FEBRUARY 5, 2016, VANCOUVER

2016 Conference co-Chairs:
Madam Justice Shelley Fitzpatrick, Supreme Court of British Columbia
Magnus Verbrugge, Borden Ladner Gervais LLP, IIC
Kevin Brennan, Ernst & Young Inc, IIC
Dr Janis Sarra, Allard School of Law, University of British Columbia, IIC

2016 Conference Vancouver Organizing Committee:
Cindy Cheuk, Dentons Canada LLP
Mike Vermette, CIRP, PricewaterhouseCoopers Inc, Vancouver, IIC
Colin Brousson, Gowling Lafleur Henderson LLP, IIC
Kibben Jackson, Fasken Martineau DuMoulin LLP, IIC
Peter Reardon, McMillan LLP, IIC
Craig Munro, CIRP, FTI Consulting Canada, IIC

ARIL Co-Editors: Dr Janis Sarra and Madam Justice Barbara Romaine, Alberta Court of Queen’s Bench

6:00 pm - 7:00 pm
THURSDAY FEBRUARY 4, 2016
OPENING RECEPTION
WESTIN BAYSHORE HOTEL, 1601 BAYSHORE DRIVE, VANCOUVER
Co-hosted by Borden Ladner Gervais LLP and Ernst & Young Inc
Jazz by the Straight Jackets Quintet
Featuring wine tasting from Laughing Stock Vineyard

FRIDAY FEBRUARY 5, 2016
CONFERENCE AGENDA
WESTIN BAYSHORE HOTEL, 1601 BAYSHORE DRIVE, VANCOUVER

6:30 am - 8:00 am
REGISTRATION

7:00 am
BREAKFAST

8:00 am
Welcome Janis Sarra, University of British Columbia, IIC
Welcome and Introduction of Keynote speaker:
Madam Justice Shelley Fitzpatrick, Supreme Court of British Columbia, Conference Co-Chair

8:05 am - 8:40 am
The Honourable Donald Brenner Memorial Keynote
Todd Hirsch, Chief Economist, ATB Financial, Calgary, Creativity, Innovation and Adaptability: Challenges for Canada’s Economy in 2016 and Beyond
### Friday, February 5, 2016

