

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

CAIRP | Rebuilding
Success
Canadian Association of Insolvency and Restructuring Professionals

ACPIR | Rétablir
le Succès
Association canadienne des professionnels de l'insolvabilité et de la réorganisation

THANK YOU TO OUR GENEROUS SPONSORS

TRAILBLAZER

CAIRP | Rebuilding
Success
Canadian Association of Insolvency and Restructuring Professionals

ACPIR | Rétablir
le Succès
Association canadienne des professionnels de l'insolvabilité et de la réorganisation

THOUGHT LEADERS



FASKEN

Blakes

mccarthy
tetrault

BLG
Borden Ladner Gervais


MILLER THOMSON
AVOCATS | LAWYERS

大成 DENTONS

EY
Parthenon

TGF
Thornton Grout Finnigan LLP
RESTRUCTURING • LITIGATION

GROUNDBREAKERS

AIRD BERLIS

BDO

Blaney
McMurtry LLP

Cassels

Deloitte.

DLA PIPER

FARBER

F T I
CONSULTING

Goodmans LLP

 Grant Thornton

**KOSKIE
MINSKY**
JUSTICE MATTERS

KPMG

KSV

mcmillan

MNP LTD

pwc

RICHTER

Stikeman Elliott

INNOVATORS

CLARK WILSON

 **GOWLING WLG**

**LAWSON
LUNDELL**

MLT AIKINS
WESTERN CANADA'S LAW FIRM

OSLER

T D S THOMPSON
DORFMAN
SWEATMAN

SUPPORTERS

 Bennett Jones

 **CENTURY
SERVICES**
APPRAISALS • REALIZATIONS • CAPITAL MANAGEMENT

FARRIS

 **STEWART
McKELVEY**
LAWYERS • AVOCATS

NETWORKING BREAK

mazars

PUBLICATION SPONSOR


**THOMSON
REUTERS®**

THE HONOURABLE DONALD BRENNER MEMORIAL KEYNOTE



**PETER A. ALLARD
SCHOOL OF LAW**
THE UNIVERSITY OF BRITISH COLUMBIA

AGENDA (TIMES ARE IN MOUNTAIN TIME ZONE)

*Part of the ARIL Podcast Program

THURSDAY, FEBRUARY 2, 2023

5:30pm - 7:00pm	Registration
6:00pm - 7:00pm	Opening Reception, Calgary TELUS Convention Centre Exhibition Hall, Foyer

FRIDAY, FEBRUARY 3, 2023

7:30am - 8:25am	Breakfast and Registration Exhibition Hall, Foyer
8:25am - 8:40am Room: Exhibition Hall D & Annex	Opening Remarks and Welcome from the 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 Greetings: CAIRP Board Chair Jean-Daniel Breton ARIL Society Inc. Board Chair Edward Sellers
8:45am-9:30am Room: Exhibition Hall D & Annex	Dr. Janis Sarra Opening Plenary: Diminished Discretion or Just a Sign of the Times? What's Driving the Increase in Appellate Level Decisions in Insolvency Matters Claire Hildebrand , Blake, Cassels & Graydon LLP, Vancouver, Author Rebecca Kennedy , Thornton Grout Finnigan LLP, Toronto Jeffrey Oliver , Cassels Brock & Blackwell LLP, Calgary Martin Rosenthal , EY-Parthenon, Montréal Moderator: Chief Justice Geoffrey Morawetz , Ontario Superior Court of Justice, Toronto
9:35am - 10:20am Room: Exhibition Hall D & Annex	The Honourable Donald Brenner Memorial Keynote: Barb Stegemann 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.
10:30am - 11:10am	Concurrent Panels
Panel A: Room: Exhibition Hall D & Annex	Bits & Bytes: The Rise and Fall of Crypto* Sam Gabor , Gowling WLG (Canada) LLP, Calgary, Author Emmanuel Phaneuf , Raymond Chabot Grant Thornton, Montréal Will Paterson , The World Bank Group, Washington Moderator: Justice Chantal Corriveau , Superior Court of Québec, Montréal
Panel B: Room: Exhibition Hall C	The Path Forward For a Green Turnaround: The Landscape of Environmental Liabilities since Redwater* Keely Cameron , Bennett Jones LLP, Calgary, Author Jack Maslen , Borden Ladner Gervais LLP, Calgary, Author Stanley Julien , Bank of Montréal, Toronto Paul van Eyk , KPMG LLP, Toronto Moderator: Chief Justice Suzanne Duncan , Supreme Court of Yukon, Whitehorse
11:10am - 11:30am	Networking Break Sponsored by Mazars Group Inc.

AGENDA (TIMES ARE IN MOUNTAIN TIME ZONE)

*Part of the ARIL Podcast Program

11:30am - 12:10pm	Concurrent Panels
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
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
12:15pm - 12:55pm	Concurrent Panels
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
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
12:55pm - 1:50pm	Networking Lunch Exhibition Hall E
1:55pm - 2:35pm 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

2:40pm - 3:20pm	Concurrent Panels
Panel G: Room: Exhibition Hall C	Exempt, or Not Exempt? That is the Question...* 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* 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
3:30pm - 4:15pm Room: Exhibition Hall D & Annex	Judicial Panel 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 Room: Exhibition Hall D & Annex	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

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

ARIL PODCAST PROGRAM

ARIL PODCAST PROGRAM

Braking the Law: Emerging Law on Regulatory Stays under s. 11.1 CCAA

Kevin Hoy, DLA Piper Canada LLP, Calgary Author

Jerritt Pawlyk, DLA Piper Canada LLP, Edmonton, Author

Craig Munro, FTI Consulting Canada Inc., Vancouver

Tushara Weerasooriya, McMillan LLP, Toronto

Moderator: **Joe Thorne**, Stewart McKelvey LLP, St. John's

The Fraudster Made Me Do It: Reframing Corporate Attribution

Sam Rappos, Chaitons LLP, Toronto, Author

Vanessa Allen, MNP Ltd., Calgary

Alan Merskey, Cassels Brock & Blackwell LLP, Toronto

Tara Serve, EY-Parthenon, Montréal

Moderator: **Lindsay Pellett**, PwC Canada, Toronto

The Rise of the Litigation Trustee and Litigation Funding in Canadian Insolvency Proceedings

Chris Kinnear Hunter, Torys LLP, Toronto, Author

Jessica Cameron, Fasken Martineau DuMoulin LLP, Calgary

Naomi Loewith, OMNI Bridgeway, Toronto

Anthony Tillman, Alvarez & Marsal Canada ULC, Vancouver

Moderator: **Christopher Keliher**, Blake, Cassels & Graydon LLP, Calgary

The Thin Green Line: Revisiting the Criminal Rate of Interest in Canada

Emily Han, Osgoode Hall Law School, Toronto

Ilia Kravtsov, Osler Hoskin & Harcourt LLP, Toronto

Sanjeev Mitra, Aird & Berlis LLP, Toronto

Dean Shillington, Maynbridge Capital, Vancouver

Moderator: **Emily Paplawski**, Osler Hoskin & Harcourt LLP, Calgary

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

Co-Chairs:

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

Members:

J.J. Burnell, MLT Aikins LLP
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 Mojtahedi, Norton Rose Fulbright Canada LLP
Francyne Myers, Allan Marshall & Associates Inc
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:

Guyline 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!