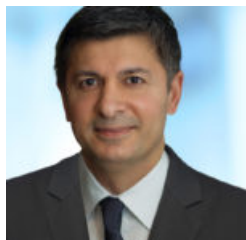


INSOLVENCY & RESTRUCTURING



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We provide advice and representation to banks, financial institutions, secured and unsecured creditors, receivers, liquidators, and trustees in bankruptcy.

We also help business owners who are facing bankruptcy or who are in disputes with debtors and creditors.

What sets us apart is our proactive approach, providing on-going advice on various legal, reputational, regulatory and operational issues with a view to minimizing risk.

Our lawyers have significant depth of expertise in the areas of banking and insolvency, foreclosures, creditors' remedies, security enforcement, proceedings with priority disputes, receivership and bankruptcy.

We assist financial institutions with foreclosure and collection, as well as commercial litigation, fraud cases, misrepresentation and estate matters. We have represented banks and other financial institutions in mortgage recovery, business loan security enforcement and insolvency proceedings before all levels of courts in British Columbia.

Banking and creditor disputes require knowledgeable lawyers who apply creative, cost-effective solutions to quickly reduce risk. The faster these situations are dealt with, the more money is recovered.

We have strong and long standing relationships with many of our bank and financial institution clients. Working with clients over many years enables us to develop specific knowledge and expertise about their products and develop efficiencies based on their expectations and corporate goals.

SERVICES

- Bankruptcy-related services including work with trustees, receivers and creditors.
- Companies' Creditor Arrangement Act proceedings.
- Collection of secured and unsecured debt stemming from credit card loan mortgage and other debt.
- Debt restructuring.
- Defence of debt and guarantee claims.
- Foreclosures - commercial and residential.
- Representation in insolvency proceedings and the recovery of assets from insolvent companies.
- Lease defaults - property and equipment lease issues and renegotiations.
- Proposals pursuant to the Bankruptcy and Insolvency Act.
- Property-related issues including commercial and residential real estate development receiverships.
- Advice on tax issues, including statutory liability for unpaid income tax, source deductions, provincial sales tax, goods and services tax and wages.

TYPICAL SITUATIONS

- A credit card company needs to find a cost-effective way to outsource debt collection work.
- A bank has a complicated loan payment dispute with two businesses held by the same owners. Both businesses go bankrupt, leaving their bank to recover the debt.
- A corporation enters into *Companies' Creditors Arrangement Act* proceedings and it needs to pay creditors and protect itself from litigation.

SELECT CASES

Notable Cases

- Represented a debtor company in the BC Court of Appeal after a lower court rejected the debtor's proposal to creditors. This is a landmark case that confirmed that an appeal of a trustee's valuation of a claim is a true appeal, and not a trial *de novo*.
- Acted in the BC Supreme Court for an insolvent construction company seeking to have its proposal to creditors approved, and to avoid personal liability for its directors and officers. This is a landmark case that determined the types of claims against directors and officers that can be compromised through the proposal process.
- Acted in the BC Court of Appeal for a personal debtor facing fraudulent conveyance allegations. This case remains a leading authority on the interpretation of s. 38 of the *Bankruptcy and Insolvency Act*.

Foreclosure

- Currently acting for major banks, financial institutions and other creditors in foreclosures of commercial and residential properties. Harper Grey has represented banks in this type of work for more than 30 years, applying creative, quick and effective counsel.

Companies' Creditors Arrangement Act proceedings

- Represented creditors in *Companies' Creditor Arrangement Act* proceedings with respect to Westar Mining Ltd., Woodward Stores Ltd., 360 Networks Inc., Doman Industries Ltd., Skeena Cellulose Inc., Pope & Talbot Ltd., and Bear Mountain Master Partnership.
- Currently representing law and other professional firms in CCAA proceedings.

