Thornton Grout Finnigan LLP RESTRUCTURING + LITIGATION

# Rebecca Kennedy Partner

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Rebecca is a noted lawyer in the restructuring and insolvency industry. She has extensive experience in receiverships, security enforcement, debt collection, creditors' rights, debtor protection and forbearance agreements. Rebecca has a balanced practice, representing both debtors and creditors, in regional, national and cross-border insolvencies. She works with clients across a range of industries including cannabis, telecommunications, consumer products, real estate, oil and gas, renewable energy and private equity.

Rebecca is passionate about legal writing, and founded *TGF Topline*, the firm's external newsletter focused on the practice of restructuring and litigation in Canada. Throughout her time at TGF, Rebecca has had significant involvement in the firm's articling program, and continues to be an active mentor to TGF's newer lawyers.

Rebecca is the recipient of various industry awards, including the Benchmark Litigation Canada Future Star award (2023), TMA Toronto "Women of Excellence" award for Emerging Talent (2018) and the Lexpert Rising Star award (2017). She was recognized as an "Up and Coming Lawyer" in Chambers Canada 2019 and continues to be ranked in Chambers Canada (2023 and prior years) and Lexpert (2023 and prior years).

# **Representative mandates:**

- + Canadian counsel to B. Riley Farber Inc., the court-appointed monitor of Lighthouse Immersive Inc. and Lighthouse Immersive U.S.A., Inc. in their proceedings under the CCAA and Chapter 15 in Delaware.
- + Counsel to the Applicants in the CCAA proceedings of Eastern Meat Solutions Inc. and its affiliates, a vertically integrated meat processing and supply chain service company ,through their restructuring under the CCAA
- + Counsel to Deloitte Restructuring Inc. in its capacity as court appointed receiver of Velocity Asset and Credit Corporation, 926749 Ontario Ltd. o/a Clonsilla Leasing, including with respect to the court authorized investigation in respect of the debtors

- + Counsel to KSV Restructuring Inc. in its capacity as court appointed receiver of Equityline SPV Limited Partnership, including with respect to the court authorized investigation in respect of the debtor
- + Counsel to FTI Consulting Canada Inc. as court-appointed receiver of Antibe Therapeutics Inc.
- + 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 Ernst & Young Inc. as court-appointed monitor of Phoena Holdings Inc. and its affiliates pursuant to the CCAA.
- + Counsel to PricewaterhouseCoopers Inc. as court-appointed monitor of Greenspace Brands Inc. and its affiliates pursuant to the CCAA.
- + Counsel to FTI Consulting Canada Inc. as court-appointed monitor of Fire & Flower Holdings Corp. and its affiliates pursuant to the CCAA.
- + Counsel to PricewaterhouseCoopers Inc. as receiver and manager of Bridging Financial Inc. in relation to the creditor run CCAA proceedings with respect to the MJardin Group, Inc. and its affiliates.
- + Counsel to Ernst & Young Inc. as court-appointed monitor of The Flowr Company and its affiliates pursuant to the CCAA.
- + Counsel to the DIP Lender of Tehama Inc. in its restructuring and asset sale under the CCAA.
- + Counsel to debtors Sproutly, Inc. and Toronto Herbal Remedies in their restructuring and asset sale under the CCAA.
- + Counsel to the Applicants in the CCAA proceedings of Boreal Capital Partners Ltd. and its affiliates, a multi-residential development conglomerate with more than \$55 million in secured debt, which successfully restructured under the CCAA.
- + Counsel to Ernst & Young Inc. as court-appointed monitor of the Fresh Foods Group pursuant to the CCAA. The US affiliates of the Canadian Debtors concurrently restructured under Chapter 11 of the US Bankruptcy Code.
- Counsel to FTI Consulting Canada Inc. in its capacity as court-appointed monitor in the CCAA proceedings of Just Energy Group Inc. et. al., which successfully restructured funded debt of approximately \$1 billion. These proceedings were recognized under Chapter 15 of the US Bankruptcy Code in the Southern District of Texas.
- + Counsel to AgMedica Bioscience Inc. in regards to its successful restructuring under the CCAA.
- + Counsel to Green Relief Inc. in connection with its restructuring and sale under the CCAA.
- Counsel to JTI-Macdonald Corp., one of the largest tobacco companies in Canada, in its proceedings under the CCAA with a goal to achieve a global resolution of the myriad of litigation claims against it exceeding \$500 billion. The two other largest tobacco companies have also filed for CCAA protection resulting in unprecedented industry-wide proceedings.
- + Counsel to RCR International Inc. and W.J. Dennis & Company in connection with a sale of substantially all of the assets of the companies through a CCAA proceeding and US Chapter 15 proceeding.
- Counsel to PricewaterhouseCoopers Inc. in its role as the court-appointed monitor of Pacific Exploration & Production Corporation and its subsidiaries, in which the debtors undertook a crossborder restructuring under the CCAA, Chapter 15 of the US Bankruptcy Code and a foreign recognition under Law 1116 of 2006 in Colombia.
- + Counsel to GuestLogix Inc. and its subsidiaries with respect to their restructuring under the CCAA.

