

Insolvency Law Section Report 2021-2022

In 2021-2022, all meetings of the MBA Insolvency Law Section were carried out by remote means, due to the ongoing COVID-19 pandemic and related public health orders.

On October 26, 2021, the MBA Insolvency Law Section organized a presentation providing a general overview of various insolvency and restructuring options for small and medium sized businesses. The presenters were Rick Schwartz (Partner, Tapper Cuddy LLP), Ross McFadyen (Partner, TDS) and John Fritz (trustee from Deloitte). Aaron Challis (Partner, Fillmore Riley LLP) moderated the presentation.

In December 2021, the MBA Insolvency Law Section held a joint session with MAIRP. The three panelists, the Honourable Justice Martin, Sam Gabor (Dentons) and Joe Healy (EY) discussed the current state of the Manitoba Courts as a result of COVID-19 restrictions, the upcoming changes to the *Limitation of Actions Act* and the duties of a Court Officer when acting as a litigant.

In January 2022, the MBA Insolvency Law Section organized a session at the MBA Mid-Winter Conference, in collaboration with the Real Property Section, on Advising Commercial Landlords and Tenants in Insolvency. Myong Lee (Ronald S Ade Law Corporation) discussed the preparation and considerations that go into commercial lease agreements. Catherine Howden (Pitblado Law) presented on the remedies available to landlords outside of formal insolvency proceedings. Ross McFadyen (TDS Law) spoke on treatment of realty leases in commercial insolvency proceedings. Jason Bryk (Pitblado Law) served as Moderator.

Three members of the MBA Insolvency Law Section indicated they would be stepping down. The MBA Insolvency Law Section extends its thanks to Madison Sutherland (formerly MLT Aikins, now Stikeman Elliott), Aaron Challis (Fillmore Riley LLP) and Myles Davis (WMRG Law) for their service as Executive Members over the past years. A call for Sections Executive Members will be released.

The next meeting of the MBA Insolvency Law Section has not yet been scheduled. It is anticipated that the next meeting will be held in fall 2022.

Submitted by,
Virginia Torrie, Chair, MBA Insolvency Law Section