

Secured Transaction Essentials for Business Lawyers

Business Law



Live Webcast

Date: Monday, May 6, 2019 | 9:00 am to 12:30 pm

Location: OBA Conference Centre
20 Toronto Street, 2nd Floor, Toronto



Program Chairs: **Suhuyini Abudulai**, Cassels Brock & Blackwell LLP **Substantive Hours:** This program is eligible for up to **3h 30m**
David Reynolds, Miller Thomson LLP

Attend this foundational program for essential aspects of secured financing transactions and personal property security law in the Province of Ontario. You will gain skills in reviewing and commenting on term sheets and commitment letters, taking effective security over personal property, purchase-money security interests and the *Repair and Storage Liens Act*, managing agent counsel in multi-jurisdictional transactions, negotiating and issuing transaction opinions, and considerations when enforcing security. Register now to secure your place!

8:30 am Registration and Coffee

10:40 am Networking Break

9:00 am Welcome and Opening Remarks from the Program Chair

10:50 am **Managing Multi-Jurisdictional Secured Financing Transactions**

Alex Roberts, Baker & McKenzie LLP

- General considerations for lenders
- Security interests and subordination issues
- Closing cross-border financings

9:10 am **Reviewing And Commenting on Term Sheets and Commitment Letters**

Alessandro Bozzelli, Dentons Canada LLP

- Binding or Non-Binding?
- Use of a Commitment Letter in place of a Loan Agreement?
- Essential provisions from the perspective of the borrower
- Essential provisions from the perspective of the lender

11:20 am **Negotiating and Issuing Transaction Opinions**

Karen Rosen, Fogler Rubinoff LLP

- Developments in opinions practice
- Multi-jurisdictional opinions
- Opinions on non-entities/quasi-entities and just folks
- Opinion negotiation and logistics

9:40 am **Taking Effective Security over Personal Property**

Lydia Salvi, Practical Law Canada

Hank White, Practical Law Canada

Due Diligence: objectives and preliminary considerations

- Personal property security: *Personal Property Security Act* and *Securities Transfer Act*
- Perfection of security interests: preparation of financing statements and taking control
- Third party items
- Other key considerations

11:50 am **Considerations When Enforcing Security**

Jonathan Wigley, Gardiner Roberts LLP

- What constitutes a default?
- Cross collateralization, cross defaults
- Do you need to consider other secured creditors?
- How much notice must the enforcing creditor give?
- How much is this all going to cost you?

10:10 am **Purchase-Money Security Interests and the Repair and Storage Liens Act**

Hank White, Practical Law Canada

- PMSI
 - What is a PMSI?
 - How can you get your very own PMSI?
 - Inventory and non-inventory collateral
 - Exceptions to a PMSI's "Super-Priority"
- The Repair and Storage Liens Act
 - Why is it important and how does it work?
 - Possessory and non-possessory

12:20 pm Closing Remarks

12:30 pm Program Concludes

PROGRAM REGISTRATION IS ONLINE www.oba.org/pd

Questions? pd@oba.org