AGENDA / THURSDAY FEBRUARY 9, 2012

4:00 pm OPTIONAL  A bus departing from Fairmont Waterfront Hotel to give a tour of the new UBC Faculty of Law at Allard Hall (will drop participants back to opening reception venue)

5:30 pm to 7 pm  OPENING RECEPTION  
**The Vancouver Club, 915 West Hastings Street, Vancouver**
Co-hosted by Borden Ladner Gervais LLP and PricewaterhouseCoopers

AGENDA / FRIDAY FEBRUARY 10, 2012
**FAIRMONT WATERFRONT HOTEL, 900 Canada Place Way, Vancouver**

7:15 am  BREAKFAST

8:15 am  Welcome Dr. Janis Sarra, UBC Faculty of Law
8:20 am  Welcome and Introduction of Keynote Speaker Mary Buttery, Davis LLP, Vancouver, IIC

8:30 am - 9:15 am  Keynote speaker The Honourable Donald Brenner Annual Lecture

9:15 am to 10:15 am  **Plenary Panel: The Implications of Indalex**  
Chair: Mr. Justice David Tysoe, British Columbia Court of Appeal  
**Robert Thornton**, Thornton Grout Finnigan LLP, Toronto, IIC, *The Implications of Indalex on Restructuring in Canada*  
**Sean Dunphy**, Stikeman Elliot LLP, Toronto, IIC  
**Andrew Hatnay**, Koskie Minsky LLP, Toronto  
**Dr. Ronald Davis**, UBC Faculty of Law, Vancouver
10:25 am - 11:25 am  CONCURRENT PANELS

**PANEL A**  Rethinking Treatment of Eligible Financial Contracts  
Chair: Madam Justice Marina Paperny, Alberta Court of Appeal  
Sharmini Mahendran, Morgan Stanley and ISDA Financial Law Reform Committee, New York  
Professor Jay Westbrook, University of Texas School of Law, Austin  
Susan Grundy, Blake, Cassels & Graydon LLP, Toronto, IIC

**PANEL B**  Leveraging Latitudes, Insolvency Issues – Comparing Down Under and North of the 49th Parallel  
Chair: Madam Justice Georgina Jackson, Saskatchewan Court of Appeal  
Jane Dietrich, Fraser Milner Casgrain LLP, Toronto, IIC and Justin Cadman, McLaren Knight, Brisbane, *Distant Relations: A Comparison of Personal Liability for Insolvency Practitioners in Canada and Australia* (co-authored with Alison Beer)  
John Morgan, Allens Arthur Robinson, Senior Visiting Fellow, Faculty of Law, USW, *Insurer Assets and Liabilities Prudential and Insolvency Issues, A Comparison of Canada and Australia*  
Professor Jason Harris, UTS Faculty of Law, Australia, *Enhancing the Role of Creditors’ Committees in Corporate Rescue Laws*  
Professor Anthony Duggan, University of Toronto Faculty of Law

**PANEL C**  Competing Social Policy, The Intersection of Insolvency Law and Family Law  
Chair: Madam Justice Kathryn Feldman, Ontario Court of Appeal  
Professor Susan Boyd, UBC Faculty of Law and Professor Janis Sarra, UBC Faculty of Law, *Competing Notions of Fairness, a Principled Approach to the Intersection between Insolvency Law and Family Law in Canada*  
Bob Klotz, Klotz Associates, Toronto, *Schreyer v. Schreyer, A Case Comment*  
Mark Slay, North Shore Law LLP, Vancouver

11:25 am - 11:45 am  HEALTH BREAK

11:45 am - 12:45 pm  CONCURRENT PANELS

**PANEL D**  Make-Whole Provisions - Prepayment Clauses  
Chair: Mr. Justice Frank Newbould, Ontario Superior Court of Justice  
Jay Carfagnini, Goodmans LLP, Toronto, IIC  
Ken Coleman, Allen & Overy, New York  
Alan Kornberg, Paul, Weiss, Rifkind, Wharton & Garrison LLP, New York

**PANEL E**  Racoon and Squirrel Sized CCAA’s - Not the Big Elephants!  
Chair: Mr. Justice Mark Schrager, Québec Superior Court  
Jane Milton, Bull Housser & Tupper LLP, Vancouver, IIC  
Neil Narfason, Ernst & Young, Calgary, IIC  
Alex MacFarlane, Fraser Milner Casgrain LLP, Toronto, IIC  
Nicholas Scheib, McMillan LLP, Montréal

