



## Jonathan Fung

Associate

Estates & Trusts

Estates & Trusts Opinions and Appeals

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### Profile

With over a decade of legal experience, Jonathan has established himself as a steadfast advocate in complex legal matters. His approach is grounded in a deep understanding of his clients' objectives, and is achieved through insightful questioning that reveals the crux of each case.

Jonathan has represented his clients' interests at the British Columbia Court of Appeal, the British Columbia Supreme Court, the Federal Court of Appeal, the Federal Court, and several other provincial appellate courts. His meticulous preparation and intellectual prowess shine in the courtroom, making him a formidable and passionate representative for our clients.

Having pursued studies in finance and computer science, Jonathan possesses a keen appreciation for the structured reasoning inherent in law. This interdisciplinary foundation allows him to approach legal challenges with a logical and analytical mindset, ensuring that clients receive swift and comprehensive counsel.

When navigating the sensitive realm of wills, trusts, and estates, he works diligently to provide his clients with reassurance and peace of mind. His commitment to achieving favorable outcomes and making a positive impact makes him an asset to our team and our clients.

## Work Highlights

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- > Successful counsel for the plaintiff in a wills variation action where a huge increase in the value of property between the date of the will and the date of death had the effect of being "dangerously close to a disinheritance" of the will-maker's daughter: *Kelly v Bell*, 2012 BCSC 841.
- > Successfully obtained a permanent stay of a prospective multi-jurisdictional class action in Saskatchewan, in favour of a \$9.4 million national settlement reached by plaintiffs in actions in British Columbia, Ontario, and Quebec, in an alleged price maintenance action involving diamonds: *Ammazzini v Anglo American PLC*, 2019 SKCA 142, application for leave to appeal to the Supreme Court of Canada dismissed.

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### Services

- > Capacity and undue influence claims
- > Executor and trustee compensation
- > Breach of fiduciary duty claims
- > Passing of executor and trustee accounts
- > Wills variation claims
- > Applications to have a document declared a will
- > Committeeship applications
- > Unjust enrichment claims
- > Appellate Practice
- > Abuse of powers of attorney claims

## Credentials

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### Awards & Distinctions

- > University of British Columbia, Law Students' Legal Advice Program, Brian Higgins Award, 2009
- > University of British Columbia Undergraduate Scholar Program Scholarship, 2001, 2003, 2004
- > Governor General's Award, 2001

### Industry and Community Involvement

- > Canadian Bar Association of British Columbia, Member, 2012 - Present
- > Law Society of British Columbia, Member, 2012 - Present
- > University of British Columbia, Guest Lecturer, 2022
- > Access Pro Bono, Clinic Lawyer, 2019, 2020, 2022
- > University of British Columbia, Law Students' Legal Advice Program, Supervising Lawyer,

2013-2019

**Education**

- > Call to Bar: 2012 (British Columbia)
- > Master of Laws in Business Law and Policy (Honours), University of California, Los Angeles, 2009-2010
- > Juris Doctor, University of British Columbia Faculty of Law, 2006-2009
- > Bachelor of Commerce (Honours), University of British Columbia, 2003-2006