

**D.J. Miller**  
Partner

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D.J. is a leading restructuring lawyer in national and cross-border / multi-jurisdictional matters. She is known for her deep knowledge of the domestic and international insolvency frameworks and has built a reputation for applying strategic skills to achieve precedent-setting outcomes for her clients.

D.J. is considered “go-to” counsel for clients requiring creative advice both within, and outside of, formal insolvency proceedings. She has appeared as counsel at all levels of Court in Canada on behalf of clients, and regularly works with lenders, companies experiencing financial distress or their stakeholders, landlords and court-appointed monitors and receivers. She is often retained by lawyers, financial advisors and stakeholders from other jurisdictions who request advice in connection with Canadian insolvency and cross-border matters.

D.J. is consistently recognized as a leading practitioner in insolvency litigation and financial restructuring. In particular, she has been recognized by Chambers Canada and Chambers Global where she is described by interviewees as “extremely strategic”. She has been named Insolvency Litigator of the Year four times by Benchmark Canada Litigation, appeared multiple times in the Top 50 Women Litigators in Canada and is listed in various ranking publications, including Who’s Who Legal, Best Lawyers in Canada and Lexpert. In 2023, D.J. was the recipient of IWIRC’s global recognition as Woman of the Year in Restructuring.

Passionate about the advancement of the practice of insolvency law, D.J. has been actively involved with multiple professional organizations throughout her career, including serving on various boards and executive committees. D.J. has also developed course materials and served as guest lecturer on insolvency law at several law schools in Ontario. She regularly speaks at conferences and is the author of papers on various issues affecting her clients.

## Representative Mandates

- + Canadian counsel to Diebold Nixdorf in obtaining recognition under Part IV of the CCAA, following its successful restructuring of more than US\$2.7 billion in funded debt through the first-ever dual proceeding under the US Bankruptcy Code and Dutch restructuring law.

- + Counsel to the only publicly-funded university to be restructured pursuant to insolvency legislation in Canada.
- + Counsel to Alvarez & Marsal Canada Inc. as court-appointed monitor of Lydian International and its related entities in a multi-jurisdictional CCAA restructuring, including the first time that foreign insolvency proceedings have been recognized in Jersey, Channel Islands.
- + Counsel to Ernst & Young Canada Inc. as court-appointed monitor of Peraso Technologies Inc. in its CCAA restructuring and Chapter 15 US recognition proceedings.
- + Counsel to the applicant lender, which sought and obtained the appointment by the Court of a receiver over the Comsale Group of Companies in a multi-jurisdictional proceeding for the recovery of assets in Canada, the US and Malaysia.
- + Canadian counsel for SquareTwo Financial Corporation and its Canadian and US subsidiaries in Chapter 11 and CCAA recognition proceedings, with respect to a US\$400 million prepackaged restructuring plan.
- + Canadian counsel for Charming Charlie Holdings Inc. and its affiliates in Chapter 11 and Canadian recognition proceedings.
- + Counsel to Durham College of Applied Arts & Technology in obtaining a non-insolvency Order for a court-appointed receiver over the joint student association for the college and another institution representing more than 20,000 students.
- + Counsel to Oxford Properties Group Inc. as landlord in various CCAA proceedings involving retail tenants
- + Canadian insolvency counsel for the UK pension claimants (the largest single creditor in the worldwide Nortel Networks proceedings), in successfully obtaining a decision of the Canadian and US Courts allocating \$7.3 billion of sale proceeds on a pro rata basis among more than 40 worldwide insolvency estates in 19 countries.
- + Obtained a \$600 million judgment from the Canadian Court in the Nortel Networks CCAA proceedings, following a disallowance of the claim in its entirety by the monitor.
- + Participated in the first joint trial involving the Canadian and US Courts in a cross-border proceeding.
- + Counsel to Fraser Papers Inc. and its Canadian and U.S. affiliates in a restructuring under the CCAA and Chapter 15 of the US Bankruptcy Code, obtaining amendments to provincial pension legislation to facilitate a Plan of Arrangement.
- + Counsel to the Insolvency Institute of Canada, which was granted intervener status and participated on an appeal to the Supreme Court of Canada in the precedent-setting Indalex case.
- + Independent counsel to the monitor and court-appointed receiver in Livent Inc.'s CCAA proceeding and joint Chapter 11 proceeding.
- + Regularly represents lenders and other parties in Canadian and cross-border insolvency and enforcement proceedings.

