



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.

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cross-border restructuring

overview

In today's global economy, businesses and corporate groups often span multiple countries with different legal and regulatory regimes. In addition, capital providers, customers, suppliers and other stakeholders regularly deal with businesses outside of their home jurisdiction. When a company becomes insolvent, the multi-jurisdictional nature of its business can add layers of additional complexity.

Further complicating matters, insolvency transactions tend to move at an extremely quick pace. As a result, it is critical to have in place a relationship with a cross-border insolvency team that you can count on, before a crisis arises.

McMillan's Restructuring and Insolvency Group works with debtors, creditors and other stakeholders to develop and execute practical strategies and solutions. Our experienced team includes internationally recognized cross-border specialists who are well acquainted with the intricacies of multi-jurisdictional domestic and foreign insolvency proceedings and out-of-court work-outs.

We can also bring to bear cross-border expertise in other specialized areas of business law that are critical to optimal cross-border structuring, such as tax, public markets, private and public debt financing, and derivatives.

McMillan professionals help clients lead by:

- Structuring joint and parallel insolvency filings involving Canada and other countries including the coordination of Canadian proceedings with Chapter 11 and Chapter 15 cases
- Collaborating with US and international law firms in cross-border insolvency cases
- Advising on distinctions between the insolvency and bankruptcy laws and practices of Canada and other jurisdictions
- Advising on Canadian and cross-border recapitalization and refinancing transactions including structure and documentation for existing and distressed debt facilities
- Representing U.S. creditors' committees in Canadian proceedings
- Advising on deal structure, sales process, negotiation of sale terms and procuring court approval orders for distressed M&A transactions
- Representing the interests of foreign stakeholders before Canadian courts
- Leveraging excellent relationships with bankruptcy and insolvency practitioners in the US and other jurisdictions



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