20TH ANNUAL REVIEW OF INSOLVENCY LAW CONFERENCE

FEBRUARY 3, 2023
CALGARY, ALBERTA

CONFERENCE CO-CHAIRS

Kelly Bourassa,
Blake, Cassels & Graydon LLP, Calgary

Deryck Helkaa,
FTI Consulting Canada Inc., Calgary

Justice Barbara Romaine,
Court of King’s Bench of Alberta, Calgary

CO-EDITORS

Professor Jill Corraini
School of Business, Camosun College, Victoria

Justice Blair Nixon
Court of King’s Bench of Alberta, Calgary

ARIL CONFERENCE:
February 3, 2023, 7:30am – 5:00pm MT
Calgary TELUS Convention Centre, 136 8 Ave SE

OPENING RECEPTION:
February 2, 2023, 6:00pm – 7:00pm MT
Calgary TELUS Convention Centre, 136 8 Ave SE

ACCOMMODATIONS:
Hyatt Regency Calgary, 700 Centre St SE & The Fairmont Palliser, 133 9 Ave SW

REGISTRATION:
Click HERE to register

ARIL PODCAST PROGRAM:
Available to Conference attendees as part of the registration fee and for purchase post-event. See back page for details.

Thank you to our Trailblazer Sponsor: Canadian Association of Insolvency and Restructuring Professionals
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### THURSDAY, FEBRUARY 2, 2023

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<tr>
<th>Time</th>
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<tr>
<td>5:30pm - 7:00pm</td>
<td>Registration</td>
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<tr>
<td>6:00pm - 7:00pm</td>
<td>**Opening Reception, Calgary TELUS Convention Centre</td>
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### FRIDAY, FEBRUARY 3, 2023

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<tr>
<th>Time</th>
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<tbody>
<tr>
<td>7:30am - 8:25am</td>
<td>Breakfast and Registration</td>
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<tr>
<td>8:25am - 8:40am</td>
<td><strong>Opening Remarks and Welcome from the Conference Co-Chairs:</strong></td>
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<td></td>
<td><strong>Kelly Bourassa</strong>, Blake, Cassels &amp; Graydon LLP, Calgary, <strong>Deryck Helkaa</strong>, FTI Consulting Canada Inc., Calgary, <strong>Justice Barbara Romaine</strong>, Court of King’s Bench of Alberta, Calgary</td>
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<td><strong>Greetings:</strong></td>
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<td>CAIRP Board Chair <strong>Jean-Daniel Breton</strong></td>
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<td>ARIL Society Inc. Board Chair <strong>Edward Sellers</strong></td>
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<tr>
<td>8:45am - 9:30am</td>
<td><strong>Dr. Janis Sarra Opening Plenary: Diminished Discretion or Just a Sign of the Times?</strong> What’s Driving the Increase in Appellate Level Decisions in Insolvency Matters</td>
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<td><strong>Claire Hildebrand</strong>, Blake, Cassels &amp; Graydon LLP, Vancouver, Author</td>
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<td><strong>Rebecca Kennedy</strong>, Thornton Grout Finnigan LLP, Toronto</td>
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<td><strong>Jeffrey Oliver</strong>, Cassels Brock &amp; Blackwell LLP, Calgary</td>
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<td><strong>Martin Rosenthal</strong>, EY-Parthenon, Montréal</td>
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<td><strong>Moderator:</strong></td>
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<td><strong>Chief Justice Geoffrey Morawetz</strong>, Ontario Superior Court of Justice, Toronto</td>
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<td>9:35am - 10:20am</td>
<td><strong>The Honourable Donald Brenner Memorial Keynote: Barb Stegemann</strong></td>
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<td>Barb Stegemann is a Best-Selling Author, Speaker and Founder of The 7 Virtues, an award-winning social enterprise supporting suppliers in countries such as Afghanistan, Haiti, and Rwanda, and ranked the #1 selling clean perfume at Sephora Canada and USA. Barb first became known to millions of Canadians when she landed a venture-capital deal on CBC’s Dragons’ Den, the first woman from Atlantic Canada to do so. She went on to become the “Top Game Changer” in the history of the show. Barb is also the author of the bestselling book, The 7 Virtues of a Philosopher Queen, and the subject of the feature-length, award-winning documentary Perfume War.</td>
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<tr>
<td>10:30am - 11:10am</td>
<td><strong>Concurrent Panels</strong></td>
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<td><strong>Panel A:</strong></td>
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<tr>
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<td>Room: Exhibition Hall D &amp; Annex</td>
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<td><strong>Bits &amp; Bytes: The Rise and Fall of Crypto</strong></td>
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<td><strong>Sam Gabor</strong>, Gowling WLG (Canada) LLP, Calgary, Author</td>
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<td><strong>Emmanuel Phaneuf</strong>, Raymond Chabot Grant Thornton, Montréal</td>
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<td><strong>Will Paterson</strong>, The World Bank Group, Washington</td>
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<td><strong>Moderator:</strong></td>
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<td><strong>Justice Chantal Corriveau</strong>, Superior Court of Québec, Montréal</td>
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<td><strong>Panel B:</strong></td>
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<td><strong>The Path Forward For a Green Turnaround: The Landscape of Environmental Liabilities since Redwater</strong></td>
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<td><strong>Keely Cameron</strong>, Bennett Jones LLP, Calgary, Author</td>
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<td><strong>Jack Maslen</strong>, Borden Ladner Gervais LLP, Calgary, Author</td>
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<td><strong>Stanley Julien</strong>, Bank of Montréal, Toronto</td>
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<td><strong>Paul van Eyk</strong>, KPMG LLP, Toronto</td>
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<td><strong>Moderator:</strong></td>
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<td><strong>Chief Justice Suzanne Duncan</strong>, Supreme Court of Yukon, Whitehorse</td>
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<td>11:10am - 11:30am</td>
<td><strong>Networking Break Sponsored by Mazars Group Inc.</strong></td>
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</table>
| Time          | Concurrent Panels                                                                
|---------------|-----------------------------------------------------------------------------------|
| 11:30am - 12:10pm | **Panel C:** Room: Exhibition Hall D & Annex  
Who's in Command? The Single Proceeding Model in Insolvency Proceedings*  
Milly Chow, Blake, Cassels & Graydon LLP, Toronto, Author  
Kelsey Meyer, Bennett Jones LLP, Calgary  
Nathalie Nouvet, Stikeman Elliott LLP, Montréal  
Michelle Pickett, PwC Canada, Toronto  
Moderator: Justice Michele Hollins, Court of King's Bench of Alberta, Calgary |

