



Insolvency Institute of Canada
L'Institut d'insolvabilité du Canada

2024 ANNUAL CONFERENCE

September 26-29, 2024

Fairmont Scottsdale Princess





FAIRMONT SCOTTSDALE PRINCESS

7575 East Princess Drive | Scottsdale | Arizona
Tel: +1 (480) 585-4848 | Web: [ScottsdalePrincess.com](https://www.ScottsdalePrincess.com)

The Fairmont Scottsdale Princess, an iconic Scottsdale luxury hotel, will be the home of the 2024 IIC Conference. Come enjoy the sunshine, fine dining, and spectacular views.

A 5-Diamond hotel, the Scottsdale Princess is located on 65 acres of landscaped grounds filled with lagoons, blooms, and wildlife. Along with world-class golf, the resort also offers five pools, a luxury on-site spa, and amazing restaurants. The 2024 Conference program has been designed to ensure you don't miss any of it!



ACCOMMODATION INFORMATION

CHECK-IN: 4:00 PM MT ON SEPTEMBER 26
CHECKOUT: 11:00 AM MT ON SEPTEMBER 29

While every effort is made to accommodate guests arriving before the check-in time, rooms may not be immediately available.



REGISTER EARLY!

Your accommodation at the Fairmont Scottsdale Princess **will be booked by the IIC staff**, for arrival on Thursday, September 26, and departure on Sunday, September 29.

Please note the three (3) nights of accommodation and resort fee are included in the conference registration fee.

THE RESORT FEE INCLUDES:

- Basic Internet Access in Guestrooms
- Daily Maid Gratuity
- Roundtrip Portage Cost
- \$25 Spa Credit x 3 nights, towards a body or facial treatment

Guestrooms will be assigned according to the date on which the conference registration is paid; room preference is allotted on a first-come, first-served basis. Incidentals are not covered and are at the expense of the delegate.

IMPORTANT – There is no room availability through the IIC for days pre and post conference. **Please contact us** if you intend to arrive early or extend your stay after the conference. **Please do not call the hotel to make your own rooming arrangements for the three days of the conference. The IIC will book your accommodation once you have registered for the conference.**

CONFERENCE PROGRAM

All Times in MT | Program & Schedule Subject to Change

THURSDAY, SEPTEMBER 26

3:00 pm – 5:00 pm IIC Board of Directors Meeting

6:30 pm Sororan Poolside Cocktail Reception & Dinner

Thank you to our Sponsor  **SANDTON**
CAPITAL PARTNERS

FRIDAY, SEPTEMBER 27

8:00 am – 9:00 am Delegate and Companion Breakfast

9:00 am – 9:30 am Welcome & Opening Remarks

9:30 am – 10:30 am **Legislative Reforms: Past, Present and Future. Did We Get it Right?**
MODERATOR: **Chief Justice Geoffrey Morawetz**, Superior Court of Justice of Ontario
PANELISTS: **Jane Dietrich**, Cassels, Brock & Blackwell LLP
Elizabeth Pillon, Stikeman Elliot LLP
Doug McIntosh, Alvarez & Marsal
J.J. Burnell, MLT Aikins LLP

10:30 am – 10:40 am Refreshment Break

10:40 am – 11:25 am **Staying in the Drivers' Seat (Even After Passing Through Border Patrol)**
MODERATOR: **Kelly Bourassa**, Blake, Cassels & Graydon LLP
PANELISTS: **Chris Burr**, Blake, Cassels & Graydon LLP
Author IIC Journal Paper: *"Sometimes; Maybe: The Enforceability of Intercreditor Agreements in Canadian Insolvency Proceedings"*
Paul Bishop, FTI Consulting Inc.
Stanley Julien, Bank of Montreal

