



***100 Years of Bankruptcy and Insolvency Law, 1920-2020:
Reflections on the Past and Challenges for the Future***

May 14-15, 2021

Co-conveners: Thomas Telfer and Alfonso Nocilla

Updated Agenda – April 19, 2021

Friday, May 14, 2021

12:30pm – 12:45pm: **Opening and welcome remarks by Dean Erika Chamberlain.**

12:45pm – 1:30pm: **Keynote address by Madam Justice Sarah Pepall, Ontario Court of Appeal, “Evolution or Revolution: 100 years of Change”.**

1:30pm – 2:30pm: ***Historical Perspectives on Insolvency Law***

Chair: Ronald Cuming, University of Saskatchewan College of Law.

- **Virginia Torrie**, University of Manitoba Faculty of Law, “*Companies’ Creditors Arrangement Act Reference Case* (SCC 1934)”.
- **Thomas Telfer**, Western University Faculty of Law, “The New Bankruptcy ‘Detective Agency’? The Origins of the Superintendent of Bankruptcy in Great Depression Canada”.

Commentator: Jason Kilborn, John Marshall Law School, University of Illinois at Chicago.

2:30pm – 2:45pm: **Health break.**

2:45pm – 3:45pm: ***Consumer Insolvency***

Chair: Master May Jean, Ontario Superior Court of Justice, Toronto Region.

- **Stephanie Ben-Ishai**, Osgoode Hall Law School & **Saul Schwartz**, Carleton School of Public Policy & Administration, “Bankruptcy Lessons for Payday Lending Regulation”.
- **Anna Lund**, University of Alberta Faculty of Law, “Mixing Mathematics & Morality: Neoliberalism, Ideals & Abuse in Employment Insurance & Personal Insolvency Law”.

Commentators: Michael Baigel, Baigel Corp., & **Calvin Ho**, Laishley Reed LLP.

Saturday, May 15, 2021

9:00am – 9:30am: **Address by Prof. Iain Ramsay, Kent Law School, “Breathing Spaces, Fresh Starts and Personal Insolvency Law”.**

9:30am – 10:30am: *Canadian Bankruptcy and Insolvency Law: Key Topics*

Chair: David Freedman, Queen’s University Faculty of Law.

- **Ronald Cuming**, University of Saskatchewan College of Law, “Policy v. Doctrine: Family Property Regimes v. Bankruptcy Law”.
- **Tamara Buckwold**, University of Alberta Faculty of Law, “Issues in Fraudulent Conveyances Law Reform: Rethinking Creditor Sharing and the Oppression Remedy”.

Commentator: Anthony Duggan, University of Toronto Faculty of Law.

10:30am – 10:45am: **Health break.**

10:45am – 12:00pm: *Cross-Border and International Insolvency: Global Perspectives*

Chair: Jason Harris, University of Sydney Law School.

- **Gerard McCormack**, University of Leeds, “Relative Priority and the European Restructuring Directive”.
- **Catherine Walsh**, McGill University Faculty of Law, “Cross-border insolvency: law applicable to transaction avoidance”.
- **Alfonso Nocilla**, Western University Faculty of Law, “Pre-packaged Sales and the Destruction of Value: The View From the U.K.”

Commentator: John Pottow, University of Michigan Law School.

12:00pm – 1:00pm: **Lunch break.**

1:00pm – 2:00pm: *Corporate Restructuring I: Roundtable on Redwater*

Chair: Chris Nicholls, Western University Faculty of Law.

- **Laura Coordes**, Arizona State University, Sandra Day O’Connor College of Law, “Rethinking *Redwater*: Comparing the US and Canadian Approaches to Environmental Obligations in Insolvency Cases”.

Commentators: Mica Arlette, PwC, **Chris Burr**, Blake, Cassels & Graydon, LLP, **Annie Claude Beauchemin**, Robinson Sheppard Shapiro, & **Roderick Wood**, University of Alberta Faculty of Law.

2:00pm – 3:00pm: *Corporate Restructuring II: Key Topics*

Chair: Madam Justice Lynne Leitch, Ontario Superior Court of Justice, Southwest Region.

- **Janis Sarra**, University of British Columbia Allard School of Law, “Brueghel’s Brush: A Portrait of the CCAA”.
- **Jasmine Girgis**, University of Calgary Faculty of Law, “A Generalized Duty of Good Faith in Insolvency Proceedings: Effective or Meaningless?”.

Commentators: Jason Harris, University of Sydney Law School & **Richard B. Jones**, Pendragon Advisors.

3:00pm – 3:15pm: **Health break.**

3:15pm – 3:45pm: *Recent Publications in Canadian Bankruptcy and Insolvency Law*

Chair: Stephanie Ben-Ishai, Osgoode Hall Law School.

- **Anna Lund**, *Trustees At Work: Financial Pressures, Emotional Labour, and Canadian Bankruptcy Law*.
- **Virginia Torrie**, *Reinventing Bankruptcy Law: A History of the Companies’ Creditors Arrangement Act*.

Commentator: Roderick Wood, University of Alberta Faculty of Law.

3:45pm – 4:15pm: **Closing remarks by Elisabeth Lang, Superintendent of Bankruptcy, “Canadian Bankruptcy and Insolvency Law: Views from the Superintendent of Bankruptcy on the Next 100 Years”.**

SPONSORS



Social Sciences and Humanities
Research Council of Canada

Conseil de recherches en
sciences humaines du Canada

Canada



Thornton Grout Finnigan LLP
RESTRUCTURING + LITIGATION