**Westin Bayshore Hotel, 1601 Bayshore Drive, Vancouver**

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<td>David Wood, CIRP; Boole, Wood &amp; Company Ltd, Vancouver, CAIRP's work on consumer issues</td>
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<td>Professor Jay Lawrence Westbrook, University of Texas at Austin, Austin, Corporate Formalism in a Global Economy</td>
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<td>D J Miller, Thornton Grout Finnigan LLP, Toronto, IIC, co-authored with Michael Shafrak, Thornton Grout Finnigan LLP, Nortel: The Long and Winding Road</td>
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<td>Professor John A E Pottow, University of Michigan Law School, Ann Arbor, Two Cheers for Universalism: Nortel's Nifty Novelty</td>
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<td>Jean-Daniel Breton, FCIRP; Ernst &amp; Young Inc, Montréal, IIC and Philippe Bélanger, McCarthy Tétrault LLP, Montréal, IIC, Proposed Adjustments to the Wage Earner Protection Program Act</td>
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<td>Professor Stephan Madaus, Martin-Luther-University Halle, Germany, Protection of Employees in their Employer's Insolvency — The German Way</td>
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<td>Chair: Mr Justice Darrell Stephenson, Court of Queen's Bench of New Brunswick</td>
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<td>Andrew Kent, McMillan LLP, IIC, Toronto, co-authored with Jennifer Cockbill, McMillan LLP, Vancouver, Restructuring Canadian Multinationals</td>
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<td>Dr Irir Mevorach, University of Nottingham, United Kingdom, Beyond the Search for Certainty: Addressing the Cross-Border Resolution Gap</td>
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<td><strong>Panel E</strong> Model Laws, Legislative Guides and International Conventions — Best Mechanisms to Address Cross-border Insolvency</td>
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<td>Judge Christopher Klein, Chief Judge of the United States Bankruptcy Court for the Eastern District of California, Head, III NGO Delegation to UNCITRAL Working Group V</td>
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<td>Professor Stephanie Ben-Ishai, Osgoode Law School, Toronto, IIC, co-authored with Larissa Lucas, Government Involvement in CCAA Proceedings: Has Transparency Been Achieved?</td>
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<td>Lance Williams, DLA Piper, co-authored with Mary Buttery, DLA Piper, IIC and Tijana Gavric, DLA Piper, Vancouver, TLC The Land Conservancy of Canada: The Evolution of the Role of “Other” Interests in Companies’ Creditors Arrangement Act Proceedings</td>
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<td>Dr Janis Sarra, University of British Columbia, Vancouver, IIC, Micro, Small and Medium Insolvent Enterprises: Do We Need Statutory Reform in Canada? First the Data...then the Reform</td>
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<td>Dr Alberto Mazzoni, Universita Cattolica del Sacro Cuore, Milan, Italy, The Social Aspects of MSME Insolvencies</td>
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<td>Jocelyn Perreault, McCarthy Tétrault LLP, Montréal, To Trust or Not to Trust: A Review of the Groupe Sutton-Royal Decision Highlighting Fundamental Distinctions between the Civil Law and the Common Law on Whether Property is Held 'in Trust'</td>
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<td>Alex MacFarlane, Gowling Lafleur Henderson LLP, Toronto, IIC, co-authored with Thomas Gertner, Gowling Lafleur Henderson LLP, Foreign Non-Main Proceedings and the Public Policy Exception — A Comparison of Canadian and American Insolvency Regimes</td>
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<td>Professor Bruce A Markell, Northwestern University School of Law, Comity, Chapter 15, and the Enforcement of Foreign Country Money Judgments in the United States</td>
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PANEL J  The Appropriate Scope of Third-Party Releases  
Chair: Mr Justice Martin Castonguay, Québec Superior Court  
Tevia Jeffries, Dentons Canada LLP, Vancouver, Releases of Court Officers at Discharge: If Anyone Can Show Just Cause Why This Court Officer Should Not Be Released, Speak at the Discharge Hearing or Forever Hold Your Peace  
Susan Philipott, Koskie Minsky LLP, Toronto, co-authored with Adrian Scottcher, Koskie Minsky LLP, Toronto, Immunity for Court-Appointed Officers: A Case for Curtailment  
Commentator: Neil Narfason, CIRP, Ernst & Young Inc, Calgary, IIC

PANEL K  Too Rigid? The Treatment of “Equity” Claims in Insolvency  
Chair: Mr Justice Fred Myers, Ontario Superior Court of Justice  
William Kaplan, Blakes, Cassels & Graydon LLP, IIC, Bul River Mineral Corporation: A Question of Equity  
Commentators: Steven Graff, Aird & Berlis, Toronto  
Elizabeth Pillon, Stikeman Elliot LLP, Toronto, IIC

PANEL L  Recent Case Insights  
Chair: Mr Justice Robert Mongeon, Québec Superior Court  
Alexis Teasdale, Bennett Jones LLP, Calgary, Blurred Lines: The Sharpening of the Solvency Requirement and the Bounds of Judicial Power in Section 192 Arrangements under the Canada Business Corporations Act in Conacher  
Stephen Hutchison, Stewart McKelvey, Saint John, The Use of an Equitable Receiver to Seize RRSP Accounts of a Bankrupt: A Case Commentary on Bearsfield and Mod-Aire v McNabb  
Jessica Cameron, Borden Ladner Gervais LLP, Calgary, Solicitor-Client Privilege: Who Carries the Shield? A Case Commentary on Re Bre-X Minerals 15 Years Later

