

The Commons Institute

**This program fulfills 6.50
Substantive Hours pursuant to the
Law Society
of Upper Canada's CPD
Requirement.**

EARLY BIRD DEADLINE: 22 February 2012

BANKRUPTCY & INSOLVENCY LAW:

AN EXAMINATION OF CONTEMPORARY ISSUES & EMERGING TRENDS

2 March 2012 | Old Mill Inn | Toronto, ON

The Commons Institute

www.thecommonsinstitute.com

FACULTY



Richard Howell, CLARK FARB FIKSEL

Richard received his B.A. and LL.B from the University of Saskatchewan in 1968, and was called to the Bar in 1970. He is fluently bilingual. Richard practices commercial litigation, bankruptcy and insolvency law and is certified by the Law Society as a Specialist in both Civil Litigation and in Bankruptcy and Insolvency Law. Richard lectures at the Ontario Institute, the Canadian Institute of Credit, and the Canadian Bar Association of Insolvency & Restructuring Professionals. An avid tennis player, he has won several National Senior Doubles Titles and represented Canada on the Fred Perry Cup, Austria Cup, Gordon Trophy and Columbus Trophy teams.



Andrew Rogerson, ROGERSON LAW CORP

Andrew's main areas of practice include asset protection using offshore tax havens, and offshore corporate structuring. Andrew was called to the Bar of England and Wales in 1981. Subsequently, he served as a pupil in the Insolvency Chambers of Michael Crystal Q.C. in Gray's Inn. His early practice developed from insolvency and bankruptcy litigation to encompass asset protection with an international focus. Since qualification, Andrew has practiced in South Africa, Australia, the Turks and Caicos Islands, Jersey (Channel Islands), Ontario, Alberta and as a barrister in London, England.



Maurice Fleming, MILLER THOMSON

Maurice Fleming practices in corporate, banking and commercial lending, as well as bankruptcy and insolvency law. He is a partner in the firm's Financial Services and Insolvency Group. Mr. Fleming has acted for clients in the acquisition and divestiture of assets under judicial vesting orders and otherwise in the insolvency context in various industries. Mr. Fleming is an experienced litigator in all aspects of bankruptcy & insolvency law.



John Campbell, MILLER THOMSON

John Campbell practices taxation law, advising clients on domestic and international income tax issues. Mr. Campbell has extensive experience with respect to the tax implications and structuring of corporate reorganizations, mergers and acquisitions and other business transactions. Mr. Campbell also specializes in tax litigation. He has many years of experience in representing clients in tax disputes with federal and provincial tax authorities.



Vern DaRe, FOGLERS

Vern DaRe's practice focuses exclusively on bankruptcy and insolvency law and creditor and debtor rights. He has a broad range of experience which includes advising and appearing in court on behalf of receivers, trustees, monitors, secured creditors, landlords, equipment lessors, unsecured creditors and debtors in commercial reorganizations, receivership, bankruptcy, liquidation and enforcement proceedings. Before joining Fogler, Rubinoff LLP, Vern practised at major law firms and insolvency boutiques in Halifax and Toronto, and clerked for the Chief Justice of the Italian Constitutional Court.



Bruce Darlington, DAVIS LLP

Bruce assists lenders and debtors in all aspects of commercial loan transactions including secured financing transactions, asset-based lending, real estate financing, insolvency, restructuring, debtor and creditor rights and supplier's rights. Bruce also represents other creditors, trustees in bankruptcy, receivers, trade suppliers, landlords and debtors in all aspects of insolvency law.

BANKRUPTCY & INSOLVENCY LAW: AN EXAMINATION OF CONTEMPORARY ISSUES & EMERGING TRENDS

For lawyers involved in corporate reorganizations, insolvency and bankruptcy, this conference will provide valuable updates on matters such as tax implications, credit bidding, and insolvency in the unique context represented by lease companies, among other topics.

