

PATRICK THOMAS McCARTHY, Q.C.

Direct Dial: (403) 232-9441
E-mail: pmccarthy@blg.com
Centennial Place, East Tower
1900, 520 - Third Ave. S.W.
Calgary, Alberta, Canada
T2P 0R3

Patrick is a former senior partner of, and currently senior counsel with, Borden Ladner Gervais LLP, practicing insolvency and restructuring law with an emphasis on international and cross border insolvency. He has an active insolvency practice representing receivers, trustees in bankruptcy, and monitors in insolvency proceedings as well as debtors, creditors and other stakeholders in national and international insolvencies and restructurings. Patrick has acted for the court-appointed monitor in numerous restructuring proceedings under the *Companies' Creditors Arrangements Act* including those of SEMCanada Group, Calpine Canada and Canadian Airlines, all of which involved recognition of the Canadian proceedings in the United States, as well as controversial cases such as Bre-X Minerals. He represented the successful purchaser of the assets of Poseidon Concepts Corp. He was a creditors' committee member and inspector in the Confederation Treasury Services Limited bankruptcy, and represented the debtor in the successful Gasfrac Energy Services, Canadian Superior Energy, Blue Range, and Questerre restructurings, among others. He has been involved in many other large, complex, high profile restructurings and insolvencies including Enron Canada and Air Canada. He represented the monitor of Solv-Ex Corporation in relation to simultaneous CCAA and U.S. Chapter 11 reorganization proceedings commenced by that corporation, and in that capacity arranged what are believed to be the first formal joint cross-border hearings between U.S. and Canadian courts, and drafted a cross border protocol to coordinate the Canadian and U.S. proceedings. Most recently he has been involved in a series of cross border insolvency cases resulting from the 2014 oil price crash, including Sanjel Corporation, Calmena Energy Services and Tesla Exploration Ltd.

Patrick was in each year between 1999 and 2011 named by Lexpert as one of the "Leading 500 Lawyers in Canada," and has received Lexpert's highest ranking as a "leading practitioner" in the insolvency area, as well as being included in Lexpert's *Guide to Cross-Border Litigators*. Patrick is named in the *Best Lawyers in Canada* directory and has received a "preeminent" rating from Martindale-Hubbell. He was also named as a leading practitioner in the insolvency field by Euromoney's *International Financial Law Review* and the Chambers Global *Directory of the World's Leading Lawyers* in the area of Insolvency/Corporate Recovery, and is included in Law Business Research's *An International Who's Who of Insolvency and Restructuring Lawyers*. Patrick was made Queen's Counsel in 1998. In 2007 Patrick became a fellow of the American College of Bankruptcy and sat as a director of that organization.

Patrick is a former director and a past president of the Insolvency Institute of Canada and has been

extensively involved in insolvency law reform including consultations with government and representations on behalf of insolvency practitioners to the Canadian Senate. Patrick has prepared papers for and participated in insolvency related programs and conferences for numerous organizations, including the Annual Review of Insolvency Law, the Insolvency Institute of Canada and the International Insolvency Institute. In each of 2004 and 2006 Patrick taught a course in insolvency law at the Faculty of Law of the University of Windsor, and co-taught an insolvency law course with Justice S.A. LoVecchio of the Alberta Court of Queen's Bench at the University of Calgary's Faculty of Law in 2008. He has been involved as a delegate of the International Insolvency Institute in the UNCITRAL initiative to draft a "guide to enactment" for insolvency law for developing nations, as well as protocols for cross border court-to-court communications in insolvency cases.

Education:

University of Calgary - B.A.(Econ.) 1972

University of Windsor - L.L.B. 1975