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11:25 am – 12:10 pm

Dual Corporate Personalities – Now You See One, Now You Don't

MODERATOR: **Neil Bunker**, PwC Canada

PANELISTS: **Natalie Renner**, Davies Ward Phillips & Vineberg LLP

Author IIC Journal Paper: *"It Wasn't Me: The Role of Context and Purpose in Corporate Attribution"* Co-Authors: Derek Ricci, Frank Gillies, Dylan Young, Davies Ward Phillips & Vineberg LLP

Evan Cobb, Norton Rose Fulbright Canada LLP

Harvey Chaiton, Chaitons LLP

12:20 pm – 1:20 pm

Delegate Lunch

1:30 pm – 2:15 pm

Horses for Courses - When is a Stalking Horse (Not) the Right Bet?

MODERATOR: **Justice Karen Horner**, Court of King's Bench of Alberta

PANELISTS: **Tom Powell**, FTI Consulting Inc.

Author IIC Journal Paper: *"Strategic Maneuvers: Insights into Stalking Horse Dynamics"*
Co-Author: Kelly Bourassa, Blake, Cassels & Graydon LLP

Edmond Lamek, DLA Piper (Canada) LLP

Sharon Hamilton, Ernst & Young Inc.

2:25 pm – 3:10 pm

CONCURRENT SESSIONS A

A1: Restructuring Banking and Insurance in Canada – is WURA Up to the Task?

MODERATOR: **David Bish**, Torys LLP

PANELISTS: **Dr. Janis Sarra**, University of British Columbia

Author IIC Journal Paper: *"Just and Equitable: Resolving Financially-distressed Insurance Companies in Canada."*

Stephanie Greer, Assuris

Mica Arlette, PwC Canada

A2: Can Directors and Officers Be Let Off the Hook?

MODERATOR: **Jeffrey Oliver**, Cassels Brock & Blackwell LLP

PANELISTS: **Eric St-Amour**, Ernst & Young Inc.

Author IIC Journal Paper: *"Off the Hook? Limitations on Director (and Officer) Releases in Canadian Insolvency Law"*

Co-Authors: Gabriel Lavery Lepage, Benjamin Jarvis, Davies Ward Phillips & Vineberg LLP

Heather Meredith, McCarthy Tétrault LLP

Toni Vanderlaan, Deloitte

A3: Do You "Siriusly" Trust Us?

MODERATOR: **Maurice Chiasson**, Stewart McKelvey

PANELISTS: **Huey Lee**, KPMG LLP

Author IIC Journal Paper: *"Trust-fall: Potential Perils Relating to Trust Claims Arising in Insolvency Proceedings"*

Co-Author: Mishaal Gill, Fasken

Stephen Ferguson, Alvarez & Marsal

Jennifer Stam, Norton Rose Fulbright Canada LLP

3:10 pm – 3:20 pm

Refreshment Break

3:20 pm – 4:05 pm

The Fragile Balance Between Lenders and Suppliers

MODERATOR: **Joseph Latham**, Goodmans LLP

PANELISTS: **Hugo Babos-Marchand**, McCarthy Tétrault LLP

Author IIC Journal Paper: *“Fragile Balance: Mitigating the Risks for Secured Lenders Associated with Remedies Available to Suppliers and Ensuring Suppliers’ Cooperation in Insolvency Proceedings”*

Co-Authors: Gabriel Faure, François Alexandre Toupin, McCarthy Tétrault LLP

George Kinsman, Ernst & Young Inc.

Lisa Hiebert, Fasken

4:05 pm – 4:50 pm

Who is Really Driving the Bus?

