of Sault St. Marie v Axa Insurance (Canada)*, 2015 ONSC 4755, and *Healthy Lifestyle Medical Group Inc. v. Chand Morningside Plaza Inc.*, 2019 ONCA 248)

## Publications

- The Collapse of a House of Cards: Estoppel by Convention and the Need for a Shared Assumption, August 31, 2020
- The Standard of Appellate Review for Standard Form Contracts versus CCAA Plans – *SFC Litigation Trust v. Chan*, 2019 ONCA 525, July 06, 2019
- International Commercial Arbitration Awards: When Does an Arbitration Award Become Binding?, August 03, 2018
- Equity Rules the Day: The Supreme Court of Canada Clarifies the Tenets of Proprietary Estoppel, January 08, 2018
- Webinar Series: All About Shareholders, December 07, 2017
- Make a Will Month provides an annual checkup for lawyers and the public, November 21, 2017
- "Investing in Justice: Expanding the Litigation Funding Industry to Estates and Trust Litigation, July 10, 2017
- "Wealth Planning for Personal Equity Plans (PEPs) and "High Risk" Clients: Risks and Challenges , July 10, 2017
- A Year in Review: The Far Reach of the IRS in Canada Foreign Account Tax Compliance Act, January 23, 2015
- "Litigating Through the Grey Zone: The Law of Testamentary Capacity" in *Annual Review of Civil Litigation* 2014, December 31, 2014
- Tactical summons barrage leads to big indemnity, December 10, 2014
- Preservation, Patience and Persistence: The Dilemmas of a Litigator in Estates, October 09, 2014
- "Canada" in *Global Legal Insights – Litigation & Dispute Resolution* 3rd Ed., August 20, 2014
- The Recovery of Stolen Assets in Canada: Civil and Criminal Remedies, October 17, 2013
- "Canada" in *Global Legal Insights – Litigation & Dispute Resolution* 2nd Ed., August 13, 2013