RECOGNITIONS

25 Lawyers Recognized as Leaders in their field by Benchmark Canada® 2022

24 Harper Grey lawyers recognized for litigation expertise by Benchmark Canada®, 2021

Harper Grey receives highest firm ranking as a "Highly Recommended" local litigation law firm in British Columbia from Benchmark Canada® 2014-2021

29 Harper Grey lawyers recognized across 19 specialty areas by Best Lawyers® in Canada, 2020

19 Harper Grey lawyers recognized as "Leading Practitioners" by Canadian Legal Lexpert Directory®, 2021

Harper Grey recognized as a "Leading Law Firm" regionally in the area of Dispute Resolution by Chambers Canada®, 2017-2020

Martindale Hubbell® recognizes 13 Harper Grey lawyers across 27 practice areas

Harper Grey receives the TAGLaw Membership Award of Distinction acknowledging 15 years of outstanding service

Harper Grey recognized as a Top 10 Regional Firm in British Columbia, Alberta and the Territories by Canadian Lawyer Magazine, 2012 and 2014

COMMENTARIES

"They were amazing to work with! They were incredibly competent and resolution based. They kept me centered in the midst of the storm and got me a great result in very short time frame."

— *Benchmark Canada@ 2022*

"Harper Grey has a 100-year-old profile in this market," testifies one senior-level peer, adding, "but the talent there now is mostly all younger than me!"

— *Benchmark Canada@ 2022*

"The Harper Grey team is a well-oiled machine. All the lawyers I deal with are well-trained and hardworking. They communicate well and are always available for questions."

— *Benchmark Canada@*

"Roselle Wu is an outstanding lawyer in many respects. She is extremely knowledgeable, easily gains the trust of her clients, and has the respect of the courts as well as opposing counsel and clients."

— *Benchmark Canada@*

"Incredibly strong skill set, knowledge of litigation and strategic, and keen ability to solve problems."

— *Benchmark Canada@ 2020*

"Incredibly strong skill set, knowledge of litigation and strategic, and keen ability to solve problems."

— *Benchmark Canada@ 2019*

"These lawyers are all subject matter experts, and leader in their field, whose knowledge and skill are matched by their excellent client service."

— *Benchmark Canada@ 2019*

"Salman Bhura has an incredibly strong skill set, knowledge of litigation and strategic, and keen ability to solve problems, incredible competence, knowledge of the law and judges, and timely responses to client concerns."

— *Benchmark Canada@ 2019*

"They dominate the medical practice, insurance, and product liability and even have more specialties like bankruptcy, aviation, defamation, securities, even environmental."

— *Benchmark Canada@ 2019*

"Excellent response time, good talent from junior and intermediate to senior levels and reasonable service costs."

— *Benchmark Canada@ 2018*

"A lawyer who refers work to Harper Grey wrote it has 'great service, a breadth of practice and I have never received a negative comment from referrals to the firm'."

— *2014 Canadian Lawyer Magazine Stronger than Ever - Top Western & Northern Firms, September 1, 2014*

“A Vancouver staple, Harper Grey is perhaps the most BC-centric of the “highly recommended” firms, owing largely to the firm’s bench strength in several key areas.”
— *Benchmark Canada@ 2018*

“Harper Grey is one of the best firms in Vancouver. They have excellent service, knowledge and their cost structure is excellent.”
— *Benchmark Canada@ 2017*

“Every day it seems like I am dealing with someone at Harper Grey, and I always find them professional, courteous and effective.”
— *Benchmark Canada@ 2017*

“They exceeded all my expectations. I am very satisfied with their work and very happy to recommend them.”
— *Chambers Canada@ 2017*

“Harper has niches, and in those niches they are the best of the best.”
— *Benchmark Canada@ 2017*

“The firm has real quality people, and they’ve put three people on the bench there in six years.”
— *Benchmark Canada@ 2015*

“Harper Grey lawyers are ‘dedicated to their clients and focused on finding and implementing practical solutions for them. The lawyers are prompt, intelligent and insightful, and provide a high level of customer service’.”
— *2012 Canadian Lawyer Magazine Embracing Regionalism - Canadian Lawyer’s Top 10 firms from B.C., Alberta, and the Territories are in the Sweet Spot Right Now, October 1, 2012*