MODERATOR: **Justice Shelley Fitzpatrick**, Supreme Court of British Columbia

PANELISTS: **Katherine Forbes**, KPMG LLP

Author IIC Journal Paper: *“An Exploration of Creditor-Initiated CCAA Proceedings”*

Jeffrey Lee, MLT Aikins LLP

Grant Moffat, Thornton Grout Finnigan LLP

6:00 pm

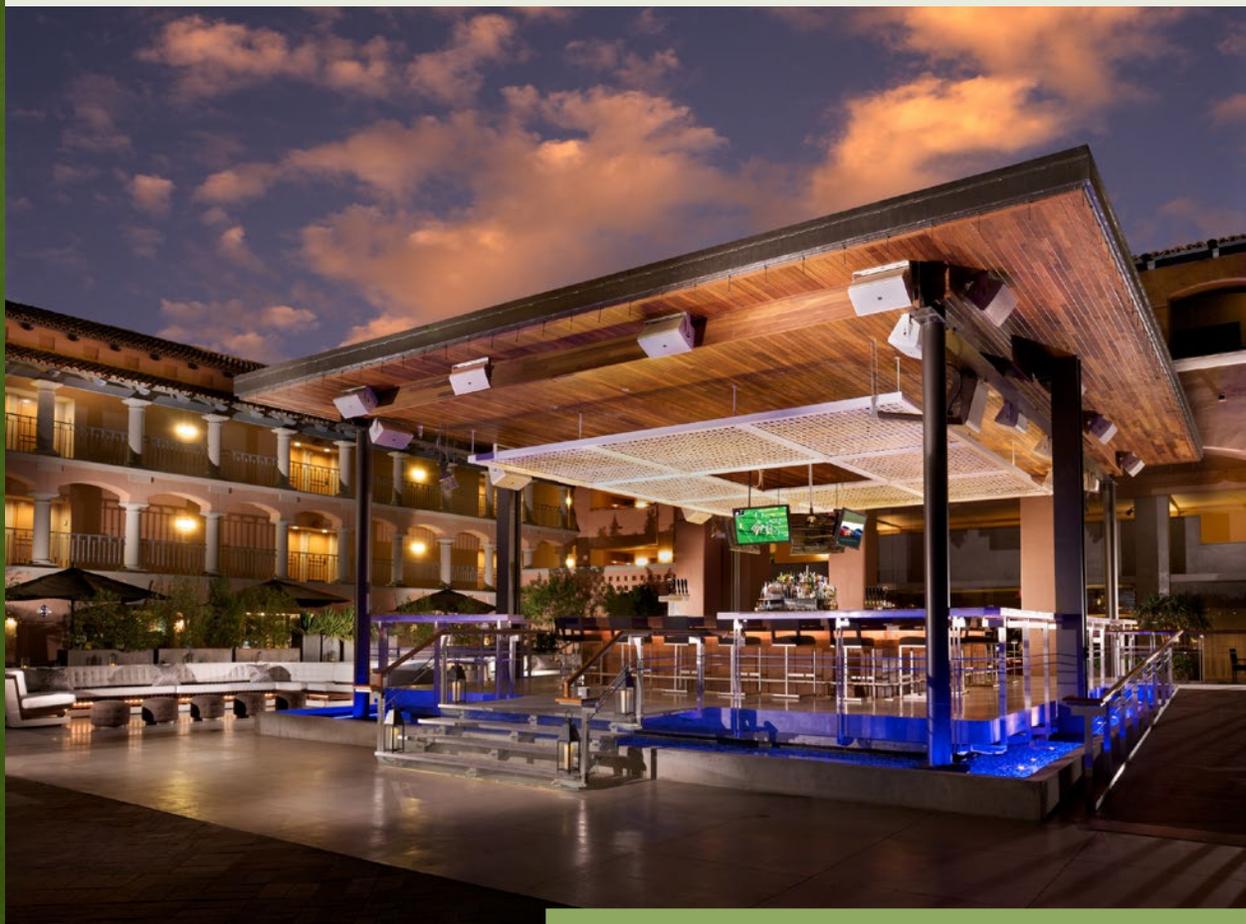
Buses Depart to Toro Restaurant

6:15 pm – 9:45 pm

Cocktails & Dinner

9:45 pm – 10:00 pm

Buses Return to Fairmont Scottsdale Princess



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SATURDAY, SEPTEMBER 28

8:00 am – 9:00 am Delegate and Companion Breakfast

9:00 am – 9:05 am Opening Remarks

9:05 am – 10:05 am **The Superpowers of a Monitor**
MODERATOR: **Craig Munro**, FTI Consulting Inc.
PANELISTS: **Joseph Reynaud**, Stikeman Elliott LLP
Author IIC Journal Paper: *"Appointed as Court Officer When You Had a Prior Relationship? It's Not Like There's No Other Choice Out There!"*
Co-author: Martin Franco, FTI Consulting Inc.
Rebecca Kennedy, Thornton Grout Finnigan LLP
Elisabeth Lang, Superintendent of Bankruptcy

10:05 am – 10:15 am Refreshment Break

10:15 am – 11:00 am **Developments and Expansions in Receiverships**
MODERATOR: **Justice Barbara Conway**, Superior Court of Justice of Ontario
PANELISTS: **Kelsey Meyer**, Bennett Jones LLP
Author IIC Journal Paper: *"The Development of Section 243 of the Bankruptcy and Insolvency Act: Expanded Powers of a Court-Appointed Receiver"*
Co-Authors: Graham Bowden and Kaamil Khalfan, Bennet Jones LLP
Michael Milani, McDougall Gauley LLP
Waël Rostom, McMillan LLP

11:00 am – 12:00 pm **Beyond Our Borders: Hot Topics in International Insolvency**
MODERATOR: **D.J. Miller**, Thornton Grout Finnigan LLP
PANELISTS: **Derek Helkaa**, FTI Consulting Inc.
Debra Grassgreen, Pachulski Stang Ziehl & Jones
Judge Robert D. Drain, Skadden, Arps, Slate, Meagher & Flom LLP

