

Cassels



Shayne Kukulowicz

Partner

Contact Information

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Office

Toronto

Expertise

- Restructuring & Insolvency
- Private Equity

Biography

Shayne Kukulowicz is a partner in the [Banking, Lending & Specialty Finance Group](#) at Cassels and serves as Chair of the firm's [Restructuring & Insolvency Group](#). Shayne's practice is focused on structured transactions, corporate reorganizations and commercial restructurings. He offers significant expertise in cross-border restructurings and liquidations, formal and informal corporate reorganizations, as well as security enforcement and creditor remedies. Consistently recognized as a leading lawyer in the insolvency and restructuring arenas, Shayne is a frequent lecturer and presenter on insolvency-related matters for the Law Society of Ontario, the Ontario Bar Association, and other professional conference providers.

Shayne's representative work includes acting for:

- The Monitor of Rothmans Benson & Hedges in its CCAA proceedings running in parallel with the Canadian filings of Imperial Tobacco and JTI-MacDonald
- Connacher Oil & Gas in its reorganization under the CCAA
- The Official Creditors' Committee in the Nortel cross border proceedings
- The Monitor of Toys R Us Canada
- Index Energy in its successful CCAA proceedings
- FTI in its capacity as receiver of properties related to the Trump International Hotel & Tower (Toronto)
- Tenor Capital Management as DIP lender to Crystallex International Corporation in its CCAA/Chapter 15
- H.B. White Canada Corp. in its successful reorganization under the CCAA

Shayne is a member of the Insolvency Institute of Canada, the Ontario Bar Association – Insolvency Section, and INSOL International – the International Association of Restructuring, Insolvency & Bankruptcy Professionals.

Achievements

- *Benchmark Litigation* (Litigation Star: Insolvency)

- *Best Lawyers in Canada* (Insolvency and Financial Restructuring)
- *Canadian Legal Lexpert Directory* (Insolvency & Financial Restructuring: Insolvency Litigation, Insolvency & Financial Restructuring: Financial Restructuring)
- *Chambers Canada* (Restructuring/Insolvency)
- *Chambers Global* (Restructuring/Insolvency)
- *IFLR1000* (Restructuring and Insolvency)
- *Legal500 Canada* (Restructuring & Insolvency) (Leading Individual)
- *Lexpert Guide to the Leading US/Canada Cross-Border Corporate Lawyers in Canada* (Insolvency)
- *Lexpert Special Edition*, Litigation
- *Lexpert*, Zenith Award (Practice Excellence) (2014)
- *Martindale Hubbell*, Distinguished™ Rating
- *Who's Who Legal: Canada* (Restructuring & Insolvency)
- *Who's Who Legal: Restructuring & Insolvency*

Client Commentary

- “Shayne is a very effective and exceptional restructuring litigator.” – *Chambers Canada (Restructuring/Insolvency)*
- “Shayne is a very strong leader.” – *Chambers Canada (Restructuring/Insolvency)*
- “It’s always a pleasure working with Shayne. He is knowledgeable, articulate and thoughtful.” – *Chambers Global (Restructuring/Insolvency)*
- “Tremendous court presence and a very, very smooth and effective communicator.” – *Chambers Global (Restructuring/Insolvency)*
- “A brilliant guy ... has a very commanding presence and is at the top end of his game.” – *Chambers Canada (Restructuring/Insolvency)*
- “A very practical lawyer who is able to diffuse complex situations and bring consensus among stakeholders.” – *Chambers Canada (Restructuring & Insolvency)*
- “Incisive in his analysis and has a tremendous feel for the judges and the process.” – *Chambers Global (Restructuring & Insolvency)*
- “A team leader who is not afraid to get into the trenches and get involved.” – *Chambers Canada (Restructuring &*

Cassels

Insolvency)

- “A long-standing presence in the Canadian insolvency community.” – *Chambers Canada (Restructuring & Insolvency)*

Recent Representative Work

- Nexus Capital Completes Purchase of Assets from MAV Beauty Brands Under CCAA Proceeding
- Canopy Growth Completes Sale of BioSteel
- BioSteel Obtains CCAA Creditor Protection
- Consolidated Uranium Acquires Matoush Uranium Project

Insights

- Cassels Academy 2022 (Cassels Webinar)
- Ontario Court Relies on the Duty of Good Faith and Awards Full Indemnity Costs

Pro Bono & Community Involvement

- Bay Street Fore A Cau\$e, Founding Board Member – a not-for-profit corporation supporting various charitable causes throughout the GTA
- Mt. Sinai Hospital Foundation, Governor
- Sunnybrook Foundation, Governor

Education / Bar Admissions

- LL.B., Western University, 1989
- B.A. (Economics), Harvard University, 1984

- Ontario, 1990
- Alberta, 2016

Associations

- Canadian Bar Association
- Harvard Club of Toronto
- Insolvency Institute of Canada
- International Association of Restructuring, Insolvency and Bankruptcy Professionals (INSOL)
- Ontario Bar Association Turnaround Management Association (TMA)