“Harper Grey is a trial lawyer’s firm, and they’ve got a big deep bench of well-trained litigators.”
— *Benchmark Canada@ 2017*

“Harper Grey has a stellar pedigree as a litigation firm, and they’ve put a ton of people on the bench, observes one peer.”
— *Benchmark Canada@ 2014*

“Clients are comforted by the firm’s long history in BC. We’re steeped in the region. Our connection is such that we have knowledge of not only the issue itself, but the history of the issue in the province.” - Richard Bereti
— *2012 Canadian Lawyer Magazine Embracing Regionalism - Canadian Lawyer’s Top 10 firms from B.C., Alberta, and the Territories are in the Sweet Spot Right Now, October 1, 2012*

“The firm’s lawyers are principled and have deep integrity. Their work is thorough and of consistent high quality.”
— *Benchmark Canada@ 2019*

“The firm is top notch. They have many lawyers specialized in medical defense work who are highly skilled in their legal acumen and practice management, but who also recognize the importance of carrying out their work in a practical, results-oriented manner. They actively look for ways to more efficiently partner with their clients for effective management of the work, while at the same time not weakening their excellent service delivery, their responsiveness, or their effectiveness in the work.”
— *Benchmark Canada@ 2019*

“This team has provided outstanding legal service. They are prompt, responsive, and communicative. They are strong strategists and provide well researched, experienced legal advice. We work with many firms, and Harper Grey stands out. One member of the team remembers every interaction, memo, pleading and document. They understand a very complicated file and address it with ease and candor. We very much appreciate their strong advocacy.”

— *Benchmark Canada@ 2019*

LAWYERS



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SELECT ARTICLES + PUBLICATIONS

Article authored by Salman Bhura re-published in LexisNexis Commercial Insolvency Reporter

Written by: Salman Y. Bhura*

Can Insolvent Businesses Survive after the COVID-19 Pandemic?

Published to: Harper Grey Resource Hub

Written by: Salman Y. Bhura*

Corporate Restructuring Law Primer: Solutions to Assist Businesses Impacted by COVID-19

Published to: Harper Grey Resource Hub

Written by: Erin Hatch

“Risk Management Strategies for Lessors” Article

Published By: Harper Grey - 01.Dec.10

SELECT EVENTS + PRESENTATIONS

Erin Hatch will take part in an upcoming Foreclosure 101 webinar hosted by REIBC

Event Date: 3.Jun.21

Presented by: Erin Hatch

Erin Hatch participates in British Columbia Technical Update panel discussion for CAIRP National Webinar Series

Presented by: Erin Hatch

Harper Grey lawyers attend TAG Alliances Western Regional Meeting

Event date: 31.01.19

Presented by: Prentice Durbin*, Steven G. Lukas*, Salman Y. Bhura*

Roselle Wu and Erin Hatch to co-present at CBABC Insolvency Subsection meeting

Presentation date: 19.Jun.18

Presented by: Erin Hatch, Roselle P. Wu

Roselle Wu and Erin Hatch co-present at Insolvency Discussion Group Meeting

Presentation Date: 25.Apr.17

Presented by: Erin Hatch, Roselle P. Wu

Roselle Wu presents on “Intent Under The Fraudulent Conveyance Act” to the Advocates Club

Presentation Date: 21.Mar.11

Presented by: Roselle P. Wu

SELECT NEWS

25 Lawyers Recognized as Leaders in their field by Benchmark Canada® 2022

Related to: H. Roderick Anderson*, Richard E. Bereti*, Salman Y. Bhura*, Guy P. Brown, KC*, William S. Clark*, Cameron B. Elder*, Michael J. Hewitt*, Kimberly J. Jakeman, KC*, Rose Keith, KC*, Jonathan D. Meadows*, David W. Pilley, Christopher M. Rusnak, KC*, Raj Samtani*, John P. Sullivan*, Nigel L. Trevethan*, Abigail C.F. Turner*, Jennifer R. Woznesensky, Steven Abramson*, Owais Ahmed*, Scott J. Marcinkow*, Joel A. Morris*, Daniel J. Reid, Roselle P. Wu, Kim J. Yee - 28.Apr.22