12:00 pm - 1:15 pm  LUNCH

1:15 pm - 2:05 pm  CONCURRENT PANELS

PANEL M  Intercorporate Debt and Equitable Subordination  
Chair: Madam Justice Myra Bielby, Alberta Court of Appeal  
Jeremy Opolsky, Torys LLP, Toronto, Intercorporate Debt and Equitable Subordination: One Case Forward and One Case Back  
Commentators: Craig Munro, CIRP, FTI Consulting Canada, Vancouver, IIC  
Geneviève Cloutier, Gowling Lafleur Henderson LLP, Montréal

PANEL N  Banking on the Future  
Chair: Mr Justice Craig Jones, Alberta Court of Queen’s Bench  
Dr Maziar Peihani, National University of Singapore, Crisis Management and Orderly Resolution of Banks in Canada and Internationally: A Perspective on Reforms and Challenges  
Chantal M Richer, Canada Deposit Insurance Corporation, Ottawa  
Jeffrey Carhart, Miller Thomson LLP, Toronto, IIC

PANEL O  The Treatment of Student Loans in Insolvency – A Comparison of Canada and the US  
Chair: Mr Justice Paul Walker, Supreme Court of British Columbia  
Professor Karen Gross, Widmeyer Communications, Washington, DC, The United States Student Loan Situation: How Did We Go So Wrong?  
Dr Saul Schwartz, School of Public Policy and Administration, Carleton University, co-authored with Stephanie Ben-Ishai, Do Professional School Students Understand Their Student Loans?  
Commentator: André Bolduc, CIRP, BDO Canada Limited, Ottawa

PANEL P  Developments in the UK and EU – Insights for Canada?  
Chair: Madam Justice Sarah Pepall, Ontario Court of Appeal  
Professor Jennifer Payne, University of Oxford, United Kingdom, UK Debt Restructuring Mechanisms: New Developments in Practice and Potential Law Reform  
Bob Rajan, Alvarez & Marsal Deutschland GmbH, Germany, Europe: Moving in the Right Direction ... But Can We Ever Get to Where We Need to Go?  
Professor Ignacio Tirado, University of Autonoma of Madrid, Spain, An Evolution of COMI in the European Insolvency Regulation: from ‘Insolvenzimperialismus’ to the Recast

PANEL Q  Dealing with a Tragedy: the Montréal Maine and Lac Mégantic Story  
Chair: Madam Justice Allisen Rothery, Saskatchewan Court of Queen’s Bench  
Andrew Adessky, CIRP, Richter Groupe Conseil Inc, Montréal  
Gilles Robillard, CIRP, Richter Groupe Conseil Inc, Montréal  
Patrice Benoit, Gowling Lafleur Henderson LLP, Montréal

2:15 pm to 3:05 pm  CONCURRENT PANELS

PANEL R  Unsuccessful Sales and Investment Solicitation Processes  
Chair: Mr Justice Michael Penny, Ontario Superior Court of Justice  
Jordan Schultz, Dentons LLP, Vancouver and Travis Kelley, Dentons Knowles Summer Fellow, No Wind in the Sale: A Recent Trend of Unsuccessful Sale and Investment Solicitation Processes under the CCAA  
Commentator: Shayne Kukulowicz, Cassels Brock & Blackwell LLP, Toronto

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2:15 pm to 3:05 pm  CONCURRENT PANELS continued

**PANEL S**  Pay Day Loans and New Challenges for Insolvency
Chair: Madam Justice Lynne Leitch, Ontario Superior Court
Dr Jerry Buckland, University of Manitoba, The Rise of Internet Payday Lending: An Acute Challenge in our Financializing World
Commentators: George Lomas, FCIRP, MNP Ltd, Lethbridge
Guylaine Houle, FCIRP, Pierre Roy & Associés Inc, Montréal

**PANEL T**  Partnerships ~ The Coopers & Lybrand Story
Chair: Madam Justice Chantal Corriveau, Québec Superior Court
Richard Jones, Jones Law, Prince Edward County, The Coopers & Lybrand Saga: The Debt-Compromise Restructuring of a Large Partnership
Commentators: Robert Thornton, Thornton Grout Finnigan, Toronto, IIC
David Bowra, CIRP, The Bowra Group Inc, Vancouver, IIC