Covering a wide swath of indispensable bankruptcy and insolvency practice topics over the course of one information-packed day, attendance is indispensable for actors involved in the law, business and facilitation of insolvency, reorganization and bankruptcy in Canada. The conference will include opportunities for debate, dialogue and answers between attendees and faculty.

A Sampling Of Issues To Be Addressed:

- Recent developments before the Registrar in the Bankruptcy Court
- An examination of recent jurisprudence: *Peake v Dashney*
- Tax and the insolvency proceeding
- Credit bidding in insolvency proceedings
- Lease and finance companies as a unique environment for insolvency regimes

Who Should Attend:

- Lawyers practicing or providing advice to clients in the area of bankruptcy and insolvency law
- Lawyers intent on gaining a broad knowledge of pertinent aspects of bankruptcy and insolvency law
- Lawyers intent on gaining an understanding of the nexus between tax law and insolvency
- Leasing company executives
- Legal & other academics focused on insolvency from the perspectives of law and social policy

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9:00 Welcome and Introduction

**9:10 Recent Developments before the Registrar in the Bankruptcy Court
Richard Howell, CLARK FARB FIKSEL**

10:10 Questions and Discussion

**10:25 Peake v Dashney: A Jurisprudential Update
Andrew Rogerson, ROGERSON LAW CORPORATION**

11:25 Questions and Discussion

11:40 Lunch Adjournment

**12:30 Tax and the Insolvency Proceeding
Maurice Fleming & John Campbell, MILLER THOMSON**

1:30 Panel-Style Questions and Discussion

2:00 Refreshment Adjournment

**2:15 Credit Bidding in Insolvency Proceedings
Vern DaRe, FOGLEERS**

3:15 Questions and Discussion

**3:30 On A Collision Course: The Face-Off Between Environmental Law and
Insolvency Law
Bruce Darlington, DAVIS LLP**

4:30 Questions and Discussion

4:45 Closing Remarks

4:50 Conference Concludes

The Commons Institute

INFORMATION

Ways to Register:

1. Online: visit www.thecommonsinstitute.com
2. Email: send desired conference details to info@thecommonsinstitute.com
3. Telephone: call us at 1.800.278.3170
4. Fax: send the form below to 1.800.278.3170
5. Mail: mail the form below to The Commons Institute, 407 Laurier Avenue West, PO Box 56062, Ottawa, Ontario, K1R 7Z0

EARLY BIRD DEADLINE: 22 February 2012

Registration:

EARLY BIRD: Per person: \$485 + HST of \$63.05 = \$548.05
EARLY BIRD: 4 or more persons: \$385 + HST of \$50.05 = \$435.05 per person
REGULAR: Per person: \$585 + HST of \$76.05 = \$661.05
REGULAR: 4 or more persons: \$485 + HST of \$63.05 = \$548.05 per person

Covers attendance, materials, breakfast, lunch, refreshments and parking.

Payments:

You may pay by VISA, MasterCard, American Express, or by cheque. Cheques should be made payable to "The Commons Institute, care of Goshay Total Media Inc." Goshay Total Media Inc. is the corporate parent of The Commons Institute. Registration must be paid prior to the conference.

Arrival:

Endeavour to arrive to check in up to 30 minutes before the indicated start time.

Materials:

The faculty will prepare materials regarding presentations given over the course of the conference. Please visit our web site if you wish to purchase a set of materials rather than attend. [www.thecommonsinstitute.com]

Your Privacy:

We will keep all information that you provide to us in the strictest confidence. We will prepare a delegate list containing your name, title, firm and city for our faculty and for other conference delegates. We do not share our mailing lists with any corporation or organization.

Cancellations:

A full refund will be given for a cancellation if notice is received in writing ten full business days prior to the conference. Unfortunately, after that time we are unable to refund registration fees. However, substitutions are always permitted. We reserve the right to cancel, change or revise the date, faculty, content or venue of the conference.

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Registration Form

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PO Box 56062, Ottawa, Ontario, K1R 7Z0
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2 March 2012
Old Mill Inn, 21 Old Mill Road
Toronto, ON

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