

COURT OF QUEEN'S BENCH OF MANITOBA

PRACTICE DIRECTION

RECEIVERSHIP AND *COMPANIES' CREDITORS ARRANGEMENT ACT* PANEL

- There will be a panel of judges (the Receivership and *CCAA* Panel) dedicated to dealing with court-appointed receivers and orders under the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36 (the *CCAA*). In addition, counsel may request of the Chief Justice or the Associate Chief Justice that other analogous commercial matters be dealt with by the Receivership and *CCAA* Panel.
- Approximately four judges will be members of the Receivership and *CCAA* Panel.
- To bring an application before one of the judges on the panel, a party shall contact the Winnipeg Trial Coordinator to obtain a return date for the application. The Trial Coordinator will fix a **timely** date after consultation with the member of the panel selected by the Chief Justice or the Associate Chief Justice. As well, an alternate panel member will be designated.
- Unless there are circumstances that prevent it, the judge hearing the initial application will hear all subsequent and related motions. This judge will also provide case management from the outset of the process. Where the judge hearing the initial application is unavailable for a subsequent hearing, best efforts will be made to have the alternate judge hear the matter, failing which another panel member will hear the matter.
- If an application is not initially brought before a member of the panel, a respondent may have the matter transferred to a member of the panel by contacting the Winnipeg Trial Coordinator within 24 hours of receiving notice of the application. Thereafter, the above procedures will apply.
- The lawyers who are members of The Court of Queen's Bench Commercial List Committee will develop template orders and explanatory notes regarding use of the template orders for both receivers and initial orders under the *CCAA* in consultation with the Receivership and *CCAA* Panel. The templates will be subject to approval by the Chief Justice or his designate. Once approved, the templates will be available on the court's website.

- Any addition or change to the template orders will be brought to the presiding judge's attention. While the discretion of any presiding judge will be unfettered by the use of the template orders, it will be expected that any draft orders presented by counsel in an application will be substantially in compliance with the template orders.

Coming into effect

This Practice Direction comes into effect immediately.

ISSUED BY:

"Original signed by Joyal C.J.Q.B."

**The Honourable Chief Justice Glenn D. Joyal
Court of Queen's Bench (Manitoba)**

DATE: October 29, 2013