

## PANEL R: Is It Really a Material Adverse Change?



### **The Honourable Glenn Hainey, Ontario Superior Court of Justice**

Justice Hainey is a graduate of The Faculty of Law at Western University. He was called to the Bar in 1976. He began his legal career as the executive assistant to Ontario's first Ombudsman, Arthur Maloney, QC, from 1976-1979. From 1979-1982, he practiced criminal law in association with Mr Maloney. Justice Hainey joined Smith Lyons in 1982 and remained with that firm, which merged with Gowling WLG in 2001, until his appointment to the Ontario Superior Court of Justice in February 2011. His main area of practice was civil litigation with an emphasis on commercial and competition law. He was head of the Litigation Department in Gowlings' Toronto office and a member of the Management Committee. Justice Hainey was a director of The Advocates' Society of Ontario and he served as a Benchler of the Law Society of Upper Canada where he was Chair of Professional Regulation. He is currently the Team Leader on the Toronto Commercial List.



### **Michelle Grant, PricewaterhouseCoopers LLP (IIC)**

Michelle is a Partner with PwC's Deals practice. Her practice specialty is corporate advisory and restructuring. Michelle has more than 18 years of experience providing insolvency, restructuring advisory and distressed mergers and acquisitions services. Her engagements have included turnaround advisory, viability assessments, business reviews and other informal mandates. She has also acted as CCAA Monitor, Information Officer, Receiver and Trustee. She has experience advising clients across a wide range of industries including agriculture, food and beverage, manufacturing, mining and metals, real estate, technology and transportation. Michelle is a recipient of the Business in Vancouver Top 40 under 40 award (2016) and the Association of Women in Finance, Rising Star Award (2016). She is a member of the Insolvency Institute of Canada, the Vancouver chapter of the Risk Management Association and the Western Canada International Women's Insolvency and Restructuring Confederation network. Michelle is a CIRP and a Licensed Insolvency Trustee.



### **Dylan Chochla, Fasken LLP, Toronto**

Dylan Chochla is a partner in the Insolvency & Restructuring Practice Group at Fasken's Toronto office. Dylan's insolvency practice focuses on corporate bankruptcy, insolvency and restructurings under the *Bankruptcy and Insolvency Act*, the *Companies' Creditors Arrangement Act* and corporate statutes. Dylan's litigation practice also focuses on creditors' remedies and directors' liability. Dylan has been in a wide variety of insolvency and restructurings files, including *BIA* proposal proceedings, receiverships and corporate restructurings under the *CCAA*. Dylan regularly represents clients in court and has appeared before the Ontario Superior Court of Justice and the Ontario Court of Appeal. His insolvency related transactional work includes financings, mergers and acquisitions, private placements and initial public offerings.



### **Denis Ferland, Davies Ward Phillips & Vineberg LLP, Montréal (IIC)**

Denis Ferland specializes in bankruptcy, insolvency, financial restructuring and related litigation, as well as general commercial litigation. An experienced and dynamic lawyer, Denis offers practical, proactive advice based on his extensive legal knowledge and business sense. His clients include large multinationals, banks and financial services institutions, creditors, debtors and court officers (including trustees, monitors and receivers). Over his 30-year career, he has developed creative solutions in many of Québec's most significant restructuring and insolvency matters – his knowledge, creativity and innovation paving the way for countless reorganizations and transactions.

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