

WAËL ROSTOM



Categories: [People](#), [Lawyers](#)

Waël Rostom is a highly accomplished restructuring and insolvency lawyer, advising on numerous high-profile Canadian, US and European restructuring proceedings. He advises on complex corporate reorganizations as well as workouts, distressed M&A transactions, receiverships and bankruptcies.

Waël has acted for publicly traded companies, directors and officers, shareholders, banks, financial institutions, hedge funds, private equity funds, asset-based lenders, customers and suppliers in domestic and cross-border proceedings. He also advises privately appointed and court appointed receivers, court appointed monitors and trustees in bankruptcy.

A talented finance lawyer, Waël frequently acts for clients in lending transactions, debtor-in-possession (DIP) financing and distressed loans, and other forms of distressed investing. Waël has extensive experience in the banking, manufacturing and mining industries.

Wael is recognized by *Chambers Canada* (2023) as a leading lawyer in the area of restructuring / insolvency, by the *Best Lawyers in Canada* (2023) as a leading lawyer in insolvency and financial restructuring law and by Lexpert in the 2022 Canadian Legal Lexpert Guide in the area of Insolvency & Restructuring: Financial Restructuring. He is a member of the Insolvency Institute of Canada and leads the firm's Restructuring & Insolvency Group nationally.

Email: Wael.rostom@mcmillan.ca

Expertise: Automotive, Banking & Finance, Financial Services, Mining, Restructuring & Insolvency

Location: Toronto

Phone: 416.865.7790

Position/Title: Partner, Restructuring & Insolvency

Directorships & Affiliations:

- Insolvency Institute of Canada
- Canadian Bar Association
- American Bankruptcy Institute
- Turnaround Management Association

Publications:

- [Demanding Repayment of Loans and Reasonable Notice - Back to the Future](#), *National Banking Law Review* - Lexis Nexis - Volume 30, Number 5, October 2011
- [The proposed federal pension plan workout scheme: some preliminary observations](#), *Pensions and Employee Compensation Bulletin*, January 2011
- [Allocation Restructuring Costs](#), *Corporate Restructuring Bulletin*, November 2010
- [Court clarifies elements of new interim financing rules](#), *Corporate Restructuring Bulletin*, October 2010
- [Impact of Insolvency Law Amendments on Distressed Automotive Parts Supplier Cases](#), Presentation to Automotive Parts Manufacturers' Association, March 2010
- [Canadian Business Restructuring Law: When Should a Court say 'No'?](#), *The Banking & Finance Law Review*, Fall 2008
- [Wage Earner Protection Program Act and Certain Other Amendments to the BIA Now in Force](#),

Restructuring Bulletin, July 2008

- [Asset-Based Lending: Recent Developments of Importance](#), 2008 Lexpert / The American Lawyer - Guide to the Leading 500 Lawyers in Canada, April 2008
- [Insolvency & Financial Restructuring - Recent Developments of Importance](#), 2008 Lexpert / American Lawyer - Guide to the Leading 500 Lawyers in Canada, April 2008
- [Legal Strategies for Acquiring Distressed Businesses in Canada](#), Chapter 14 in Corporate Finance for Canadian Executives, edited by Howard E. Johnson (Carswell - Thomson Canada Limited), September 2007
- [DEEPENING INSOLVENCY: Will the U.S. theory be adopted in Canada?](#), Restructuring Bulletin, June 2007
- Insolvency Reform And The Asset-Based Lender, Article, October 2006
- The Auditor as Monitor in CCAA Proceedings, What is the Debate?, Article, October 2003

Education & Admissions:

Degree: Called to the Ontario bar

Year: 2000

Degree: LLB

University: University of Ottawa

Year: 1998

Degree: B.Comm. (Honours)

University: Carleton University

Year: 1993

Rankings & Recognition:

- Recognized by Chambers Canada (2025) as a leading lawyer in the area of Restructuring / Insolvency
- Recognized by Best Lawyers in Canada (2025) as a leading lawyer in the area of Insolvency and Financial Restructuring Law
- Recognized in the 2024 Lexology Index: Canada Guide as a Recommended lawyer in the area of Restructuring & Insolvency
- Recognized in the 2024 Lexpert Special Edition on Canada's Leading Insolvency and Restructuring Lawyers
- Recognized in the 2024 Canadian Legal Lexpert Directory as a Repeatedly Recommended Lawyer in the

