


COURT OF APPEAL FOR BRITISH COLUMBIA

FORM 3

NOTICE OF CROSS APPEAL (RULE 9(a))

	Court of Appeal File No. <input type="text" value="CA51621"/>
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The file number can be found on the upper right corner of the Notice of Appeal.

PARTIES TO THE APPEAL

Appellant(s)
List the name(s) of the appellant(s) named on Form 1: Notice of Appeal

Lawyer 20

Respondent(s)
List the name(s) of the respondent(s) named on Form 1: Notice of Appeal

The Law Society of British Columbia

To the appellant(s) and any respondent(s) not cross appealing the order under appeal:
A court proceeding has been commenced against you in the Court of Appeal. See the final page of this form for details on how to respond.

Name(s) of party(ies) who wish(es) to cross appeal the order under appeal.

The Law Society of British Columbia

1. THE ORDER IN THE APPEAL YOU ARE CROSS APPEALING

Is leave to cross appeal required?
Court of Appeal Rule 12 explains when you need leave to cross appeal. If you are unsure, check "Yes".

Yes No

Who made the order?

Name the justice or decision maker who pronounced the order in the appeal you are cross appealing.

Law Society of British Columbia Tribunal - Review Division

Gurminder Sandhu, K.C., Robert J. C. Deane, K.C., Diane McRae (majority)
Christina J. Cook, K.C. and Susan Kootnekoff (dissent)

Date the order was pronounced

Include the day, month and year that the order in the appeal that you are cross appealing was pronounced.

15/05/2026

DD/MM/YYYY

2. RELIEF SOUGHT

If leave to cross appeal is not required, fill out Part A. If you are seeking leave to cross appeal, fill out Part B.

PART A: LEAVE NOT REQUIRED

Part of the order being cross appealed

If you only want to cross appeal one part of an order, enter the part that is being cross appealed.

The Respondent engaged in professional misconduct when he failed to make reasonable inquiries, record the results of any inquiries made, and cease acting, related to paying the Trust Balance to Company 2.

Order(s) you are seeking on cross appeal

Briefly list the order(s) you will ask this court to make on cross appeal. For example: "Set aside the trial judgment and order a new trial." Include any order as to costs.

The Law Society seeks:

- (1) an order setting aside the majority decision of the Review Board that the Respondent committed professional misconduct only in respect of the payment of the Trust Balance to Company 2, in relation to Allegation 1;
- (2) a declaration that the Respondent committed professional misconduct as alleged in Allegation 1(a), (b), (c) and (d); and
- (3) an order for the costs of the appeal.

PART B: SEEKING LEAVE TO APPEAL

Part of the order being cross appealed

If you are only seeking leave to cross appeal one part of an order, enter the part that you are seeking leave to cross appeal.

[Empty box for Part of the order being cross appealed]

Grounds for leave to cross appeal

Be as specific as possible. For example, if you believe the trial judge used an incorrect legal test or otherwise misapplied the law, indicate that here.

[Empty box for Grounds for leave to cross appeal]

3. SERVICE

Are you representing yourself?

Yes No

Name(s) and address(es) within BC for service of party(ies) filing cross appeal. If you have a lawyer, include the law firm's address; otherwise provide your own residential address.

Hunter Litigation Chambers
2100 - 1040 West Georgia Street
Vancouver, BC V6E 4H1
Attention: William B. Smart, K.C. / Maryanna T. Dinh

Phone number(s) of party(ies) filing cross appeal

604-891-2400

Email address(es) for service of party(ies) filing cross appeal
If you provide an email address, you consent to have documents served on you by email.

wsmart@litigationchambers.com
mdinh@litigationchambers.com

Date form completed

Date

24/06/2026

Name of lawyer or party authorizing filing of this form

William B. Smart, K.C.

DD/MM/YYYY

If you intend to participate in this cross appeal and you have not already filed a Notice of Appearance in this matter in a Court of Appeal registry, **you must give notice** of your intention to participate by filing a form entitled "Notice of Appearance" (Form 2 of the Court of Appeal Rules) in a Court of Appeal registry and serve the Notice of Appearance on the other parties to the appeal and cross appeal **not more than 10 days** after receiving this Notice of Cross Appeal.