12:30 pm – 1:30 pm **Judicial Forum** (for invited judicial guests only)

12:30 pm – 1:30 pm **Policy Reform Committee Meeting** (for invited delegates only)

6:00 pm – 10:00 pm **Cocktail Reception & Awards Dinner**

SUNDAY, SEPTEMBER 29

At leisure **Delegate and Companion Breakfast**
Restaurant Breakfast Voucher

PLAN FOR A GREAT TRIP

General Information & Guidelines

PHOENIX SKY HARBOR INTERNATIONAL AIRPORT (PHX)

[PHX Website](#)

ESTIMATED TAXI FARE

\$50 USD (ONE WAY)

The Fairmont Scottsdale Princess does not provide a shuttle service

AIR CANADA & WESTJET DISCOUNT CODES

Air Canada | Quote convention number: **QDMNXKJ1** (valid for flights between Sept. 16 to Oct. 7, 2024)

WestJet web booking | Web coupon code: **81002JT** (valid for flights from Sept. 16, 2024 to Nov. 7, 2024)

WestJet booking with an agent | Quote promo code: **YBL87** (valid for flights from Sept. 16, 2024 to Nov. 7, 2024)

CANCELLATION POLICY: PLEASE BE AWARE THERE ARE **NO REFUNDS** FOR CANCELLATIONS **AFTER AUGUST 23rd.**

DRESS CODE

The dress code for the Thursday evening Welcome Reception & Dinner, the educational programming and the Friday evening Cocktails & Dinner is resort casual. The dress code for the Saturday evening Reception & Gala Awards Dinner is business formal (i.e. suit jacket, dress). Please be aware that the majority of the meals will be in outdoor venues, so be sure to bring a sweater or jacket in case of cooler weather and consider your footwear.

WELL & BEING

SPA & WELLNESS

MAKE TIME TO BE PAMPERED AND BOOK A TREATMENT AT THE WELL & BEING SPA

The Resort Fee, included in your registration costs, includes a \$25 spa credit per paid night, towards a body or facial treatment at the Scottsdale Well & Being Spa

(this credit is not accumulative, is valid once per day and is per room, not per guest).