area of Insolvency & Financial Restructuring

- Recognized by Chambers Global (2024) as a leading lawyer in the area of Restructuring / Insolvency
- Recognized by Chambers Canada (2024) as a leading lawyer in the area of Restructuring / Insolvency
- Recognized by *Best Lawyers* in Canada (2024) as a leading lawyer in the area of Insolvency and Financial Restructuring Law
- Listed in Who's Who Legal: Canada 2023 as a leader in Restructuring & Insolvency
- Recognized in the 2023 Canadian Legal Lexpert Directory as a Repeatedly Recommended Lawyer in the area of Insolvency & Financial Restructuring: Financial Restructuring
- Recognized by Chambers Global (2023) as a leading lawyer in the area of Restructuring / Insolvency
- Listed in Who's Who Legal: Global 2022 as a leader in Restructuring & Insolvency
- Listed in Who's Who Legal: Canada 2022 as a leader in Restructuring & Insolvency
- Recognized by Chambers Canada (2023) as a leading lawyer in the area of Restructuring / Insolvency
- Recognized by *Best Lawyers* in Canada (2023) as a leading lawyer in the area of Insolvency and Financial Restructuring Law
- Recognized in the 2022 Canadian Legal Lexpert Directory as a Repeatedly Recommended Lawyer in the area of Insolvency & Financial Restructuring: Financial Restructuring
- Recognized by Chambers Global (2022) as a leading lawyer in the area of Restructuring / Insolvency
- Recognized by Chambers Canada (2022) as a leading lawyer in the area of Restructuring / Insolvency
- Recognized by *Best Lawyers* in Canada (2022) as a leading lawyer in the area of Insolvency and Financial Restructuring Law
- Listed in Who's Who Legal: Global 2021 as a leader in Restructuring & Insolvency
- Listed in Who's Who Legal: Canada 2021 as a leader in Restructuring & Insolvency
- Recognized in the 2021 Canadian Legal Lexpert Directory as a Repeatedly Recommended Lawyer in the area of Insolvency & Financial Restructuring: Financial Restructuring
- Recognized in the 2021 Lexpert Special Edition on Finance and M&A as one of Canada's Leading Finance and M&A Lawyers
- Recognized by the *Best Lawyers* in Canada (2021) as a leading lawyer in the area of Insolvency and Financial Restructuring Law
- Recognized by Chambers Canada (2021) as a leading lawyer in the area of Restructuring / Insolvency
- Listed in Who's Who Legal: Canada 2020 as a leader in Restructuring & Insolvency
- Recognized in the 2020 Canadian Legal Lexpert Directory as a Repeatedly Recommended lawyer in the area of Insolvency & Financial Restructuring: Financial Restructuring
- Recognized by Chambers Global (2020) as a leading lawyer in the area of Restructuring / Insolvency
- Listed in the Legal500 Canada 2020 as a "Recommended Lawyer" – Restructuring & Insolvency

- Recognized by Chambers Canada (2020) as a leading lawyer in the area of Restructuring / Insolvency Law
- Recognized by Best Lawyers in Canada (2020) as a leading lawyer in the area of Insolvency & Financial Restructuring Law
- Listed in Who's Who Legal: Canada 2019 as a leader in Restructuring & Insolvency
- Recognized by the 2019 Lexpert Guide to the US/Canada Cross-Border Lawyers in Canada as a leading Canadian lawyer in cross-border practices
- Recognized in the 2019 Canadian Legal Lexpert Directory as a Repeatedly Recommended lawyer in the area of Insolvency & Financial Restructuring – Financial Restructuring
- Recognized by Chambers Global (2019) as a leading lawyer in the area of Restructuring / Insolvency
- Chambers Canada 2019 - Restructuring/Insolvency
- Best Lawyers in Canada (2019) - Insolvency and Financial Restructuring Law
- Recognized in the 2018 Canadian Legal Lexpert Directory as a Repeatedly Recommended lawyer in the area of Insolvency & Financial Restructuring – Financial Restructuring
- Who's Who Legal Canada 2018 - Insolvency & Restructuring
- Lexpert Guide 2018 - a leading US/Canada Cross-Border Lawyer in Canada
- Chambers Global 2018 - Restructuring/Insolvency
- Best Lawyers in Canada (2018 edition) - Insolvency and Financial Restructuring Law
- Chambers Canada 2018 - Restructuring/Insolvency
- Who's Who Legal Canada 2017 - Insolvency & Restructuring
- Canadian Legal Lexpert Directory 2017 - repeatedly recommended in Insolvency & Financial Restructuring - Financial Restructuring
- Chambers Global 2017 - Restructuring/Insolvency
- Best Lawyers in Canada (2017 edition) - Insolvency and Financial Restructuring Law
- Chambers Canada 2017 - Restructuring/Insolvency
- Lexpert Special Edition - Global Mining 2016/17
- Who's Who Legal Canada 2016 - Insolvency & Restructuring
- Chambers Global 2016 - Restructuring/Insolvency
- Best Lawyers in Canada (2016 edition) - Insolvency and Financial Restructuring Law
- Canadian Legal Lexpert Directory 2016 - Insolvency & Financial Restructuring
- Chambers and Partners: Chambers Global – The World's Leading Lawyers for Business 2015 Clients Guide – Canada & Restructuring / Insolvency – Canada.