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| 12:15pm - 12:55pm | **Panel D:** Room: Exhibition Hall C  
Regulators Fines, Penalties, Restitution Orders- is it Survival or Fresh Start?*  
Professor Jassmine Girgis, University of Calgary, Calgary, Author  
Haddon Murray, Gowling WLG (Canada) LLP, Toronto, Author  
Marie Kozlowski, BDO Canada Limited, Calgary  
William Roberts, Lawson Lundell LLP, Vancouver  
Moderator: Justice Darrell Stephenson, Court of King’s Bench of New Brunswick, Saint John |

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| 1:55pm - 2:35pm | **Panel F:** Room: Exhibition Hall C  
Canadian Exports: A Possible Path to Chapter 15 Recognition of RVOs and Cannabis Filings  
Daniel Guyder, Allen & Overy LLP, New York, Author  
Jennifer Stam, Norton Rose Fulbright Canada LLP, Toronto, Author  
Dustin Olver, FTI Consulting Canada Inc., Calgary  
Eric St-Amour, EY-Parthenon, Montréal  
Moderator: Justice Kenneth Nielsen, Court of King’s Bench of Alberta, Calgary |

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| 1:55pm - 2:35pm | **Panel E:** Room: Exhibition Hall D & Annex  
Please Release Me, Let Me Go*  
James Gage, McCarthy Tétrault LLP, Toronto, Author  
Joseph Bellissimo, Cassels Brock & Blackwell LLP, Toronto  
Cassie Poon, Deloitte Restructuring Inc., Calgary  
Mitch Vininsky, KSV Advisory Inc., Toronto  
Moderator: Judge Mary Jo Heston, U.S. Bankruptcy Court, Western District of Washington, Washington |

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Jennifer Stam, Norton Rose Fulbright Canada LLP, Toronto, Author  
Dustin Olver, FTI Consulting Canada Inc., Calgary  
Eric St-Amour, EY-Parthenon, Montréal  
Moderator: Justice Kenneth Nielsen, Court of King’s Bench of Alberta, Calgary |