Advisory Services for Businesses in Distress

Related to: Salman Y. Bhura* - 25.May.21

24 Harper Grey Lawyers Recognized by Benchmark Canada® 2021

Related to: H. Roderick Anderson*, Richard E. Bereti*, Salman Y. Bhura*, Guy P. Brown, KC*, William S. Clark*, Cameron B. Elder*, Michael J. Hewitt*, Kimberly J. Jakeman, KC*, Rose Keith, KC*, Jonathan D. Meadows*, David W. Pilley, Christopher M. Rusnak, KC*, Raj Samtani*, John P. Sullivan*, Abigail C.F. Turner*, Jennifer R. Woznesensky, Steven Abramson*, Scott J. Marcinkow*, Roselle P. Wu, Kim J. Yee, Nigel L. Trevethan* - 28.Apr.21

Harper Grey receives 51 rankings from Best Lawyers® in Canada 2021

Related to: Steven Abramson*, Owais Ahmed*, H. Roderick Anderson*, Bryan G. Baynham, KC, Richard E. Bereti*, Salman Y. Bhura*, Guy P. Brown, KC*, William S. Clark*, Prentice Durbin*, Cameron B. Elder*, Michael J. Hewitt*, Kimberly J. Jakeman, KC*, Steven G. Lukas*, Maureen L.A. Lundell, KC, William D. MacRae*, Jonathan D. Meadows*, David W. Pilley, Christopher M. Rusnak, KC*, Raj Samtani*, John P. Sullivan*, W. Sean Taylor, Nigel L. Trevethan*, Abigail C.F. Turner*, Adam R. Way, Jennifer R. Woznesensky, Lara C. Zee - 27.Aug.20

COVID-19 Weekly Wrap-Up – May 15-21

Related to: Salman Y. Bhura*, Deanna Froese, Rose Keith, KC*, Brett Weninger, Scott J. Marcinkow* - 22.May.20

COVID-19 Weekly Wrap Up – April 20-24

Related to: Lisa Newby, Erin Hatch, Rose Keith, KC*, Deanna Froese - 27.Apr.20

Harper Grey shortlisted as BC Law Firm of the Year by Benchmark Canada 2020

14.Feb.20

Michael Drouillard quoted in The Star Vancouver

12.Apr.19

Salman Bhura recognized as a “Litigation Star” by Benchmark Canada® 2019

Related to: Salman Y. Bhura* - 11.Apr.19

Benchmark Canada® 2019 recognizes 19 Harper Grey lawyers for litigation expertise

Related to: Richard E. Bereti*, Salman Y. Bhura*, Guy P. Brown, KC*, William S. Clark*, Michael J. Hewitt*, Kimberly J. Jakeman, KC*, Jonathan D. Meadows*, David W. Pilley, Nigel L. Trevethan*, Abigail C.F. Turner*, Jennifer R. Woznesensky, Steven Abramson*, Cameron B. Elder* - 27.Mar.19

Erin Hatch appointed Secretary and Treasurer of the CBA BC Insolvency Subsection

Related to: Erin Hatch - 07.Sep.18

30 Harper Grey Lawyers recognized by Best Lawyers® in Canada 2019

Related to: Steven Abramson*, Owais Ahmed*, H. Roderick Anderson*, Bryan G. Baynham, KC, Richard E. Bereti*, Salman Y. Bhura*, Guy P. Brown, KC*, William S. Clark*, Prentice Durbin*, Michael J. Hewitt*, Kimberly J. Jakeman, KC*, Steven G. Lukas*, Maureen L.A. Lundell, KC, Jonathan D. Meadows*, David W. Pilley, Christopher M. Rusnak, KC*, Raj Samtani*, John P. Sullivan*, W. Sean Taylor, Nigel L. Trevethan*, Abigail C.F. Turner*, Jennifer R. Woznesensky, Lara C. Zee - 21.Aug.18

