



Jeffrey Levine

Toronto

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education and year of call

- Called to the Ontario bar - 2008
- University of Western Ontario, LLB - 2007
- York University, B.Sc. (Hons. Space Communications Physics) - 2004

practice areas

business litigation
restructuring and insolvency
litigation

industries

banking, finance and insurance
commercial real estate
mining

profile

Jeffrey is a Partner in the Advocacy and Litigation Group at McMillan LLP. He assists in the resolution of commercial disputes, with a focus on those disputes arising in the context of an insolvency or corporate restructuring. Jeffrey has appeared before all levels of court in Ontario, and regularly argues cases before Judges of the Toronto Commercial List. He has extensive trial experience in court and arbitration forums, and was recognized by Global Restructuring Review as top "40 Under 40" world's leading restructuring specialists for 2016. Jeffrey is the Past Chair of the Ontario Bar Association Insolvency Section.

directorships and professional associations

- Ontario Bar Association – Chair of the Insolvency Section Executive Committee
- Canadian Bar Association – Executive Member of the National Insolvency Section
- Toronto Lawyers Association
- Advocates' Society

representative matters

- Acted for a large municipal utility in the settlement of a multi-million delay liquidated damages claim within the CCAA proceeding of an international general contractor
- Represented in Canada an official committee of equity security holders established under US bankruptcy law in a cross-border proceeding involving a multinational sport apparel manufacturer
- Represented a major raw material supplier to a Canadian manufacturer that was the subject of CCAA proceedings
- Represented a US-based landlord in a multi-million dollar contested claim against an insolvent guarantor of a

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disclaimed lease where the guarantor was the subject of CCAA proceedings

- Acted for the debtor in CCAA proceedings, obtaining approval for DIP financing opposed by the company's senior creditor
- Acted for receivers and senior secured creditors in receiverships involving liquidations and going-concern sales
- Represented the interests of landlords in receivership proceedings of insolvent tenants
- At the Ontario Court of Appeal, obtained a declaration as to priority under the *Personal Property Security Act* for a secured equipment supplier
- Advised all players in the construction pyramid on construction law issues including the requirement for holdback, lien rights, preservation and perfection of liens and vacating or discharging liens
- Resolved, in court and out of court, disputes between corporate shareholders, landlords and tenants, manufacturers and distributors and employers and employees

awards and rankings

- *Global Restructuring Review* 2016 - 40 Under 40

teaching engagements

- 2019 Osgoode Construction Law Certificate Program – Intersection of Construction and Insolvency Law
- 2018 CBA Insolvency Law Conference – Featured Panel Member – Bricks and Mortars: Even Giants Fall – Panel explored the issues that arise when retail fails
- 2018 - Advocates' Society Mentoring Dinner Series - Mentor
- 2016 Osgoode-Schulich JD/MBA Conference – Featured Panel Member – Confidentiality and Privacy Concerns in Business Transactions

publications

November 2019

Amendments to the CCAA, BIA and CBCA Now in Force
Restructuring Bulletin

October 2019

Alberta Court of Appeal Ranks CCAA Super-priority Charges Ahead of CRA's Deemed Trust, but Uncertainty Remains
Restructuring and Insolvency Bulletin

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September 2019

Court Counsels Engagement with Creditor before Ruling on Proofs of Claim
Restructuring and Insolvency Bulletin

May 2019

Canadian Corporate & Restructuring Legislation: Changes Could be on the Way
Restructuring, Litigation and Business Law Bulletin

November 2018

The *Queen v. Callidus Capital Corporation* Overturned; Lenders Breathe a Sigh of Relief, But For How Long?
Insolvency Bulletin

August 2018

Insolvency Proceedings Concerning Canadian-Based Retailers
CBA Insolvency Law Conference

November 2017

Your Halloween Edition: The Ghost of the Terminated GST/HST Deemed Trust
Restructuring and Tax Bulletin

February 2017

Broken Break Fee: Investor's Claim for a Break Fee Denied in CCAA Proceeding
Litigation Insolvency and Restructuring Bulletin

October 2016

Post Up: Creditor Ordered to Deposit Security for Costs in British Columbia Bankruptcy Proceeding
Litigation and Insolvency and Restructuring Bulletin

June 2016

Perfection is Critical to Maintaining Priority Over Judgment Creditors
Litigation and Commercial Law Bulletin

June 30, 2015

\$7.3 Billion for Everyone: Nortel Networks Corporation (RE) - Asset Allocation Trial
OBA Insolvency Section

January 2015

Re MtGox: Using the BIA to Recognize Foreign Insolvency Proceedings
Litigation Bulletin

January 14, 2015

Constructive Trusts in Insolvency Situations: *Wurth v 1135096 Alberta Ltd* and Related Decisions
Jeffrey Levine and Stephen Brown-Okruhlik, OBA Insolvency Section

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November 11, 2014

New Life For an Old Claim: Bankruptcy Act Offers Route to Litigate Fraudulent Conveyance Action a Second Time
Jeffrey Levine and Stephen Eddy, OBA Insolvency Section

October 2014

Revisiting, Then Revising, Old Contracts: Court of Appeal Considers Test for Rectification
Litigation Bulletin

May 22, 2014

Ontario Court of Appeal Overturns Finding of Quistclose Trust
Jeffrey Levine and Gideon Ng, OBA Insolvency Section

January 8, 2014

Lift Stay Motion More Likely to Succeed in a Liquidating CCAA
Jeffrey Levine and Stephen Brown-Okruhlik, OBA Insolvency Section

May 2010

Judicial Review - Another Weapon to Challenge Government Tendering Decisions?
Projects and Construction Litigation Bulletin

May 2010

Construction Law in Canada
Contributing Author, Book, published by LexisNexis

March 2010

Trust Me! – Ontario Court of Appeal expands pool of trust beneficiaries under the Construction Lien Act
Construction Litigation Bulletin

February 2010

Exposing the Mess Swept Under the Rug: Supreme Court of Canada Orders Damages for Breach of Tendering Contract
Construction Litigation Bulletin

January 2010

The Lien Clock Doesn't Tick Forever
Construction Litigation Bulletin