

Hot Topics, Important Cases and Emerging Trends in Insolvency & Bankruptcy Law

Date: Thursday, February 5, 2015 | 9:00 am - 12:20 pm
Location: Westin Harbour Castle Conference Centre, 2 Harbour Square
Program Chairs: **Gustavo F. Camelino**, McLean & Kerr LLP
Leanne M. Williams, Thornton Grout Finnigan LLP



This program contains 1.75 Professionalism Hours
 This program is eligible for up to 1.5 Substantive Hours
 The OBA has been approved as an Accredited Provider of Professionalism Content by The Law Society of Upper Canada.

From recent landmark cases to the current issues in the Registrar's Court, there is much to be discussed in this highly complex area of the law. Whether you are relatively new to this area of practice or a seasoned practitioner, hear about the latest issues and developments in insolvency and bankruptcy law and ensure that you are providing the best advice and protecting your clients' interests.

Recognized experts will provide you with up-to-date information, tools and practical advice that you can put to use right away.

<p>9:00 am Welcome and Opening Remarks</p> <p>9:05 am Current Issues in the Registrar's Court Master May Jean, Ontario Superior Court of Justice Brandon Jaffe, Jaffe & Peritz LLP Melanie S. Wengle, A. Farber & Partners Inc.</p> <ul style="list-style-type: none"> • Compliance with the <i>Rules of Civil Procedure</i> in the Bankruptcy Court <ul style="list-style-type: none"> ○ A discussion on Rule 4 – Required format for documents and ensuring proper and complete motion records ○ July 1, 2015 – The looming deadline for strict compliance and the consequences of non-compliance • Trustee reports in the Registrar's Court <ul style="list-style-type: none"> ○ What counsel and trustees need to do to ensure sufficient weight is given to the report • Tax issues <ul style="list-style-type: none"> ○ An analysis of recent decisions on pre-proposal tax debt and provisional tax returns <p>9:40 am D&O Concerns in the Zone of Insolvency Kyla E.M. Mahar, Thornton Grout Finnigan LLP Ryan Adlington, KPMG</p> <ul style="list-style-type: none"> • Addressing and identifying the personal liability of directors in an insolvency • D & O insurance <ul style="list-style-type: none"> ○ What it should cover ○ Can you get additional coverage leading into an insolvency? • Balancing the need to finance the normal course of business without negatively impacting creditors <ul style="list-style-type: none"> ○ What a company can and can't do leading into a filing and the potential liability for directors • Assessing the impact of recent court decisions on the personal liability of directors <p>10:20 am Networking Break</p>	<p>10:40 am The Use of the Turnaround Specialist (CROs, Information Officers, Trustees, etc.) Russell French, Business Development Bank of Canada Joseph Pernica, Pernica Advisory Services Inc.</p> <ul style="list-style-type: none"> • Defining the roles <ul style="list-style-type: none"> ○ What is a turnaround specialist and how does each role differ? ○ How does each specialist see his or her role? ○ Factors to consider when deciding which professional to use and when to engage them • What is the value of using a specialist and how to do so in an economically feasible way • When does it make sense to use a turnaround specialist on a smaller file? <p>11:30 am Recent Cases and Current Developments Mervyn D. Abramowitz, Kronis, Rotsztain, Margles, Cappel LLP Jeffrey B. Rosekat, Gardiner Roberts LLP</p> <ul style="list-style-type: none"> • Lessons from <i>Nortel</i>: a discussion of the key decisions along the way • Fraudulent conveyances: What you need to know to properly advise your clients • Is the billable hour dead? The latest from the Court of Appeal on the reasonableness of fees and the focus on value • Deemed trusts and the legacy of <i>Indalex</i>: An analysis of <i>RBC v. Atlas Block</i> and the paramountcy issues that arise when dealing with insolvency legislation <p>12:10 pm Questions and Concluding Remarks</p> <p>12:20 pm Program Concludes</p>
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