



John Birch

Partner

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Toronto

Expertise

- Restructuring & Insolvency
- Banking & Specialty Finance
- Construction
- Litigation
- Banking & Specialty Finance

Biography

John Birch* is a partner in the Restructuring & Insolvency Group at Cassels. For more than 25 years, John has acted for debtors, creditors, receivers, monitors, trustees, and directors in a wide variety of proceedings under the *Bankruptcy and Insolvency Act* and *Companies' Creditors Arrangement Act*, including some of the most significant Canadian insolvencies in recent years. He also regularly represents creditors' committees and other official committees in cross-border insolvencies. John has repeatedly acted as court-appointed representative counsel for members of the public who are affected by the insolvency of investment firms and real estate developers.

In addition to his work as an insolvency litigator, John handles a wide range of commercial litigation, including creditors' remedies, contractual disputes, shareholder litigation, Aboriginal litigation, and corporate insurance matters.

In recognition of this work, John has been acknowledged as a leader in his field by such legal publications as *IFLR1000* (Insolvency), *Legal 500 Canada* (Litigation), and *Lexpert* (Insolvency and Insolvency Litigation).

John has been involved with the Inter-Pacific Bar Association for many years and recently completed a four-year term (2018-2022) as Co-Chair of the Insolvency Committee and a member of the IPBA Council. Before that, John was Vice-Chair of the IPBA's Insolvency Committee (2014-2018). The IPBA is an international association of business and commercial lawyers drawn from more than 65 jurisdictions around the world. John has also been involved with the International Insolvency Institute for about the past 20 years.

John is a frequent speaker at conferences including those hosted by the Canadian Bar Association, Osgoode Hall Law School, and the IPBA. He is the author of chapters on litigation and arbitration in the *Canada-U.S. Commercial Law Guide*, a loose-leaf service published by Thomson Carswell, a co-author of the *Canada: Ontario* and common law provinces chapter of *Commercial Lending Law: Second Edition*, published by the American Bar Association, and author of the

insolvency commentary in *Q&A Overview of Construction Projects in Canada* published by Thomson Reuters for Practical Law.

John previously spent nine years as the firm's General Counsel while simultaneously maintaining a full-time billable practice.

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Achievements

- *Canadian Legal Lexpert Directory* (Insolvency – Financial Restructuring; Insolvency – Insolvency Litigation)
- *IFLR1000* (Financial Restructuring)
- *Legal 500 Canada* (Dispute Resolution)

Recent Representative Work

- Cassels Represents the Payless Canada Entities in CCAA Proceedings

Insights

- Reinforcing the Foundations: Legal Fundamentals for the Construction Industry (Cassels Webinar)
- Bankruptcy and Insolvency in Canada: Rights and Considerations of an Insurer

Education / Bar Admissions

- LL.B., Osgoode Hall Law School, 1995
- M.B.A., Schulich School of Business, 1995
- B.A. (with High Distinction) (Int'l Relations), University of Toronto, 1991
- Ontario, 1997

Associations

- Canadian Bar Association
- Inter-Pacific Bar Association, Co-Chair, Insolvency Committee (2018-2022) and Member, IPBA Council
- Ontario Bar Association
- Toronto Lawyers Association