



# hamilton duncan

## David Hunter Litigator, Partner

### Contact

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### Practice Areas

#### Business

- ▶ Commercial & Business Litigation
- ▶ Real Estate Litigation
- ▶ Legal Fee Disputes (Business)

#### Personal

- ▶ Elder Law
- ▶ Estate & Trust Litigation
- ▶ Real Estate Litigation
- ▶ Legal Fee Disputes (Personal)

### Education

- ▶ LLB, University of British Columbia (2007)
- ▶ BA, University of British Columbia (2003)

### Bar Locations

- ▶ British Columbia (2008)

David Hunter is a partner of Hamilton Duncan. David has a civil litigation practice with a primary focus on estate and trust litigation and business litigation. He represents individuals and small to medium-sized businesses in all levels of court in British Columbia.

David has experience in a variety of estate-related disputes, including wills variation claims, trust and unjust enrichment claims, and actions involving issues of capacity and undue influence. He also has experience in various commercial and corporate matters, including contractual and property disputes and shareholder disputes.

David joined Hamilton Duncan in 2011 after practicing with a national law firm in Vancouver. He received his Bachelor of Arts in 2003 and his Bachelor of Laws in 2007, both from the University of British Columbia. Prior to his call to the bar in 2008, David served as a law clerk for six judges of the Supreme Court of British Columbia. In his spare time, he enjoys coaching baseball teams and providing pro bono legal services in Surrey.

## Work Highlights

- ▶ Klotz v. Funk, 2019 BCSC 817
- ▶ Re Berkenbos Estate, 2018 BCSC 1661
- ▶ Re Crisafio Estate, 2018 BCSC 305
- ▶ Re Anand, 2018 BCSC 34
- ▶ Mudaliar v. Mudaliar, 2015 BCSC 1476
- ▶ Cerenzie v. Duff, 2014 BCSC 1345
- ▶ The Original Cakerie Ltd. v. Renaud, 2013 BCSC 755
- ▶ Kranz v. Shidfar, 2011 BCSC 686

## Publications

- ▶ A Primer on Ordinary Costs (February 2020)
- ▶ Avoiding the Most Commonly Litigated Wills and Estates Issues (January 30, 2020)
- ▶ How to Successfully Defend an Undue Influence Action (March 2019)

- ▶ Validity of Testamentary Instruments Recent Developments (January 2019)
- ▶ Civil Contempt of Court: An Overview (April 2017)
- ▶ DNA Discovery and the Importance of DNA Evidence in Estate Litigation (May 2016)
- ▶ Mediation in a Time of Mourning (June 2015)
- ▶ Are you unknowingly unduly Influencing your elderly parent? (May 2015)
- ▶ No Right to Visit Elderly Parents (April 2015)
- ▶ Proprietary Estoppel – A Sword to Enforce Expectations (Summer 2014)
- ▶ Putting Things Right – How to Attack Financial Transactions (Spring 2014)

### Speaking Engagements

- ▶ Estate Planning and Estate Litigation, February 22, 2020 – CPA BC, Surrey/Langley/North Delta Chapter
- ▶ Estate Planning: The Tricky Issues, January 6, 2020 ? PBLI
- ▶ Ordinary Costs: Entitlement and Manner of Assessment, February 13, 2020 ? CLE
- ▶ Wills & Estate Planning and Estate Litigation, March 16, 2019 – CPA BC, Surrey/Langley/North Delta Chapter
- ▶ Validity of Testamentary Instruments: Recent Developments, January 2019 – Pacific Business and Law Institute Seminar
- ▶ Pit Falls of Wills and Estates and How to Avoid them, January 9, 2020 – Fraser Valley CPAA
- ▶ Undue Influence: How to Prosecute, How to Defend, and How to Win, April 5, 2019 ? TLABC
- ▶ Issues in Estate Litigation: Protecting the Estate Plan, May 2018 – Chartered Professional Accountants BC Seminar
- ▶ Civil Contempt of Court: An Overview, April 2017
- ▶ Contempt of Court: When is it Appropriate to Apply for a Contempt Order?, April 2017 ? TLABC
- ▶ DNA Discovery and the Importance of DNA Evidence in Estate Litigation, May 2016 – TLABC
- ▶ DNA – Who's Your Daddy?, May 2016 – TLABC

### Associations

- ▶ Fraser Valley Estate Planning Council, Past President

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- ▶ Surrey Bar Association, Past Director
- ▶ Law Society of British Columbia, Member
- ▶ Canadian Bar Association, Member
- ▶ Trial Lawyers Association of British Columbia, Member

## Community

- ▶ Access Pro Bono, Roster Lawyer

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