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| 1:55pm - 2:35pm | **Panel E:** Room: Exhibition Hall D & Annex  
Ebony and Ivory – Are the BIA and the CCAA Making Great Music Together?*  
Karen Kimel, Richter, Toronto, Author  
Jordan Schultz, Dentons Canada LLP, Vancouver, Author  
Guylaine Houle, Pierre Roy & Associés Inc., Montréal  
Chelene Riendeau, MNP Ltd., Saskatoon  
Moderator: Registrar Raffi Balmanoukian, Supreme Court of Nova Scotia in Bankruptcy and Insolvency, Halifax |
## AGENDA (TIMES ARE IN MOUNTAIN TIME ZONE)

*Part of the ARIL Podcast Program*

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<th>2:40pm - 3:20pm</th>
<th>Concurrent Panels</th>
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| Panel G: Room: Exhibition Hall C | **Exempt, or Not Exempt? That is the Question...**<sup>*</sup>  
Dana Nowak, MLT Aikins LLP, Edmonton, Author  
Daniel Budd, Mazars Group Inc., Montréal  
Jennifer McCracken, BDO Canada Limited, Vancouver  
Professor Thomas Telfer, University of Western Ontario, London  
Moderator: **Superintendent Elisabeth Lang**, Office of the Superintendent of Bankruptcy, Ottawa |
| Panel H: Room: Exhibition Hall D & Annex | **A Kinder, Gentler Process? The Increasing use of Corporate Statutes in Canada to Restructure and Liquidate Distressed Entities**<sup>*</sup>  
Virginie Gauthier, Gowling WLG (Canada) LLP, Toronto, Author  
Richard Williams, Deloitte Restructuring Inc., Toronto, Author  
Caroline Descours, Goodmans LLP, Toronto  
James Reid, Miller Thomson LLP, Calgary  
Moderator: **Justice Herman Wilton-Siegel**, Ontario Superior Court of Justice, Toronto |

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<tr>
<th>3:30pm - 4:15pm</th>
<th>Judicial Panel</th>
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| Room: Exhibition Hall D & Annex | **Justice David Collier**, Superior Court of Québec, Montréal  
**Justice Shelley Fitzpatrick**, British Columbia Supreme Court, Vancouver  
**Justice Thomas McEwen**, Ontario Superior Court of Justice, Toronto  
**Justice Blair Nixon**, Court of King’s Bench of Alberta, Calgary  
Moderator: **Justice Barbara Romaine**, Court of King’s Bench of Alberta, Calgary |

| 4:15pm - 4:20pm | Closing Remarks and Appreciation:  
Kelly Bourassa, Blake, Cassels & Graydon LLP, Calgary, Deryck Helkaa, FTI Consulting Canada Inc., Calgary, **Justice Barbara Romaine**, Court of King’s Bench of Alberta, Calgary |

| 4:20pm - 5:00pm | Closing Reception, Calgary TELUS Convention Centre | Exhibition Hall, Foyer |

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### ARIL PODCAST PROGRAM

**Not so Appealing**  
Adrienne Ho, Thornton Grout Finnigan LLP, Toronto, Author  
Marc-Étienne Boucher, McCarthy Tétrault LLP, Montréal  
Josie Parisi, BDO Canada Limited, Toronto  
Ian Sutherland, McDougall Gauley LLP, Regina  
Moderator: **J.J. Burnell**, MLT Aikins LLP, Winnipeg  

