

Insolvency & Restructuring

When your business — or someone you do business with — is facing insolvency, you need timely and effective advice on how to protect yourself.

The potential insolvency or restructuring of your business, a major customer or a critical supplier creates immediate and complex challenges.

Faced with so many competing priorities, claims and obligations, you need to act quickly to protect your interests and minimize your risks.

That's where we come in. Our dedicated team of leading insolvency and restructuring lawyers will work with you to design a proactive, cost-effective strategy to address your unique situation.

Helping you preserve and maximize the value of your business is our goal.

Our national reach means we can represent you anywhere in Canada. We also have a vast network of relationships and specialized expertise in cross-border restructuring.

We can advise you on financial or operational restructurings arising from formal restructuring or recognition proceedings under the *Companies' Creditors Arrangement Act* (CCAA) or the *Bankruptcy and Insolvency Act*, such as:

- asset and business sales
- acquisitions
- pre-packaged plans

We can also help you with out-of-court restructurings, including:

- loan amendments
- inter-creditor and forbearance arrangements

We can also provide you with advice on:

- mergers and acquisitions
- securities
- litigation
- intellectual property
- labour and employment
- financial services

- fintech
- competition
- pensions
- tax
- privacy law
- real estate

Experience

- Sears Holdings and Sears Roebuck in the Companies' Creditors Arrangement Act proceedings of Sears Canada with regard to various intellectual property, licensing, pension and merchandising issues with respect to Sears Canada's retail operations.
- Bank of Montreal, as agent in a lending syndicate, in the sale of Ingenious Packaging Group ULC to Resource Label Group pursuant to a pre-pack receivership proceeding in which the court appointed Deloitte Restructuring Inc. as receiver. We advised BMO on the preferred insolvency structure in Canada to orchestrate a pre-pack sale to the Resource Label Group of Ingenious Packaging business and operations in Canada.
- Deloitte Restructuring Inc. as court appointed receiver and manager of the operations of Best Made Toys ULC, Best Made Toys LLC, Best Made Toys Global Enterprises Limited and Best Made Toys Holdings LLC, a manufacturer of plush made toys with operations in Canada, Hong Kong and China in the wind down of Best Made operations and a sale of Best Made assets.
- Zurich in the Companies' Creditors Arrangement Act (CCAA) proceedings of Bondfield Construction Company Limited (BCCL) and certain affiliates. Zurich was BCCL's principal surety in its numerous construction and P3 projects. Zurich also acted as DIP Lender to BCCL during the CCAA Proceedings.
- KPMG Inc., as court appointed liquidator, on application by the Office of the Superintendent of Financial Services (Canada) for the winding-up of the Canadian operations of the Toronto Branch of Maple Bank GmbH under the Winding-up and Restructuring Act (WURA). Maple Bank was the first authorized foreign bank in Canada placed into liquidation proceedings pursuant to WURA.
- Ascent Industries Corp. and the other petitioners in their restructuring proceedings under the CCAA, including in a transaction approved in those proceedings to sell the Canadian assets for approx. \$29 million, plus an assumption of a debt of approx. \$12.5 million. This was the first CCAA restructuring of a recreational cannabis company in Canada.

BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 725 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

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