The Spa Amenities Include:

- Men's and women's private changing areas and locker storage
- Wet steam room
- Eucalyptus inhalation room
- Swedish dry sauna
- Hot therapeutic whirlpool
- Cold plunge pool
- Swiss shower
- Fitness center access
- Access to all fitness classes available at the resort (additional class fee may apply)
- Rooftop adults-only pool with private cabanas
- Newly renovated co-ed grotto waterfall
- Healthy spa cuisine served in the rooftop pool area or inside the garden atrium





EXPERIENCE SCOTTSDALE

LOOKING FOR FUN THINGS TO DO IN SCOTTSDALE?

From world-class golf, aquariums and architectural wonders to botanical gardens, wine tasting rooms and award-winning museums, Scottsdale has it all. Whether you have a few hours or a few days to explore, these are the activities you won't want to miss! Delegates are responsible for planning and booking all extracurricular activities not included in the conference program. The [Official Visitors Guide](#) has everything you need to know about visiting Scottsdale, a few of which are highlighted below!

FRANK LLOYD WRIGHT

Tour Taliesin West, Frank Lloyd Wright's winter home and now a UNESCO World Heritage Site. Tour tickets and information can be found at FrankLloydWright.org/Tickets-Tours/

GOLF

TPC Scottsdale, one of the most famous Scottsdale golf courses and the host of the legendary PGA Tour WM Phoenix Open, is located beside the Scottsdale Fairmont Princess. It is one of many world-class golf courses in the Scottsdale area. Delegates are responsible for booking their own tee-times and making club rental arrangements. ExperienceScottsdale.com/Golf/

EXPERIENCE SCOTTSDALE

ODYSEA AQUARIUM

OdySea offers an entertaining, interactive, and educational experience for guests of all ages by combining theme-park-style amusement with highly engaging presentations of aquatic life. [OdySeaAquarium.com](https://odysea.com)

MUSEUMS

The Scottsdale Museum of Contemporary Art (SMoCA) <https://smoca.org/>

Musical Instrument Museum <https://mim.org/>

Western Spirit: Scottsdale's Museum of the West <https://scottsdalemuseumwest.org/>

Heard Museum <https://heard.org/>

Ziegler Fiesta Bowl Museum www.fiestabowl.org/facilities/ziegler-fiesta-bowl-museum/

SHOPPING

From boutiques to villages and malls, if shopping is your thing, Scottsdale won't disappoint! <https://www.ExperienceScottsdale.com/Shopping/>



CONFERENCE REGISTRATION



REGISTRATION, DEADLINES & REFUNDS

Rooms at the IIC rate are limited and are on first-come, first-served basis. Due to demand, later registrations are not guaranteed accommodation at the Fairmont Scottsdale Princess, but all reasonable efforts will be made to find equivalent accommodations.

DEADLINE

Deadline to register is **12 PM NOON ET ON FRIDAY AUGUST 23.** > [REGISTER NOW](#)

PAYMENT is by VISA or Mastercard.

AMEX is not accepted; we apologize for any inconvenience.



2024 CONFERENCE COMMITTEE

The IIC would like to thank and extend its sincere appreciation to the following members for their hard work planning the 2024 conference:

Ian Sutherland, K.C. (Chair)
Rebecca Kennedy
Neil Bunker
Orest Konowalchuk

McDougall Gauley LLP
Thornton Grout Finnigan LLP
PwC Canada
Alvarez & Marsal

Saskatoon, SK
Toronto, ON
Vancouver, BC
Calgary, AB

IMPORTANT NOTES:

The conference is for members, companions, and invited special guests only. Non-member substitutions are not permitted.

We are subject to cancellation policies with the hotel and at other event locations. **NO REFUNDS WILL BE PROVIDED AFTER FRIDAY AUGUST 23rd!**

COMMENTS OR QUESTIONS?

Please contact:
Meghan Cross, Executive Director
Caroline Aston, Conference Planner

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