Representative Matters:

- Sixth Street Specialty Lending, Inc. in its capacity as agent for the FILO Lenders to Bed, Bath & Beyond Inc. in connection with CCAA proceedings commenced by Bed Bath & Beyond Canada L.P. and BBB Canada Ltd.
- The Bank of Nova Scotia in its capacity as pre-filing lender and DIP Lender a large Canadian flooring distributor
- Numerous bidders for distressed businesses in restructuring proceedings under the Companies' Creditors Arrangement Act
- Royal Bank of Canada in its capacity as Agent for the First Lien Lenders to Cirque du Soleil involving over US\$1 billion of debt
- All Js Greenspace LLC in its capacity as DIP lender and stalking horse purchaser in Green Growth Brands Inc.'s restructuring proceedings under the *Companies' Creditors Arrangement Act*
- The Bank of Nova Scotia in connection with restructuring proceedings involving Imperial Tobacco Canada Limited and its subsidiaries under the *Companies' Creditors Arrangement Act*
- iAnthus Capital Holdings Inc. and its subsidiaries in the company's plan of arrangement under the *British Columbia Business Corporations Act* involving over US\$185 million in debt
- Acted for a syndicate of lenders providing exit financing to Algoma Steel Inc.
- Citibank, N.A. in its capacity as Agent to a syndicate of lenders providing exit financing to the Syncreon Group
- FTI Consulting Canada Inc. in its capacity as Monitor in the restructuring proceedings involving Banro Corporation under the *Companies' Creditors Arrangement Act*
- KPMG Inc. in its capacity as Monitor in the restructuring proceedings involving Walter Energy Canada Holdings Inc. and its subsidiaries under the *Companies' Creditors Arrangement Act*
- The Bank of Nova Scotia in connection with restructuring proceedings involving RB Energy Inc. under the *Companies' Creditors Arrangement Act*
- Miniso Canada in connection with its restructuring proceedings under the *Companies' Creditors Arrangement Act*
- Fortress Investment Group in connection with the purchase of the assets of the Montreal, Maine & Atlantic Railway, which was subject to court protection following the tragic derailment at Lac-Mégantic, Québec on July 6, 2013
- Great Basin Gold Limited in connection with proceedings under the Companies' Creditors Arrangement Act ("CCAA") and advising it relating to filings by certain of its affiliates under with South African Business Rescue Proceedings and Chapter 11 of the US Bankruptcy Code.
- JP Morgan in its capacity as pre-petition Lender and DIP Lender in connection with Catalyst Paper Corporation's filing under the CCAA

- Acted for the syndicates of Lenders and the DIP Lender in connection with cross-border insolvency proceedings involving the Allied Research and the Cetero Group of Companies
- Acted for the Syndicate of Lenders in connection with the receivership of PRACS Institute
- Represented the Syndicate of Lenders in connection with the Canadian aspect of the cross-border restructuring of Graceway Pharmaceuticals
- Represented the largest secured lenders to Trident Resources Corporation in connection with its restructuring under the CCAA
- Represented Pliant in connection with its cross-border restructuring and recognition proceedings under the CCAA
- Represented the Pre-Petition Bank Syndicate to Quebecor World
- Acted for the DIP Lenders to Indalex Limited and Linens 'n Things
- Acted for the Informal Committee of Convertible Noteholders and two of the Plan Sponsors in Stelco Inc
- Acted for banks, OEMs and parts suppliers in connection with several automotive restructurings, including GBM Rivets & Fasteners, Niagara Machine Products, Windsor Machine, Dominion Springs, Vannatter/Solus, Cam-Tool & Die, Waltec Forgings, Hallmark Technologies, Genfast Manufacturing, Hunjan International, Veltri Metal Products, A.G. Simpson Automotive, Tiercon Industries, Brahm Industries and Autosystems Manufacturing

Waël has acted for clients in the following additional public restructuring and insolvency matters:

- Nortel Networks;
- Angiotech;
- Compton Petroleum;
- General Motors and General Motors Canada;
- Air Canada;
- Teleglobe Inc.;
- Ivaco Rolling Mills;
- Inter-Canadien Airlines;
- Cotton Ginny;
- Playdium;
- Roman Corporation;
- Look Communications; and
- Fantom Technologies

The logo for mcmillan, featuring the word "mcmillan" in a lowercase, sans-serif font. The "m" and "c" are in a dark red color, while the "m", "i", "l", "l", "a", and "n" are in a light blue color. The logo is positioned in the upper left corner of a header image that shows a low-angle view of a modern glass skyscraper against a clear sky.

mcmillan

Industries: Automotive, Banking & Finance, Mining

Practices: Financial Services, Restructuring & Insolvency