



firm profile

McMillan is a modern and ambitious business law firm serving public, private and not-for-profit clients across key industries in Canada, the United States and internationally. With recognized expertise and acknowledged leadership in major business sectors, we provide solutions-oriented legal advice through our offices in Vancouver, Calgary, Toronto, Ottawa, Montréal and Hong Kong. Our firm values – respect, teamwork, commitment, client service and professional excellence – are at the heart of McMillan's commitment to serve our clients, our local communities and the legal profession. For more information, please visit our website at www.mcmillan.ca.

contacts

Éric Vallières
514.987.5068

Waël Rostom
416.865.7790

court officer representations

overview

In Canada, a court officer may be appointed to monitor a court-supervised restructuring, or carry out the involuntary sale of a business or the liquidation of assets in a bankruptcy or receivership. In all cases, these officers have duties and responsibilities prescribed by statute and pursuant to orders made in the applicable insolvency proceeding. The manner in which a court officer goes about discharging those duties and responsibilities and deals with various stakeholders can be critical to the outcome of the case.

McMillan's Restructuring and Insolvency Group regularly represents monitors, receivers, bankruptcy trustees, chief restructuring officers and other court-appointed officers. This requires a deep understanding of the proper role of the court officer, the surrounding circumstances, business acumen, and the exercise of sound judgement. We have successfully guided court officers through some of the most complex and challenging situations.

McMillan professionals help clients lead by:

- Representing monitors, receivers, trustees, CROs and other court-appointed officers
- Resolving claims, priorities and issues that may arise during the course of an insolvency proceeding
- Providing a balanced perspective between the interests of the debtor, creditor and other key stakeholders
- Providing credibility with financial institutions, creditor groups, restructuring professionals and other third party advisors

representative transactions

- Ernst & Young Inc. in its capacity as court appointed monitor of Terrace Bay Pulp Inc. in its CCAA proceedings;
- PricewaterhouseCoopers Inc. as BIA receiver of Salerno Plastic, Films and Bags Canada;
- Ernst & Young Inc. in its capacity as court appointed receiver of Penex Metropolis;
- PricewaterhouseCoopers Inc. as trustee in bankruptcy of Canada 3000;
- RSM Richter Inc. in respect of the receivership of the Ravelston companies;
- BDO Dunwoody Limited as the Court Appointed Receiver of the Sapphire Tower Development in Toronto;
- Ernst & Young Inc. in its capacity as court-appointed receiver and trustee in bankruptcy of Millenium Biologix Technologies Inc.;



court officer representations

- Grant Thornton in its capacity as court appointed receiver and trustee on behalf of Hallmark Technologies, an automotive tool maker and parts supplier;
- Ernst & Young Inc. in its capacity as court appointed receiver and manager of the property of Superior Seal;
- PricewaterhouseCoopers Inc. as BIA receiver of Aliments Mopure Inc.;
- The Chief Restructuring Officer of ROL Manufacturing Ltd. and related entities in their CCAA proceedings;
- RSM Richter Inc. as trustee in relation to the estate of Dominion Bridge Inc.;
- Ernst & Young Inc. in relation to the Irwin Toy insolvency proceedings;
- PricewaterhouseCoopers Inc. as trustee in bankruptcy of P.C. Payroll Master Inc.;
- RSM Richter Inc. as trustee in bankruptcy of Naya Inc.;
- KPMG Inc. as creditor-appointed receiver in the bankruptcy proceedings of Olympia & York
- RSM Richter Inc. in relation to the insolvency proceedings of Eaton's.