

Partners David Wingfield and Paul Guy granted leave to appeal by the Supreme Court of Canada in landmark case

December 1, 2010

David Wingfield and Paul Guy of WeirFoulds LLP were successful in recently obtaining leave to appeal to the Supreme Court of Canada on behalf of Her Majesty the Queen in Right of the Province of Newfoundland and Labrador ("the Province") in a landmark case involving environmental issues within the context of insolvency and restructuring proceedings under the *Companies' Creditors Arrangement Act* ("CCAA").

The case is entitled *Her Majesty the Queen in Right of the Province of Newfoundland and Labrador v. AbitibiBowater Inc., et al.* and leave to appeal was granted by the Supreme Court on November 25, 2010.

The central issue raised by the case is whether the CCAA can be used, as part of a debtor company's restructuring under the CCAA, to effectively extinguish regulatory obligations imposed by provincial law upon an insolvent debtor. The issues raised on the appeal will have a significant impact on future insolvency proceedings across the country. The appeal is scheduled to be heard in November 2011.

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