



## Mathieu Lévesque

### Partner

T 514.954.3122  
F 514.954.1905  
Montréal  
[MaLevesque@blg.com](mailto:MaLevesque@blg.com)  
[LinkedIn](#)

[Banking & Financial Services](#)  
[Banking Litigation](#)  
[Class Actions](#)  
[Commercial Litigation](#)  
[Fraud](#)  
[Insolvency & Restructuring](#)

Mathieu is a trusted adviser to leading financial institutions in the Canadian market. He focuses his practice on **banking litigation**, **class actions**, **bankruptcy and insolvency** and **financial restructuring**.

His areas of practice also include:

- complex commercial insolvencies
- cross-border restructuring and enforcement
- ranking of priorities
- bills of exchange and other payment instruments
- security

Mathieu advises financial institutions, through their legal and special accounts management groups, on a wide array of issues, as well as trustees and accounting firms. He also represents banks in files involving **payments systems**, as well as litigation related to **fraud**, **fraudulent transfers** and the **misappropriation of funds**. He also advises the Canadian Bankers Association.

Mathieu has appeared before all levels of court, including the Superior Court and the Court of Appeal of Quebec, and has intervened before the Supreme Court of Canada. He also has trial experience in matters pertaining to the protection of personal information and privacy before the Federal Court and the Federal Court of Appeal.

## Experience

- Advises financial institutions, creditors (secured and unsecured), receivers and trustees in bankruptcy concerning the realization of security and ranking, as well as with respect to insolvency and asset recovery. He has acted as legal advisor:
  - Acting for BMO in their role as Agent for the lending syndicate of bankers regarding the CCAA and Chapter 15 insolvency filing of the Aldo Group (Retail).
  - In the matter of the Plan of Arrangement for Béton Brunet Ltée *et al.* and Business Development Bank of Canada *et al.*
  - In the receivership proceedings for Gaétan Corriveau and Bank of Montréal (a major residential real estate development for senior citizens)
  - In the matter of the Plan of arrangement and Compromise of Homburg Invest Inc. *et al.*
  - In the matter of the Plan of Arrangement of CT-Paiement and Global Payments (U.S.A.) (electronic payments agents)
  - In the receivership proceedings of Recycor Caoutchouc Inc. and Bank of Montréal
  - In the matter of the cross-border restructuring of White Birch Paper under the CCAA (“Official committee of Unsecured Creditors”)
  - In the matter of the Recognition in Québec of Foreign Insolvency Proceedings; Compañía Mexicana de Aviación de S.A. de C.V. *et al.*, as well as foreign receivership proceedings in connection with the international operations of Mobe Ltée.
  - In the matter of the Plan of Arrangement and Compromise of Bock inc. and of major U.S. institutional creditors
  - In the matter of the Plan of Arrangement of Industrie Laforo Inc. and Business Development Bank of Canada
- He also deals with various cases involving financial restructuring, whether or not supervised by Courts, as well as the refinancing of businesses subject to that process. The following are some examples:
  - *Services financiers CIT Ltée c. le Belvoir* (bankruptcy petition re uncertified health professionals)
  - *Services financiers CIT Ltée c. Sharon Eva Abitbol, pharmacienne et 9193-1360 Québec Inc.* (restructuring of drugstores)
  - *Chrysler LLC (USA) v. Montupet Ltée* (critical supplier, insolvency and injunction proceedings)
  - *Banque de développement du Canada c. Boucherie Jean-Guy Inc.*
- He defends banks in class actions taken against them. Mention may be made of:
  - *Option Consommateurs et Dubé c. Banque de Montréal* (fees charged for early mortgage repayments)
  - *Fournier c. Banque Scotia* (fees for registration in the RPMRR)
  - *Union des Consommateurs et Marcil c. Banque de Montréal et al.* (pre-authorized payments and related fees)
  - In the matter of Earl Jones and the Royal Bank of Canada
  - *Vincent De France c. HSBC et al.* (NSF payment fees)
  - *Mélisa Pilon c. Banque de Montréal* (exceeded vs. increased credit card limit with variable credit)
  - *Trilogie (Corriveau, Lamoureux et Grimard/Audet) St-Pierre et Union des Consommateurs c. BMO* (21-day grace period with variable credit)
- Mathieu stands apart thanks to his experience in matters relating to the *Bills of Exchange Act* (forged cheques and fraudulent endorsements, etc.) and is in charge of a number of anti-fraud mandates (cybersecurity, fraud or phoney boss scams, phishing emails, fraudulent electronic funds transfers, etc.). The following are some examples:
  - *Desjardins Assurances générales c. Luc Jutras et Industrielle Alliance, Assurance et services financiers inc.*

- *9264-5589 Québec inc. et 9262-8346 Québec inc c. Banque Canadienne Impériale de Commerce, Banque de Montréal et Banque HSBC Canada*
- *Desjardins Assurances générales c. Claude Patry et Industrielle Alliance, Assurance et services financiers inc.*
- *Norbourg, liquidation of assets, trusts and the matter of the Bankruptcy of Vincent Lacroix*
- *Gwyneth Marguerite Riddell c. Banque Royale du Canada*
- *Ramond Chabot inc. c. Caisse populaire Desjardins de la Vallée de la Kaimika* (Banks' obligations and liabilities)
- *Nguyen c. Tricot Canavan inc. et Banque Laurentienne du Canada*
- Expertise in disputes relating to the protection of personal information and representation and defence of financial institutions before the Federal Court, the Federal Court of Appeal (PIPEDA) and the Commission d'accès à l'information du Québec
- He represents businesses of all sizes in a wide gamut of commercial disputes

