

DAVIES



Robin B. Schwill

Partner

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Toronto

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Expertise

Financial Restructuring and
Insolvency

Bar Admissions

Ontario, 1996

Robin excels at identifying the critical issues in restructuring and insolvency proceedings and finding deal-oriented solutions. Clients value his pragmatic advice, with one client saying Robin “strikes a true balance between being a lawyer and a business professional.”

Chambers Global

Clients in diverse industries trust Robin’s solid and focused advice on their corporate turnarounds, work-outs and restructurings, distressed asset sales and acquisitions, debtor-in-possession financings, and secured and unsecured creditor rights enforcement. They rely on Robin’s wealth of experience in dealing with multinational deals and appreciate his ability to keep a discussion on track.

Robin is known for his expertise in designing creative and novel processes – including under all facets of the *Companies’ Creditors Arrangement Act* and *Bankruptcy and Insolvency Act* proceedings – to bring matters to a successful resolution.

REPRESENTATIVE WORK

Crystallex International Corporation

Acting as counsel for the debtor in Crystallex International Corporation’s proceedings under the *Companies’ Creditors Arrangement Act*.

KSV Restructuring Inc.

Acting for KSV Restructuring Inc. in its role as proposal trustee pursuant to Notices of Intentions filed by YG Limited Partnership and YSL Residences Inc., developer of Yonge Street Living Residences.

Gotham Green Partners, LLC

Acting as special tax and insolvency counsel for Gotham Green Partners, LLC, a New York-based private equity firm focused on global cannabis and cannabis-related enterprises, in the first successful restructuring of a Canadian cannabis company, iAnthus Capital Holdings, Inc., by way of a corporate plan of arrangement.

Fulcrum Capital Partners Inc.

Acted for Fulcrum Capital Partners Inc. and some of its related entities in the context of G.I. Sportz’s restructuring under the *Bankruptcy and Insolvency Act*, utilizing the relatively rare foreign recognized Canadian receivership proceedings to implement a cross-border asset sale to the purchaser of secured debt.

KSV Kofman Inc. (now known as KSV Restructuring Inc.)

Acted for KSV Kofman Inc. (now known as KSV Restructuring Inc.) in its role as monitor of James E. Wagner Cultivation Corporation, a Canadian licensed

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cannabis producer, in connection with proceedings under the *Companies' Creditors Arrangement Act*, the first ever successful sale of a Canadian cannabis company without using a reverse vesting order.

KSV Restructuring Inc.

Acting for KSV Restructuring Inc. as court appointed receiver in the restructuring proceedings of Vert Infrastructure Ltd.'s, resulting in the first ever reverse vesting order in a receivership proceeding.

Target Corporation

Acted for Target Corporation in connection with winding down of Target Canada Corporation under the *Companies' Creditors Arrangement Act*.

Gotham Green Partners, LLC

Acted as Canadian insolvency counsel for Gotham Green Partners, LLC, a New York-based private equity firm focused on global cannabis and cannabis-related enterprises, with respect to its US\$50-million investment in iAnthus Capital Holdings, Inc. (iAnthus), consisting of, in part, high-yield senior secured notes of a subsidiary of iAnthus, which are exchangeable for shares of iAnthus. iAnthus, a Canadian publicly listed company, owns, operates and partners with licensed cannabis operations throughout the United States.

Canadian Imperial Bank of Commerce

Acting for Canadian Imperial Bank of Commerce, as a secured creditor of Discovery Air Inc., in the latter's restructuring attempt under the *Companies' Creditors Arrangement Act* proceedings.

GSO Capital Partners LP

Acted for GSO Capital Partners LP and its affiliates in the negotiation and establishment of two credit facilities, and the acquisition of substantially all of the assets of Grafton-Fraser Inc., former owner of Tip Top Tailors and other men's retail chains across Canada, pursuant to the *Companies' Creditors Arrangement Act*.

RECOGNITIONS

Chambers Global: The World's Leading Lawyers for Business—Restructuring/Insolvency

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

IFLR1000: The Guide to the World's Leading Financial Law Firms—Restructuring and Insolvency

The Legal 500 Canada—Restructuring and Insolvency (Leading Partner)

Lexpert Special Edition: Restructuring and Insolvency

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

The Best Lawyers in Canada—Insolvency and Financial Restructuring Law

Who's Who Legal: Thought Leaders; Who's Who Legal: Restructuring and

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Insolvency; Who's Who Legal: Canada—Restructuring and Insolvency

INSIGHTS

2019 – 2024 Data Trends

Nov. 19, 2024

2023 Business Insolvencies in Canada

Mar. 05, 2024

Business Insolvency on the Rise in Canada: Understanding the Role of AI
Oct. 12, 2023

Rolling Into 2023: Mild Slumps and Jumps in Insolvency Numbers
Mar. 09, 2023

Financial Gloom and the Increase in Insolvency Filings
Nov. 16, 2022

Canada's Shifting Credit and Insolvency Landscapes
July 27, 2022

Insolvencies in 2021: A Look Back and the Road Ahead
Apr. 06, 2022

International Views: A Canadian Playbook for 2022
Feb. 09, 2022

Q2 2021 Insolvencies: Crunching the Numbers and Keeping Good Faith
Oct. 21, 2021

Monetizing Public Listings in Receiverships
June 21, 2021

EDUCATION

Osgoode Hall Law School, LLB, 1994

York University, MBA, 1991

York University, BBA, 1990

PROFESSIONAL AFFILIATIONS

American Bankruptcy Institute

Insolvency Institute of Canada

International Association of Restructuring, Insolvency & Bankruptcy

Professionals (INSOL International)

Turnaround Management Association

BOARD MEMBERSHIPS

The Boulevard Club Limited, former director and former president

TEACHING ENGAGEMENTS

For over 15 years, Robin was an award-winning lecturer on financial statement

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disclosure and transparency issues in the MBA program at York University's Schulich School of Business.

Robin has lectured on bankruptcy, insolvency and secured transaction matters at various professional development programs at Osgoode Hall Law School. He has also lectured in finance and commercial law courses for the Credit Institute of Canada.