## Professional Involvement

D.J. is a member of the Board of Directors and the Executive Committee of the International Insolvency Institute (“III”), and also serves as VP Membership. She is a past President of the Toronto Chapter of the Turnaround Management Association (TMA) and formerly served as VP International Relations and member of the Board of TMA Global.

D.J. co-developed and taught a course in Advanced Insolvency Law at the University of Windsor Law School, and has been a guest lecturer in the law schools at Western University, Queens University and University of Ottawa.

D.J. is a member of:

- + International Insolvency Institute
- + Insolvency Institute of Canada
- + Turnaround Management Association
- + Toronto Lawyers Association
- + Canadian Bar Association
- + American Bankruptcy Institute
- + The Advocates' Society
- + International Women's Insolvency & Restructuring Confederation (IWIRC)
- + INSOL International

**Recent professional appearances include:**

+ [Nov 03, 2022](#)

D.J. Miller will be speaking on a Panel called "Titans of the Restructuring Industry" at the TMA Annual Conference in Boston on November 3rd.

+ [Sep 06, 2022](#)

D.J. Miller is Co-Chairing the International Insolvency Institute's 22nd Annual Conference.

+ [Sep 05, 2022](#)

Four TGF Lawyers will be speaking at the International Insolvency Institute's 22nd Annual Conference on September 5-8, 2022.

+ [Feb 04, 2022](#)

D.J. Miller is speaking at the 2022 ARIL Conference on "The Plight of the Early Bird: Examining the Pre-Filing Role of the Monitor".

+ [Nov 04, 2021](#)

D.J. Miller is a panelist at the Insolvency Institute of Canada's Annual Conference and General Meeting on November 4, 2021.

+ [May 27, 2021](#)

D.J. Miller will host a virtual fireside chat with keynote speaker Michael Denham at the TMA Toronto Symposium on May 27th.

+ [May 19, 2021](#)

D.J. Miller is moderating a panel through the IIL on "Tales from the Crypt: Lessons Learned While Recovering Cryptocurrency" on May 19th.

+ [Apr 27, 2021](#)

D.J. Miller will be a panelist on the Ontario Bar Association's webinar on "The Top Appeals of 2020 from the Ontario Court of Appeal" on April 27th.

+ [Jul 29, 2020](#)

D.J. Miller is a panelist on the TMA Global Town Hall: "Leading Through Crisis" webinar on August 5.

- + [Jan 15, 2020](#)  
D.J. Miller is a panelist at the International Insolvency Institute Conference to be held in Miami, Florida on January 15, 2020.
- + [Oct 31, 2019](#)  
D.J. Miller is speaking at the National Conference of Bankruptcy Judges in Washington, D.C. providing a comparison of U.S. and Canadian Restructurings
- + [Oct 10, 2018](#)  
D.J. Miller was a panelist at the FTI Women's Initiative event entitled "Own Your Narrative."
- + [Dec 08, 2017](#)  
D.J. Miller will be speaking on a panel on Cross-Border Issues at a two-day event hosted by Turnaround Management Association (Global), in Chicago.
- + [Oct 14, 2016](#)  
D.J. Miller is a speaker on a panel at the TMA Global NextGen Leadership Summit in Chicago on the topic "View From the Top".
- + [Jun 20, 2016](#)  
D.J. Miller is a panelist speaking about "Creative Solutions for Resolving Complex Insolvency Litigation" at the Advocates' Society program.
- + [May 26, 2016](#)  
D.J. Miller is co-chair of the TMA Spring Gala, which raised over \$80,000 for a local charity.
- + [Mar 01, 2016](#)  
D.J. Miller is moderating a panel at the Turnaround Management Association Network of Women Event, "Best Practices in Client Relationships".
- + [Feb 05, 2016](#)  
D.J. Miller is speaking at the 13th Annual ARIL Conference: "Nortel: The Long and Winding Road."
- + [Nov 23, 2015](#)  
D.J. Miller is a panelist at the Ontario Network of the IWIRC event "Reaching the Top of the Ladder (The Reality of the Ascent)".
- + [Oct 19, 2015](#)  
D.J. Miller is co-chair of the Turnaround Management Association (TMA) - Network of Women (NOW) Event.
- + [Sep 25, 2015](#)  
D.J. Miller is a speaker at the Insolvency Institute of Canada (IIC) 2015 Conference: "Nortel: What is Next?"
- + [Sep 25, 2015](#)  
D.J. Miller is a panelist at the Insolvency Institute of Canada's 2015 Conference on the topic "Nortel: What's Next?"
- + [Jun 25, 2015](#)  
D.J. Miller is a panelist at the Financier Worldwide Roundtable on Bankruptcy Litigation.
- + [Dec 01, 2014](#)  
D.J. Miller is co-chairing a half-day workshop entitled "Pension Plans in Trouble: Bankruptcy and Insolvency".

