



# ANNUAL REVIEW OF INSOLVENCY LAW VIRTUAL CONFERENCE

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FEBRUARY 4, 2022

## CONFERENCE CO-CHAIRS

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**Chief Justice Suzanne Duncan**  
Supreme Court of Yukon, Whitehorse

**Guylaine Houle**  
Pierre Roy & Associés Inc., Montréal

**Linc Rogers**  
Blake, Cassels & Graydon LLP, Toronto, (IIC)

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School of Business, Camosun College, Victoria

**Justice Blair Nixon**  
Court of Queen's Bench of Alberta, Calgary

A Complete Listing of the Featured  
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# VIRTUAL CONFERENCE AGENDA (ALL TIMES EASTERN)

## FEBRUARY 4, 2022

10:30am - 10:50am	<p><b>Opening Remarks and Welcome from the Conference Co-Chairs:</b></p> <p><b>Chief Justice Suzanne Duncan</b>, Supreme Court of Yukon, Whitehorse, <b>Guylaine Houle</b>, Pierre Roy &amp; Associés Inc., Montréal, <b>Linc Rogers</b>, Blake, Cassels &amp; Graydon LLP, Toronto (IIC)</p> <p><b>Greetings:</b> ARIL Society Inc. Board Chair <b>Edward Sellers</b> (FIIC) CAIRP Board Chair <b>Jean-Daniel Breton</b> (IIC) and IIC President <b>Robert Thornton</b> (FIIC)</p>
10:50am - 11:25am	<p><b>Dr. Janis Sarra Opening Plenary: RVOs: Have We Gone Too Far?</b></p> <p><b>Michelle Pickett</b>, PwC, Toronto, Author <b>Kibben Jackson</b>, Fasken Martineau DuMoulin LLP, Vancouver (IIC) <b>Alain Tardif</b>, McCarthy Tétrault LLP, Montréal (IIC)</p>
11:25am-11:35am	<b>Break</b>
11:35am-12:05pm	<p><b>Concurrent Session 1A - Cross Border and Global Restructurings: Lessons Learned</b></p> <p><b>Kathryn Esaw</b>, Osler, Hoskin &amp; Harcourt LLP, Toronto, Author <b>Elizabeth Pillon</b>, Stikeman Elliott LLP, Toronto (IIC), Author <b>Holly Palmer</b>, EY-Parthenon, Vancouver (IIC)</p> <p><b>Concurrent Session 1B - The Fees that Bind: Family Law and Personal Insolvency Proceedings</b></p> <p><b>Dr. Anna Lund</b>, University of Alberta, Edmonton, Author <b>Wesley Cowan</b>, MNP Ltd., Waterloo <b>Chantal Gingras</b>, Ginsberg, Gingras &amp; Associés Inc., Ottawa</p>
12:05pm-12:15pm	<b>Break</b>
12:15pm-1:00pm	<p><b>The Honourable Donald Brenner Memorial Keynote: Leap Ahead: The Future of Work</b></p> <p>A Conversation with: <b>Linda Nazareth</b>, Economist, specializing in trends around the future of work <b>Takara Small</b>, Technology Columnist (CBC) and Founder of VentureKids, (providing coding and start up classes to underserved youth)</p> <p>Moderated by: <b>Mary I.A. Buttery</b>, QC, Cassels Brock &amp; Blackwell LLP (IIC)</p>
1:00pm-1:05pm	<b>Break</b>
1:05pm-1:35pm	<p><b>Concurrent Session 2A - Gotta have Faith: Equitable Subordination and Insolvency Proceedings</b></p> <p><b>Pavle Masic</b>, Ricketts Harris LLP, Toronto, Author <b>Geneviève Cloutier</b>, Gowling WLG (Canada) LLP, Montréal <b>Tushara Weerasooriya</b>, McMillan LLP, Toronto</p> <p><b>Concurrent Session 2B - Gotta have Faith: Good Faith and Consumer Proposals</b></p> <p><b>Angelica Kovac</b>, Fulton &amp; Company LLP, Kamloops, Author <b>Isabelle Desharnais</b>, Borden Ladner Gervais LLP, Montréal <b>Nancy Snedden</b>, BDO Canada Limited, St. John's</p>

