



Gabriel Lavery Lepage

Partner

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Expertise

Financial Restructuring and
Insolvency
Dispute Resolution

Bar Admissions

Québec, 2011

Gabriel brings a strong business perspective to his clients' complex insolvency, restructuring and commercial litigation matters.

Strategic and pragmatic, Gabriel advises clients on all aspects of their insolvency and restructuring proceedings under the *Bankruptcy and Insolvency Act* and *Companies' Creditors Arrangement Act*. His clients include major financial institutions, insolvency professionals, private equity firms and distressed businesses from various industry sectors.

Gabriel dedicates a significant portion of his practice to commercial litigation matters, including high-profile contractual disputes, and has successfully represented clients from both the public and private spheres at multiple levels of court.

Gabriel lectures on bankruptcy and insolvency law at McGill University's Faculty of Law.

REPRESENTATIVE WORK

Business Development Bank of Canada

Acted for Business Development Bank of Canada in relation to the restructuring proceedings of Forex Inc. et al. under the *Companies' Creditors Arrangement Act*.

Fonds immobilier de solidarité FTQ and Fonds de solidarité

Acted for Fonds immobilier de solidarité FTQ and Fonds de solidarité with the restructuring of Groupe Sélection under the *Companies' Creditors Arrangement Act* relating to the acquisition of Groupe Sélection's entire interest in the historic site District des Brasseurs (former Molson Brewery), and the subsequent sale of a portion of such interest to Montoni, making FTQ and Montoni equal owners of the property.

Nemaska Lithium Inc.

Acted for Nemaska Lithium Inc. in proceedings instituted by Victor Cantore requesting that Nemaska be compelled to convey him a 3% net smelter return royalty on all metals extracted from Nemaska's Whabouchi mine.

Laurentian Bank of Canada

Acting for Laurentian Bank of Canada, a secured creditor of Kanwal Inc., in the latter's restructuring and receivership proceedings.

The Aldo Group Inc.

Acted for The Aldo Group Inc. in its successful restructuring under the *Companies' Creditors Arrangement Act*. This restructuring won Insolvency and Restructuring Deal of the Year at the 2023 Canadian Law Awards.

Reitmans (Canada) Limited

Acting for Reitmans (Canada) Limited, a TSX-listed clothing retailer with approximately 600 stores across Canada operating under five different banners (Reitmans, Penningtons, Addition Elle, Thyme Maternity and RW&CO), in its

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restructuring under the *Companies' Creditors Arrangement Act*.

The Pallinghurst Group

Acted for The Pallinghurst Group, a private investor in the global natural resources sector, in its joint 50-50 acquisition with Investissement Québec of Québec-based Nemaska Lithium Inc. pursuant to a sales process under the *Companies' Creditors Arrangement Act*. The acquisition was structured as a credit bid with Nemaska's largest secured creditor, Orion Mine Finance, and achieved through a reverse vesting order granted by the Superior Court of Québec and upheld by the Québec Court of Appeal.

Insolvency Institute of Canada

Acted for the Insolvency Institute of Canada in connection with its intervention before the Québec Court of Appeal in the Québec controversy involving the application of section 243 of the *Bankruptcy and Insolvency Act* and, more specifically, the right of hypothecary creditors to have a receiver appointed and their obligation to provide timely prior notice of the exercise of a hypothecary right.

Kerry Logistics (Canada) Inc.

Acted for Kerry Logistics (Canada) Inc., an international freight forwarder and logistics services provider, in the restructuring under the *Bankruptcy and Insolvency Act* of its customer, Stokes Inc., a tableware and kitchenware retailer with 147 retail locations across Canada.

Québecor Inc.

Acted for Québecor Inc. in connection with its proposed acquisition of Cirque du Soleil and related insolvency proceedings.

RECOGNITIONS

Chambers Canada: Canada's Leading Lawyers for Business—
Restructuring/Insolvency

Benchmark Canada Impact Case of the Year Award (2020)—Recipient

Lexpert Special Edition: Litigation

*The Canadian Legal Lexpert Directory—*Insolvency and Financial Restructuring:
Insolvency Litigation

*The Best Lawyers in Canada—*Banking and Finance Law; Corporate and
Commercial Litigation; Insolvency and Financial Restructuring Law

INSIGHTS

"With Leave or Not With Leave, That is the Question – When is an Order "Made Under" the CCAA?", co-author
Feb. 02, 2024

Canadian Association of Insolvency and Restructuring Professionals, 21st
Annual Review of Insolvency Law Conference, "Spoiled for Choice: More Options,
More Opinions, More Questions?"; Vancouver, BC
Feb. 02, 2024

Top Court Denies Leave to Appeal in Contested Application for a Reverse Vesting

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Order in Nemaska Restructuring Proceedings
Apr. 30, 2021

Québec Court of Appeal Settles Controversy Regarding Applicability of CCQ
Requirements to Appointment of a Receiver
July 21, 2020

Canada's Top Court Provides Crucial Guidance on the Conduct of Insolvency
Proceedings
May 08, 2020

Canada's Top Court Releases Precedent-Setting Decision on Litigation Funding
and a Court's Discretion in Restructuring Process
Jan. 28, 2020

Canadian Bar Association, "Annual Review of Bankruptcy and Insolvency Case
Law"; Québec City, QC
Sept. 18, 2018

Canadian Bar Association, "Annual Judicial Review of Bankruptcy and
Insolvency"; Montréal, QC
June 06, 2018

EDUCATION

University of Cambridge, LLM, 2012

Université de Sherbrooke, LLB (Ogilvy Renault Scholarship, 2008) (Dean's List,
2010)

Université de Sherbrooke, MBA, 2010

TEACHING ENGAGEMENTS

Gabriel lectures on bankruptcy and insolvency law at McGill University's Faculty of
Law.