+ Counsel to the Trustees of the UK Pension Plan and the UK Pension Protection Fund in pursuing a \$3 billion claim in the global restructuring proceedings of Nortel Networks and its subsidiaries, and in the allocation of its global proceeds of sale.

### **Professional Involvement**

Rebecca is a member of:

- + Canadian Bar Association
- + Ontario Bar Association, Insolvency Section (Executive Member)
- INSOL International
- + Insolvency Institute of Canada
- + International Insolvency Institute
- + International Women's Insolvency & Restructuring Confederation
- + The Advocates' Society
- + Turnaround Management Association

#### Recent professional appearances include:

+ Oct 21, 2023

Rebecca Kennedy was a panelist on "Third Party Releases: Canada vs U.S.A." at the 2023 IIC annual conference.

+ Feb 03, 2023

Rebecca Kennedy was a panelist on the Opening Plenary session of the 2023 Annual Review of Insolvency Law Conference.

+ Feb 22, 2021

"Reverse Vesting Orders: The New Way To Do A Deal?"

+ Jun 23, 2020

Rebecca Kennedy will be a panelist on the "Restructuring in a Restructured World: Mitigating Risks" webinar on June 23, 2020

+ Feb 07, 2020

Rebecca Kennedy is speaking at the 2020 ARIL conference on representative counsel in CCAA proceedings in February

+ Mar 28, 2018

Rebecca L. Kennedy is speaking on a 2018 TMA symposium panel entitled "Future Effect: Hot Topics Debate."

+ Feb 02, 2016

R. Kennedy spoke on 'Case Law Update & Current Developments' at the OBA's 2016 Insolvency Law Program "Insolvency Law for Uncertain Economic Times"

# Recognition

Rebecca's accolades include:

- + The Best Lawyers in Canada® 2025 and prior years (Insolvency & Financial Restructuring Law)
- + Chambers Canada Guide 2025 and prior years (Restructuring/Insolvency)

- + Leading Lawyer Chambers Canada Guide 2022 (Restructuring & Insolvency)
- + Who's Who Legal 2023 Guide Restructuring and Insolvency
- + The Canadian Legal Lexpert Directory 2025 & prior years (Financial Restructuring)
- + Litigation Star in Ontario Benchmark Canada: The Definitive Guide to Canada's Leading Litigation Firms and Attorneys 2025
- + Future Star in Ontario Benchmark Canada: The Definitive Guide to Canada's Leading Litigation Firms and Attorneys 2021-2024
- + 40 and Under Hot List Benchmark Canada: The Definitive Guide to Canada's Leading Litigation Firms and Attorneys 2021 and 2020
- + Women of Excellence Award for "Emerging Talent" TMA Toronto 2018
- + Lawyer to Watch Lexpert Guide to Leading U.S./Canada Cross-Border Lawyers 2018
- + Rising Star Expert Guides 2018 (Insolvency & Restructuring)
- + Lexpert Rising Star Award 2017

### **Education**

**Bars Admissions** 

- + Ontario, 2011
- + Alberta, 2009

Education

- + LL.B. (University of Victoria), 2008
- + B.Sc. (First Class Honours) (Simon Fraser University), 2004