**PANEL U**  Blowout on the Oil Patch: An Update on Alberta Oil and Gas Insolvencies
Chair: Madam Justice Christiane Alary, Québec Superior Court
Neil Honess, CIRP, KPMG Canada, Calgary
Murray D’Angelo, National Bank of Canada, Calgary
Jeff Oliver, Gowling Lafleur Henderson LLP, Calgary

**PANEL V**  Emerging Scholars Panel
Chair: Mr Justice Herman Wilton-Siegel, Ontario Superior Court
Pascale Cornut St-Pierre, PhD Candidate, Sciences Po Law School, Eligible Financial Contracts and the Many Faces of Derivatives: A Brief History of the ISDA Master Agreement
Dr Wendy Akpareva, Nottingham Law School, Shall We Borrow a Leaf from the UK? Directors’ Liability in Insolvency: United States in Context
Commentator: Jennifer Cockbill, McMillan LLP, Vancouver

3:15 pm - 4:10 pm  CLOSING PANELS

Closing Plenary: View from the Bench- Court to Court Cooperation
Chair: Chief Justice Robert Bauman, British Columbia Court of Appeal, Vancouver
Regional Senior Justice Geoffrey Morawetz, Ontario Superior Court of Justice, Toronto
Judge Kevin Gross, United States Bankruptcy Court, District of Delaware
Mr Justice Frank Newbould, Ontario Superior Court of Justice, Toronto

4:10 pm - 4:20 pm  Plenary - A Tribute and Toast to Louise Lalonde 1957-2015
Janis Sarra, University of British Columbia, Vancouver, IIC
François Vieu, Gowling Lafleur Henderson LLP, Montréal, IIC

4:20 pm  Closing Thanks
Magnus Verbrugge, Borden Ladner Gervais LLP, Vancouver, IIC, Conference Co-chair

4:20 pm - 5:30 pm  Closing Reception

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Registration Information
Conference fee is $950 (plus applicable tax), $200 for Judges, articling students, full time academics/Juges, étudiants stagiaires et professeurs à temps plein.

Register at aril-register.ca. Sorry, no registration refunds permitted, but substitutions are allowed. Payment by credit card (Visa or Mastercard) or Interac only.

There are a limited number of subsidized places for practitioners for whom cost is a barrier, please contact Janis Sarra (sarra@allard.ubc.ca). Quelques places sont disponibles pour les personnes pour qui le coût pourrait être un obstacle. Si c’est le cas, SVP communiquer avec Janis Sarra (sarra@allard.ubc.ca).

The complete program will qualify for 7.5 MPD hours for CAIRP members/le programme complet donne droit a 7.5 heures de PPO pour les membre de l'ACPIR.

This event also qualifies for CPD/CLE credits in Ontario, British Columbia and Québec.

For more information please contact Kate Shepherd (AnnualReview.Insolvency@ubc.ca) 604-762-5601.

Visit the conference website at www.aril.ca for an up to date schedule.

Accommodation Information
Hotel: Westin Bayshore Hotel, 1601 Bayshore Drive, Vancouver
Room rates: $179 Deluxe Harbour View Guest Room, or $189 Premium Tower Guest Room (plus applicable tax)

Reservations
By phone: Call 1-800-937-8461. Callers must identify themselves as being with the “UBC 13th Annual Review of Insolvency” in order to qualify for the group rate.

Online: https://www.starwoodmeeting.com/Book/InsolvencyLaw

Deposits/Cancellations: A deposit equal to one night’s stay is required to hold your reservation. Full refund of this deposit will be given to cancellations received until 72 hours prior to arrival. For cancellations received within 72 hours of arrival, the deposit is non-refundable.

Hotel room booking deadline: Please reserve rooms at this rate prior to January 14, 2016

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