**PANEL F**  Financial Literacy, Credit Counselling and Consumer Insolvency  
Chair: Madam Justice Christiane Alary, Québec Superior Court  
Professor Stephanie Ben-Ishai, Osgoode Law School, Toronto, IIC and Professor Saul Schwartz, , School of Public Policy and Administration, Carleton University, *Debtor Assistance and Debt Advice: The Role of the Canadian Credit Counselling Industry*  
Dr. Jerry Buckland, Menno Simons College, Canadian Mennonite University and Institute of Urban Studies, University of Manitoba, *A Critical Comment of the Task Force on Financial Literacy’s Recommendations*  
Lana Gilberton, MNP Ltd., Vancouver  
Dr. Thomas Telfer, University of Western Ontario, Faculty of Law, London

12:45 pm - 1:50 pm  LUNCH  
Introduction of keynote speaker.  
Michael Vermette, PricewaterhouseCoopers, Vancouver, IIC, conference co-chair.  
Keynote speaker: Nick Segal, Freshfields, London, UK, *The EU Banking Crisis and the Reform of Bank Resolution Schemes*

2:00 pm - 2:50 pm  CONCURRENT PANELS

**PANEL G**  Creditors’ Committees - Do They Add Value?  
Chair: Madam Justice Barbara Romaine, Alberta Court of Queen’s Bench  
Rob Chadwick, Goodmans LLP, Toronto, IIC  
Marc Duchesne, Borden Ladner Gervais LLP, Montréal  
Alex Morrison, Ernst & Young, Toronto, IIC  
John Sandrelli, Fraser Milner Casgrain LLP, Vancouver, IIC  
Elizabeth Pillon, Stikeman Elliott LLP, Toronto, IIC
Judicial Insights from Cross-Border Cooperation
Chair and participant: Mr. Justice Clément Gascon, Québec Superior Court
Mr. Justice Geoffrey Morawetz, Ontario Superior Court of Justice
Judge James Peck, U.S. Bankruptcy Court, Southern District of New York
Judge Burton Lifland, U.S. Bankruptcy Court, Southern District of New York

Pursuing Preferences under the BIA
Chair: Madam Justice Shelley Fitzpatrick, British Columbia Supreme Court
Robyn Gurofsky, Borden Ladner Gervais LLP, Calgary, Developments in Preferences under the New Provisions
Jean-Daniel Breton, Ernst & Young, Montréal, A Comment on Tucker v. Aero Inventory (UK) Ltd.
Orestes Pasparakis, Norton Rose, Toronto
Nick Brearton, KPMG LLP, Toronto

3:00 pm - 3:50 pm CONCURRENT PANELS

The Evolving Role of the Monitor
Chair: Mr. Justice Robert Mongeon, Québec Superior Court
David Bowra, The Bowra Group, Vancouver, IIC, and John McLean, Gowlings Lafleur Henderson LLP, Vancouver, IIC, The Monitor: neutered cat, friend or foe or just hopelessly conflicted?
Denis Ferland, Davies Ward Phillips & Vineberg LLP, Montréal, IIC
Peter Farkas, RSM Richter Inc., Toronto, IIC
Greg Watson, FTI Consulting, Toronto

Worksouts in the Wake of the Financial Crisis
Chair: Mr. Justice Robert Blair, Ontario Court of Appeal
William Kennedy, National Bank, Montréal, IIC, Mid-Market Financing in a Workout Situation
Newton Glassman, The Catalyst Capital Group Inc., Financing after the Financial Crisis
Brendan O’Neill, Goodmans LLP, Toronto, Credit Bidding and Loan to Own Strategies, Cross-Border Trends
David Ullman, Minden Gross LLP, Toronto, Insolvency Issues and Solutions in Shariah-Compliant Financing (co-authored with Melissa McCready, Minden Gross LLP, Toronto)

Maintaining the Integrity of the Bankruptcy System
Chair: Madam Justice Juliana Topolniski, Alberta Court of Queen’s Bench
Registrar Scott Nettie, Registrar in Bankruptcy, Ontario Superior Court of Justice
Registrar Michael Bray, Registrar in Bankruptcy, Court of Queen’s Bench of New Brunswick and
Professor Micheline Gleixner, Faculté de droit, Université de Moncton, Deputy Registrar in Bankruptcy, Court of Queen’s Bench of New Brunswick, Differing Climates of Bankruptcy, A Question of Latitude?
Registrar Carol Sharp, Registrar in Bankruptcy, Manitoba Court of Queen’s Bench
Katherine Wellburn, Murray Jamieson, Vancouver
Angela Pollard, Pollard & Associates Inc., Toronto

