

Secured Transaction Essentials for Business Lawyers

Business Law Section

Date: Tuesday, April 27, 2021 | 9:00 am to 12:30 pm

Location: Zoom Webinar

Program Chairs: **Hank White**, Practical Law Canada
David Reynolds, Miller Thomson LLP



Webcast



Substantive Hours: This program is eligible for up to **3h 30m**

Back by popular demand, this foundational program provides you with essential and practical advice on how to approach aspects of secured financing transactions and personal property security law in Ontario. This year, our faculty will also discuss how secured financing transactions and personal property security law have been impacted by the global pandemic. Our expert faculty will provide you with an understanding of topics such as:

- Reviewing and commenting on term sheets and commitment letters
- Taking effective security over personal property
- Purchase-money security interests
- Negotiating and issuing transaction opinions
- Considerations when enforcing security

Don't miss out on this valuable program!

9:00 am Welcome and Opening Remarks

9:05 am **Reviewing and Commenting on Term Sheets, Commitment Letters, and Loan Agreements**

Alessandro Bozzelli, Dentons Canada LLP

Rachel Ventura, 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

9:35 am **Taking Effective Security over Personal Property**

Lydia Salvi, 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

10:05 am Mental Health Break

10:15 am **Purchase-Money Security Interests**

Danielle Butler, Blake, Cassels & Graydon LLP

- What is a PMSI?
- How can you get your very own PMSI?
- Inventory and non-inventory collateral
- Exceptions to a PMSI's "Super-Priority"

10:55 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

11:15 am Mental Health Break

11:25 am **Considerations When Enforcing Security**

Craig Mills, Miller Thomson 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?

11:55 am **2021: Key Developments in Secured Transactions**

David Reynolds, Miller Thomson LLP

Hank White, Practical Law Canada

12:20 pm Closing Remarks

12:30 pm Program Concludes

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