# VIRTUAL CONFERENCE AGENDA (ALL TIMES EASTERN)

1:35pm-1:40pm	<b>Break</b>
1:40pm-2:10pm	<p><b>Concurrent Session 3A - #trending: A Decade of CCAA Filings</b></p> <p><b>Katherine Forbes</b>, KPMG LLP, Toronto, Author  <b>Maria Konyukhova</b>, Stikeman Elliot LLP, Toronto (IIC), Author  <b>Afshan Naveed</b>, Dentons Canada LLP, Calgary</p> <p><b>Concurrent Session 3B - Money Laundering and Insolvency Law: A Needle in a Haystack</b></p> <p><b>Tamie Dolny</b>, Aird &amp; Berlis LLP, Toronto, Author  <b>Mike Bell</b>, EY-Parthenon, Vancouver  <b>Paul Bourassa</b>, Bourassa Law &amp; Strategic Services, Calgary</p>
2:10pm-2:15pm	<b>Break</b>
2:15pm-2:45pm	<p><b>Concurrent Session 4A - The Plight of the Early Bird: Examining the Pre-Filing Role of the Monitor</b></p> <p><b>Evan Cobb</b>, Norton Rose Fulbright Canada LLP, Toronto (IIC), Author  <b>Deryck Helkaa</b>, FTI Consulting Canada Inc., Calgary (IIC)  <b>D.J. Miller</b>, Thornton Grout Finnigan LLP, Toronto (IIC)</p> <p><b>Concurrent Session 4B - To Supply or Not to Supply: What are the Questions?</b></p> <p><b>Brian Kolenda</b>, Lenczner Slaght LLP, Toronto, Author  <b>Olivier Benchaya</b>, Richter, Montréal  <b>Sara Scott</b>, Stewart McKelvey LLP, Halifax (IIC)</p>
2:45pm - 2:55pm	<b>Break</b>
2:55pm-3:25pm	<p><b>The Future of Insolvency Practice: A Conversation with Superintendent Elisabeth Lang</b></p> <p>Joined by:  <b>Robert Hunt</b>, Grant Thornton Limited, Halifax (IIC)  <b>Jennifer Stam</b>, Norton Rose Fulbright Canada LLP, Toronto (IIC)</p>
3:25pm-3:30pm	<b>Break</b>
3:30pm-4:00pm	<p><b>Concurrent Session 5A - Pushing Boundaries: Third-Party Releases in Restructuring Proceedings</b></p> <p><b>Carole Hunter</b>, DLA Piper Canada LLP, Calgary, Author  <b>Arad Mojtahedi</b>, Norton Rose Fulbright Canada LLP, Montréal, Author  <b>Stephen Ferguson</b>, Alvarez &amp; Marsal Canada ULC, Toronto (IIC)</p> <p><b>Concurrent Session 5B - Oppression and Insolvency: When Does Prejudice Become Unfair?</b></p> <p><b>Professor Jassmine Girgis</b>, University of Calgary, Calgary, Author  <b>Natalie Renner</b>, Davies Ward Phillips &amp; Vineberg LLP, Toronto  <b>Geoffrey Spencer</b>, McInnes Cooper LLP, St. John's (IIC)</p>

# VIRTUAL CONFERENCE AGENDA (ALL TIMES EASTERN)

4:00pm-4:05pm	<b>Break</b>
4:05pm-4:35pm	<b>Concurrent Session 6A - Statute Barred Claims: Implications and Consequences (Corporate)</b> <b>Anamika Gadia</b> , KPMG LLP, Toronto <b>Jeffrey Oliver</b> , Cassels Brock & Blackwell LLP, Calgary (IIC) <b>Aryo Shalviri</b> , Blake, Cassels & Graydon LLP, Toronto <b>Concurrent Session 6B - Statute Barred Claims: Implications and Consequences (Consumer)</b> <b>J. Ross Macfarlane</b> , Flett Beccario LLP, Welland, Author <b>Freida Richer</b> , Grant Thornton Limited, Edmonton <b>Tim Hill</b> , QC., BoyneClarke LLP, Halifax
4:35pm-4:45pm	<b>Break</b>
4:45pm-5:15pm	<b>Judicial Panel</b> <b>Chief Justice Suzanne Duncan</b> , Supreme Court of Yukon, Whitehorse <b>Justice Shelley Fitzpatrick</b> , British Columbia Supreme Court, Vancouver <b>Chief Justice Geoffrey Morawetz</b> , Ontario Superior Court of Justice, Toronto <b>Justice Marie-Anne Paquette</b> , Quebec Superior Court, Montréal
5:15pm-5:30pm	<b>Closing Remarks and Appreciation</b> <b>Chief Justice Suzanne Duncan</b> , Supreme Court of Yukon, Whitehorse, <b>Guylaine Houle</b> , Pierre Roy & Associés Inc., Montréal, <b>Linc Rogers</b> , Blake, Cassels & Graydon LLP, Toronto (IIC)