Roselle Wu and Erin Hatch attend Young Insolvency Professionals Conference

Related to: Roselle P. Wu, Erin Hatch - 28.May.18

19 Harper Grey Lawyers recognized for litigation expertise by Benchmark Canada® 2018

Related to: H. Roderick Anderson*, Bryan G. Baynham, KC, Richard E. Bereti*, Salman Y. Bhura*, Guy P. Brown, KC*, Michael J. Hewitt*, Kimberly J. Jakeman, KC*, Jonathan D. Meadows*, David W. Pilley, Christopher M. Rusnak, KC*, John P. Sullivan*, Nigel L. Trevethan*, Abigail C.F. Turner*, Jennifer R. Woznesensky, Cameron B. Elder* - 19.Apr.18

2018 Canadian Legal Lexpert® Directory recognizes 24 Harper Grey lawyers as “Leading Practitioners”

Related to: Steven Abramson*, H. Roderick Anderson*, Bryan G. Baynham, KC, Richard E. Bereti*, Salman Y. Bhura*, Guy P. Brown, KC*, William S. Clark*, Prentice Durbin*, Michael J. Hewitt*, Kimberly J. Jakeman, KC*, Maureen L.A. Lundell, KC, Jonathan D. Meadows*, David W. Pilley, Christopher M. Rusnak, KC*, Raj Samtani*, W. Sean Taylor, Nigel L. Trevethan*, Abigail C.F. Turner*, Lara C. Zee - 13.Apr.18

Harper Grey warmly welcomes four new partners

Related to: Prentice Durbin*, Roselle P. Wu, Kim J. Yee - 18.Jan.18

Erin Hatch appointed Treasurer of the Canadian Bar Association British Columbia Insolvency Law Subsection

Related to: Erin Hatch - 15.Sep.17

Best Lawyers® in Canada 2018 recognizes 27 Harper Grey Lawyers

Related to: Bryan G. Baynham, KC, Richard E. Bereti*, Salman Y. Bhura*, Guy P. Brown, KC*, William S. Clark*, Prentice Durbin*, Kimberly J. Jakeman, KC*, Steven G. Lukas*, Maureen L.A. Lundell, KC, Jonathan D. Meadows*, David W. Pilley, Christopher M. Rusnak, KC*, Raj Samtani*, John P. Sullivan*, W. Sean Taylor, Nigel L. Trevethan*, Abigail C.F. Turner*, Jennifer R. Woznesensky, Lara C. Zee - 22.Aug.17

16 Harper Grey lawyers recognized for litigation expertise by Benchmark Canada® 2017

Related to: H. Roderick Anderson*, Bryan G. Baynham, KC, Salman Y. Bhura*, Guy P. Brown, KC*, Kimberly J. Jakeman, KC*, Christopher M. Rusnak, KC*, John P. Sullivan*, Nigel L. Trevethan*, Abigail C.F. Turner*, Jennifer R. Woznesensky, Jonathan D. Meadows* - 11.May.17

18 Harper Grey lawyers recognized as “Leading Practitioners” by 2017 Canadian Legal Lexpert® Directory

Related to: Abigail C.F. Turner*, Bryan G. Baynham, KC, David W. Pilley, Guy P. Brown, KC*, H. Roderick Anderson*, Jennifer R. Woznesensky, Jonathan D. Meadows*, Kim J. Yee, Kimberly J. Jakeman, KC*, Nigel L. Trevethan*, Raj Samtani*, Richard E. Bereti*, Salman Y. Bhura*, W. Sean Taylor, William S. Clark* - 05.May.17

Martindale-Hubbell® recognizes 14 Harper Grey lawyers

Related to: Bryan G. Baynham, KC, Guy P. Brown, KC*, Steven G. Lukas*, Maureen L.A. Lundell, KC, William D. MacRae*, David W. Pilley, Abigail C.F. Turner* - 30.Jan.17

Harper Grey welcomes Associate Erin Hatch

Related to: Erin Hatch - 20.Oct.15

Roselle Wu appointed Chair of the CBABC Wills and Trusts Section

Related to: Roselle P. Wu - 01.Sep.15

Harper Grey welcomes new Associate, Lara Zee

Related to: Lara C. Zee - 19.Oct.11