4:00 pm - 4:55 pm CONCURRENT PANELS

A Cautionary Tale, Canadian Companies Operating in the Peoples Republic of China and Challenges for Restructuring
Chair: Mr. Justice Colin Campbell, Ontario Superior Court of Justice
Professor Charles Booth, Director, Institute of Asian-Pacific Business Law, William S. Richardson School of Law, University of Hawaii at Mānoa
John Grieve, Fasken Martineau DuMoulin LLP, Vancouver, IIC
Geoffrey Thompson, Borden Ladner Gervais LLP, Vancouver, IIC
Jerry Ji, UBC PhD student, former Managing Partner, Summit Law Office, China

Cross-country Checkup - Recent Issues and Cases of Note
Chair: Mr. Justice Pierre Dalphond, Québec Court of Appeal
Paul Goodman, BDO Canada Limited, Halifax, IIC, Concerns of Insolvency Professionals—Small and Mid-Market Cases (co-authored with Anna Lund)
William Kaplan, Blake, Cassels & Graydon LLP, Vancouver, IIC, Stays of Proceedings in Insolvency Proceedings under the CBCA
Alan Brown, Boughton Law Corporation, Vancouver, Bankruptcy Claims after Re Galaxy Sports and Re Lin: No Longer a Businessman’s Statute?
Joe Healey, Ernst & Young, Winnipeg, Retrieval, Preservation and Cost Allocation
Todd Martin, Alvarez & Marsal, Vancouver, Current Issues Facing Insolvency Professionals – CCAA and Large Cases

Innovative Thinking
Chair: Madam Justice Lynne Leitch, Ontario Superior Court of Justice
Neil Bunker, PricewaterhouseCoopers, Vancouver, Recovering Tax Losses
James Pomeroy, PricewaterhouseCoopers, Halifax, Recovering Hidden Assets
Professor Michèle Breton, Department of Management Sciences, HEC Montreal, The Applicability of Game Theory to Insolvency
Professor Benoît-Mario Papillon, L’Université du Québec à Trois-Rivières, Cost and Consequences of Commercial Insolvency

5:00pm - 5:30 pm CLOSING RECEPTION
ACCOMMODATION

Vancouver Fairmont Waterfront Hotel
900 Canada Place Way, Vancouver

Room Rates (must reserve before January 9, 2012): Fairmont Guestroom or Portside Deluxe Guestroom Single and Double Occupancy plus taxes $169.00. Children 18 years old and under sharing their parents accommodation are complimentary. Check-in time is 3:00 p.m. Check-out time is 12:00 noon.

Each delegate is responsible for making their own individual reservations. Please contact the Reservations Department: by phone: (604) 691-1820 or Global Reservations Centre: 1-800-441-1414, by fax: (604) 691-1828, by e-mail: vffreservations@fairmont.com. Callers must identify themselves as being with the ARIL Annual Review of Insolvency Law (ANNU0212) in order to qualify for the group rate and must call prior to January 9th 2012. On-line bookings can be made at https://resweb.passkey.com/go/arilannualreview

REGISTRATION

Conference fee is $900 (plus HST), $200 for Judges, articling students, full time academics /Juges, étudiants stagiaires et professeurs à temps plein. To register for the Annual Review of Insolvency Law Conference visit www.ncblevents.com.

The complete program will qualify for 7 MPD hours for CAIRP members. / Le programme complet donne droit à 7 heures de PPO pour les membres de l’ACPIR. This event also qualifies for CLE credits in British Columbia, Alberta and Ontario. For information on CLE credits in any other province or territory, please contact Michelle Burchill at businesslaw@law.ubc.ca.

There are a limited number of subsidized places for practitioners for whom cost is a barrier, please contact Janis Sarra (sarra@law.ubc.ca). / Quelques places sont disponibles pour les personnes pour qui le coût pourrait être un obstacle.

Si c’est le cas, SVP communiquez avec Janis Sarra (sarra@law.ubc.ca). For more information please contact / Pour tout information n’hésitez pas à communiquer avec Michelle Burchill, 604-822-5018 or/ou businesslaw@law.ubc.ca. Mailing address: 1822 East Mall, Vancouver, BC, V6T 1Z1.