## ARIL PODCAST PROGRAM

### Use of French in CCAA Proceedings (Presented in English)

**Julien Morissette**, Osler Hoskin & Harcourt LLP, Montréal, Author  
**Virginie Gauthier**, Gowling WLG (Canada) LLP, Toronto (IIC)  
**Catherine Nguyen**, PwC, Montréal

### L'utilisation du français dans les procédures de la LACC (présentation en français)

**Julien Morissette**, Osler, Hoskin & Harcourt S.E.N.C.R.L./s.r.l., Montréal, Auteur  
**Virginie Gauthier**, Gowling WLG (Canada) S.E.N.C.R.L., s.r.l., Toronto (IIC)  
**Catherine Nguyen**, PwC, Montréal

### Construction Liens: Trustees, Put on Your Hardhats

**Melinda Vine**, Harrison Pensa LLP, London, Author  
**Adrienne Ho**, Thornton Grout Finnigan LLP, Toronto  
**Pierre Marchand**, MNP Ltd., Montréal  
**Dana Nowak**, MLT Aikins LLP, Edmonton

### Dossiers de fraude financière et l'interaction entre les lois provinciales et la LFI (présentation en français)

**Hugo Babos-Marchand**, McCarthy Tétrault LLP, Montréal, Auteur  
**Emmanuel Phaneuf**, Raymond Chabot Grant Thornton S.E.N.C.R.L., Montréal, Auteur

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### **Creditors over Contracts: The Anti-Deprivation Rule**

**Heidi Esslinger**, Fraser Litigation Group, Vancouver, Author

**Sean Collins**, McCarthy Tétrault LLP, Calgary (IIC)

**Darren Crocker**, Deloitte Restructuring Inc., Edmonton

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### **ROFRs: An Endangered Species?**

**Valerie Cross**, Dentons Canada LLP, Vancouver, Author

**David Sieradzki**, KSV Advisory Inc., Toronto (IIC)

**Susy Trace**, Miller Thomson LLP, Edmonton

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### **Environmental Liabilities in a Post-Redwater World**

**Candace Formosa**, Norton Rose Fulbright Canada LLP, Vancouver, Author

**Logan Maddin**, Field Law, Calgary, Author

**Morag Cooper**, PwC, Vancouver

**Robyn Gurofsky**, Borden Ladner Gervais LLP, Calgary (IIC)

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### **Restructuring Proceedings: Who Should be Driving the Bus?**

**J.J. Burnell**, MLT Aikins LLP, Winnipeg, Author (IIC)

**Brent Warga**, Deloitte Restructuring Inc., Winnipeg, Author

**Peter Rubin**, Blake, Cassels & Graydon LLP, Vancouver (IIC)

**Mark Taggart**, Department of Justice Canada, Ottawa

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### **“The Money’s Gone?! But I invested in a Bank!!” Valuation Issues in FI Resolution Schemes**

**Prof. Dr. Stephan Madaus**, Martin-Luther University Halle-Wittenberg, Author

**Phil Reynolds**, Deloitte Restructuring Inc., Toronto (IIC)

**Christa Walker**, Canada Deposit Insurance Corporation, Ottawa

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## **THANK YOU!**

### **2022 Conference Planning Committee**

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Guylaine Houle, Pierre Roy & Associés Inc., Montréal  
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***Thank you to all of the attendees, authors, speakers and sponsors for your continued dedication and support of the ARIL Conference. Special thank you to the Co-Editors, ARIL Society Board of Directors and the Editorial Advisory Board for all your efforts. We hope to see everyone next year!***

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