## Recognition

D.J. has been recognized by industry participants and her peers and the profession in various ways including:

- + The Best Lawyers in Canada® 2024 and prior years (Insolvency & Financial Restructuring Law)
- + IWIRC Woman of the Year in Restructuring Award, 2023
- + Chambers Canada Guide 2024 and prior years (Restructuring/Insolvency)
- + Insolvency Litigator of the Year 2023, 2022, 2018 and 2016 – Benchmark Canada
- + "Highly Regarded" Lawyer in Canada 2022-2023 – IFLR1000
- + Top 50 Women Litigators in Canada 2021 & 2020 – Benchmark Canada
- + Top 100 Women Litigators in Canada 2022 – Benchmark Canada
- + Lexpert Special Edition on Litigation – Leading Litigators in Canada 2023
- + Leading Lawyer 2022 and prior years – Chambers Canada Guide
- + Leading Lawyer 2022 and prior years – Chambers Global Guide
- + Canadian Legal Lexpert Directory 2023 and prior years – Recognized as a Leading Practitioner (Insolvency & Financial Restructuring)
- + Who's Who Legal – Global Leader – Restructuring & Insolvency 2022
- + Who's Who Legal – National Leader – Restructuring & Insolvency 2023 & 2021
- + Benchmark Canada: The Definitive Guide to Canada's Leading Litigation Firms and Attorneys 2022 & 2021 (Litigation Star in Ontario)
- + Global Leader in Restructuring & Insolvency 2020 – Who's Who Legal
- + Euromoney's Expert Guides 2020
- + Lexpert Zenith Award 2017
- + Women of Excellence Award "The Exemplar" 2017 – TMA Toronto
- + Leading Expert in Bankruptcy and Restructuring Handbook 2015 – Financier Worldwide

## Publications

- + [Jul 05, 2021](#)  
COVID-19 Does Not Excuse a Failure to Pay Rent
- + [Jun 29, 2021](#)  
Reviewing CCAA Disclaimers Requires Balancing of Interests
- + [Oct 30, 2020](#)  
Ontario Court of Appeal confirms landlord's rights under letters of credit in tenant's bankruptcy.
- + [Dec 13, 2019](#)  
Americas Restructuring Review 2020 - Canada's Flexible Restructuring Framework
- + [Feb 01, 2019](#)  
Global Restructuring Review of the Americas 2019 - Canadian Chapter
- + [Feb 01, 2018](#)  
Global Restructuring Review of the Americas 2018 - Canadian Chapter
- + [May 10, 2017](#)  
Flexibility and Creativity: Hallmarks of Canada's Restructuring Framework
- + [Feb 04, 2016](#)  
"Nortel: The Long and Winding Road". Annual Review of Insolvency Law

- + [Apr 01, 2013](#)  
When Two Worlds Collide: The Supreme Court of Canada's Decision in Re: Indalex
- + [Feb 06, 2013](#)  
Re Indalex: "Giving, And Taking Away"
- + [Feb 04, 2013](#)  
Charting A New Course: Best Practices When Dealing with Employees, Retirees, and Union Stakeholders in a Restructuring
- + [Oct 01, 2011](#)  
20 Questions Directors Should Ask About Insolvency
- + [Nov 01, 2010](#)  
BIA and CCAA Amendments - One Year Later
- + [Sep 24, 2009](#)  
Proposals Under the BIA
- + [Nov 30, 2003](#)  
Licences to Kill: Preserving the Value of Licences in a Realization
- + [Dec 31, 1999](#)  
"Virtual Security": Enforcement Issues in Knowledge-Based Industries

## Education

Bar Admissions

- + Ontario, 1993

Education

- + LL.B. (University of Windsor), 1991
- + B.A. (Hons.) (University of Western Ontario), 1988