## Insights & Events

- Favourable judgement issued by Québec Court of Appeal in Pilon class action
- Co-Presenter, "Conseil des syndicats autorisés en insolvabilité du Québec," (virtual presentation) Commercial Case Law Review, Montréal, March 12, 2021
- Action collective – Rétrospective de l'année 2020 au Québec
- Supreme Court of Canada Rules on Production of Discharge Statements and Privacy Implications
- Author of a databank of precedents and authorities on insolvency and the rights of tax authorities and the priorities of the Crown
- Author, "The Réforme de la Loi sur l'insolvabilité," Les Affaires (online)
- Authored a booklet of some forty pages summarizing creditors' rights in bankruptcy and insolvency
- He Also Gives Lectures And Seminars For The Association Of Certified Fraud Examiners (ACFE)
- He Has Also Lectured About And Analyzed The BMP Global Case Dealing With The Bills Of Exchange Act
- He Has Served As A Presenter In CLE Training Sessions For Insolvency Professionals
- He has spoken to financial institutions on "Canada/U.S. cross-border financing transactions"
- He has spoken to financial institutions on "Phoney boss and electronic funds transfer scams: Who is at fault?"
- He Provided Courses In Accounting And Insolvency At The H.E.C.
- He provided courses in the M.B.A. Program of the John Molson School of Business, Concordia University
- He provided courses in the MBA Program of the John Molson School of Business, Concordia University
- Mathieu Has Spoken At Numerous Conferences And Given Presentations To Various Institutional Clients Regarding Statutes Governing Insolvency And The Ranking Of Tax Authorities (Legal Update On Claims For Extra-Judicial Fees, Updates On The Appointment Of Trustees, Extraordinary Recourses And Insolvency Proceedings)
- Mathieu Often Acts As A Speaker: Annual Symposium Of BLG's Financial Services Group (Recent Developments In The Phoney Boss Scam And Recent Legal And Jurisprudential Developments In Personal Information Class Actions)
- Speaker at a Canadian Institute conference on financing and securities, giving a presentation of marine securities
- Speaker, Aqpri/Qairp (Association Québécoise Des Professionnels De La Réorganisation Et L'insolvabilité/Québec Association Of Insolvency And Restructuring Professionals)

- Speaker, AQPRI/QAIRP (Association québécoise des professionnels de la réorganisation et l'insolvabilité/Québec Association of Insolvency and Restructuring Professionals)
- Speaker, Canadian Institute Conference (Recent Developments In Temporary Financing [Dip Financing])
- Speaker, Mathieu often acts as a speaker: Annual symposium of BLG's Financial Services Group (recent developments in the phoney boss scam and recent legal and jurisprudential developments in personal information class actions)
- Trainer For New Bank Account Managers Joining Special Accounts
- Various articles and coverage as Chair of the Bankruptcy and Insolvency Section of the Québec Branch of the Canadian Bar Association

## Beyond our Walls

### Professional Involvement

- Member, Board of Directors, Finance Montréal
- Member of Executive Committee and outgoing President, Canadian Bar Association (Bankruptcy and Insolvency Section, Québec Division)
- Member, Ordre des administrateurs agréés du Québec (ADMA)
- Member, Turnaround Management Association

### Community Involvement

- Member, Association des familles de l'Île des Sœurs (action to secure building a second school)
- Certified Coach, Hockey Canada
- Ice hockey coach, AHM Verdun and AAA level
- Manager, coordinator and player, ice hockey, Ligue compétitive récréative Brébeuf
- Member, Insol Association

## Awards & Recognitions

- Recognized in the 2022 (and since 2018) edition of *The Best Lawyers in Canada*<sup>®</sup> (Insolvency and Financial Restructuring Law) and in the 2022 edition (Banking and Finance Law).
- Recognized in the 2020 (and since 2016) edition of *IFLR1000 - The Guide to the World's Leading Financial Law Firms* (Banking, Financial Restructuring - Rising Star).
- 2015: Winner of the annual Section prize as Chair of the Bankruptcy and Insolvency Section of the Québec Branch of the Canadian Bar Association.
- Named "Litigation Lawyer to Watch" in the 2015 edition of the *Lexpert*<sup>®</sup> *Guide to the Leading US/Canada Cross-Border Litigation Lawyers in Canada*.
- Martindale-Hubbell, rating of 4.5 out of 5 granted in a peer evaluation
- Mathieu Lévesque is mentioned in the Honour Roll of the Faculté des sciences de l'administration, Université Laval, for excellence in his work and of his results.

## Bar Admission & Education

- Québec, 2001



- Master's in Business Administration/MBA, Université Laval, 2000, combined program of Université Laval and Clark University, Worcester, Mass, U.S.A
- LL.B, Université Laval, 1997

---

## **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.

[blg.com](http://blg.com)

© 2022 Borden Ladner Gervais LLP. Borden Ladner Gervais LLP is an Ontario Limited Liability Partnership.