

ABA Section of Business Law

Spring 2009

[Creditors' Rights](#)

Shannon Lowry Nagle, Chair

Elizabeth Bohn, Vice Chair

The Subcommittee on Creditors' Rights will meet jointly with Bankruptcy Litigation at the Spring Meeting in Vancouver. The program will discuss options available to creditors in cross-border insolvencies, focusing on recent cases and developments in the United States and Canada. The program will cover advantages and disadvantages, from the perspective of creditors, of a Chapter 15 ancillary proceeding in the United States compared with a plenary Chapter 11 bankruptcy proceeding in the United States in conjunction with a concomitant plenary proceeding in Canada. Topics considered will include the use of protocols between the U.S. and Canadian courts, claims and distribution procedures, recovery of assets and pursuit of claims in each jurisdiction, avoidance actions, and protection of local creditors. The speakers for this program are Peter A. Cal of Sherman & Howard LLC, who represents the Canadian foreign representative in the Chapter 15 proceeding In re Ernst & Young, Inc., as Receiver of Klytie's Developments, Inc., et al., currently pending in the United States Bankruptcy Court for the District of Colorado; and David Gruber of Blakes, who has been involved in a number of significant cross-border insolvency matters.