**Removing Value from the Bankrupt’s Estate: Set-off and the Anti-Deprivation Rule**  
Catherine Francis, Minden Gross LLP, Toronto, Author  
Arad Mojtahedi, Norton Rose Fulbright Canada LLP, Montréal, Author  
Professor Roderick Wood, University of Alberta, Edmonton  
Breanne Scott, BDO Canada Limited, Calgary  
 Moderator: **Gabriel Faure**, McCarthy Tétrault LLP, Montréal
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<tr>
<td>Braking the Law: Emerging Law on Regulatory Stays under s. 11.1 CCAA</td>
<td>Kevin Hoy, DLA Piper Canada LLP, Calgary Author</td>
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<td>Jerritt Pawlyk, DLA Piper Canada LLP, Edmonton, Author</td>
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<td>Craig Munro, FTI Consulting Canada Inc., Vancouver</td>
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<td>Tushara Weerasooriya, McMillan LLP, Toronto</td>
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<td>Moderator: Joe Thorne, Stewart McKelvey LLP, St. John’s</td>
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<tr>
<td>The Fraudster Made Me Do It: Reframing Corporate Attribution</td>
<td>Sam Rappos, Chaitons LLP, Toronto, Author</td>
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<td>Vanessa Allen, MNP Ltd., Calgary</td>
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<td>Alan Merskey, Cassels Brock &amp; Blackwell LLP, Toronto</td>
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<td>Tara Serve, EY-Parthenon, Montréal</td>
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<td>Moderator: Lindsay Pellett, PwC Canada, Toronto</td>
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<td>The Rise of the Litigation Trustee and Litigation Funding in Canadian Insolvency Proceedings</td>
<td>Chris Kinnear Hunter, Torys LLP, Toronto, Author</td>
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<td>Jessica Cameron, Fasken Martineau DuMoulin LLP, Calgary</td>
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<td>Naomi Loewith, OMNI Bridgeway, Toronto</td>
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<td>Anthony Tillman, Alvarez &amp; Marsal Canada ULC, Vancouver</td>
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<td>Moderator: Christopher Keliher, Blake, Cassels &amp; Graydon LLP, Calgary</td>
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<td>The Thin Green Line: Revisiting the Criminal Rate of Interest in Canada</td>
<td>Emily Han, Osgoode Hall Law School, Toronto</td>
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<td>Ilia Kravtsov, Osler Hoskin &amp; Harcourt LLP, Toronto</td>
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<td>Sanjeev Mitra, Aird &amp; Berlis LLP, Toronto</td>
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<td>Dean Shillington, Maynbridge Capital, Vancouver</td>
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<td>Moderator: Emily Paplawski, Osler Hoskin &amp; Harcourt LLP, Calgary</td>
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Conference Information

Venue: Calgary TELUS Convention Centre, 136 8 Ave SE, Calgary, AB T2P 0K6
Registration: https://cairp.ca/cgi/page.cgi/Annual_Review_of_Insolvency_Law.html
Fees:
- General Registrant: $975 plus applicable taxes (includes ARIL Podcast Program available post-conference)
- Judges, Articling Students, Full-time Academics, CQP Candidates: $225 plus applicable taxes (includes ARIL Podcast Program available post-conference)
- ARIL Podcast Program: $500 plus applicable taxes (available for purchase post-conference)

For 2023 Conference Only: ARIL Society Inc. will allow for a refund 2 weeks prior to the opening of the conference, by Thursday, January 19th by 8pm ET. After this date, no refunds will be permitted for any reason. Substitutions will be allowed up to 3 days before the opening of the conference, by Monday, January 30th. It is the responsibility of the attendee to change or cancel any hotel and travel arrangements.
All requests for a refund and/or substitution must be provided in writing to natalie.alfano@cairp.ca. For those writing to request a substitution, please copy your designated substitute on the request. ARIL Society Inc. cannot guarantee dietary or accessibility accommodations for substitutions.

Accommodations:
Hyatt Regency Calgary, 700 Centre St SE, Calgary, AB T2G 5P6 and The Fairmont Palliser (133 9 Ave SW, Calgary, AB T2P 2M3)

Conference Papers:
Available on CanLII; access information to be sent to conference attendees. The Papers will also be available on InsolvencySource for existing subscribers and published by Thomson Reuters as a hard copy/e-book for purchase. Pricing information will be available soon.
THANK YOU!
2023 Conference Planning Committee

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Kelly Bourassa, Blake, Cassels & Graydon LLP
Deryck Helkaa, FTI Consulting Canada Inc.
Justice Barbara Romaine, Court of King’s Bench of Alberta

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Gabriel Faure, McCarthy Tétrault LLP
Michelle Grant, PwC Canada
Christopher Keliher, Blake, Cassels & Graydon LLP
Julie Kennedy, MNP Ltd.
Marie Kozlowski, BDO Canada Limited
Arad Mojtabahed, Norton Rose Fulbright Canada LLP
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Allan Nackan, Farber Group
Emily Paplawski, Osler Hoskin & Harcourt LLP
Lindsay Pellett, PwC Canada
Joe Thorne, Stewart McKelvey LLP
Mahesh Uttamchandani, The World Bank Group

2022 Conference Co-Chairs:
Guylaine Houle, Pierre Roy & Associés Inc
Linc Rogers, Blake, Cassels & Graydon

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!