



security enforcement

overview

Bankruptcies and restructurings are a fact of business life and timely strategic action is often critical to a successful outcome. Having the right advisory team in place early in the process can help enhance a creditor's recovery.

When a formal proceeding commences, even a first registered secured creditor may be surprised to discover that the security it holds ranks junior to certain claims of employees, pensioners and taxing authorities. Even more disconcerting, secured creditors often face obstacles that prevent or delay the enforcement of contractual and statutory rights and remedies.

McMillan's Restructuring and Insolvency Group has earned a reputation for helping clients enforce the full range of available rights and remedies including aggressively protecting the rights and interests of secured creditors in formal insolvency or bankruptcy proceedings, and actively engaging in negotiations to maximize recoveries.

McMillan knows how and when to seek assistance from the courts in order to obtain a positive resolution for our clients. We are able to draw on McMillan's deep experience in banking, corporate finance, financial services, tax and litigation to deliver a comprehensive approach to the most challenging of circumstances.

McMillan professionals help clients lead by:

- Analyzing enforcement options, rights and remedies to optimize recoveries and minimize additional loss and risk
- Advising on the exercise of contractual and statutory rights to realize on security and recover secured debts
- Representing secured creditors when a borrower commences a restructuring proceeding
- Assisting with cross-border litigation and enforcement

firm profile

McMillan is a modern and ambitious business law firm serving public, private and not-for-profit clients across key industries in Canada, the United States and internationally. With recognized expertise and acknowledged leadership in major business sectors, we provide solutions-oriented legal advice through our offices in Vancouver, Calgary, Toronto, Ottawa, Montréal and Hong Kong. Our firm values – respect, teamwork, commitment, client service and professional excellence – are at the heart of McMillan's commitment to serve our clients, our local communities and the legal profession. For more information, please visit our website at www.mcmillan.ca.

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