

Wojtek Jaskiewicz

Partner

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Practice Areas

Commercial Litigation

Insolvency & Restructuring

Wojtek Jaskiewicz is a partner in the firm’s Insolvency and Restructuring Practice Group. He is certified by the Law Society of Ontario as a Specialist in Bankruptcy and Insolvency Law.

Wojtek represents clients in court proceedings, arbitrations, mediations and negotiations. What distinguishes Wojtek is his nuanced knowledge of insolvency law together with his skill as a litigator. Wojtek is able to advise shareholders and large corporate clients in sophisticated insolvency matters and to argue contested matters before the courts. As an experienced litigator, Wojtek also understands the importance of settlement in order to resolve clients’ issues expeditiously and cost-effectively.

Wojtek’s recent engagements include representing a mortgage lender in a contested CCAA application made by a cannabis company, a trustee in bankruptcy in the successful sale of a quarry, a digital content marketing company in a restructuring, and a secured lender in an application to appoint a receiver over a solar farm.

Wojtek has appeared before the Ontario Superior Court, the Toronto Commercial List, the Bankruptcy Court, the Tax Court and the Ontario Court of Appeal.

Called to the Bar

- Ontario (2004)

Education

- LL.B., Osgoode Hall Law School, 2003

Affiliations

- Ontario Bar Association

Languages

- English

WeirFoulds LLP

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Significant Cases

Acting for lenders and creditors

- Representing a credit union in an application to appoint a receiver over a number of retirement residences
- Representing the debenture trustee in a *Companies Creditors Arrangement Act* application by a publicly traded cannabis company with operations in the U.S.
- Representing a mortgagee in a contested *Companies Creditors Arrangement Act* application by a cannabis company and a subsequent receivership.
- Representing a lender to a company operating multiple rooftop solar farms, including negotiating a forbearance agreement, dealing with a priority dispute with a subordinate lender, and assigning rooftop leases and contracts with the Independent Electricity System Operator.
- Representing a lender in a fraudulent conveyance action, including bringing an urgent motion for a certificate of pending litigation in order to prevent a sale of the property which was fraudulently transferred.
- Representing a secured creditor in a contested appeal of a trustee's disallowance of the creditor's proof of claim.
- Representing a creditor in a contested bankruptcy application, including a one-day trial before the Honourable Justice Brown (now a Court of Appeal Judge).
- Representing a secured creditor with a floor plan financing portfolio in a number of urgent applications to appoint receivers to protect inventory secured by the credit.
- Representing a commercial lender in proceedings to appoint a receiver over multiple pharmacies including a motion to add further parties upon discovering that one of the locations had been leased to a related party.
- Acting for institutional lenders in multiple applications to appoint receivers and to recover leased property.

Acting for receivers and trustees in Bankruptcy

- Representing the proposal trustee of the estate with significant tax liabilities and substantial assets located in China.
- Representing the receiver of a 20-acre quarry including negotiating a non-exclusive listing agreement with a real estate agent, assisting the receiver with establishing a sales process, drafting loan and security documents for a vendor take back mortgage granted to the purchaser of the property, and negotiating various forbearance agreements with the purchaser.
- Representing a receiver of a commercial real estate property in highly contentious proceedings that included multiple court attendances to recover missing equipment and a contested motion which challenged the priority of the Receiver's Charge for its fees and its counsel fees which was appealed unsuccessfully by the objecting creditor to the Court of Appeal.
- Acting for a proposal trustee in a contested hearing to approve a final statement of receipts and disbursements.
- Representing a trustee in bankruptcy in a contested motion pursuant to Section 38 of the Bankruptcy and Insolvency Act to assign a cause of action, including attending at numerous meetings of inspectors and creditors and seeking terms and conditions to protect the interests of the Estate.
- Representing a receiver of a music store in Windsor including bringing an urgent motion in Windsor to permit access to a second retail location where property subject to the receivership order was believed to be located.
- Representing a trustee in bankruptcy in a contested motion to settle the Bankrupt's interest in

a matrimonial home.

- Representing receivers in motions to approve sales processes, transactions and distributions and generally advising receivers with respect to the administration of insolvent estates.

Other cases

- Acting as lead counsel to a content creation company filing a proposal under the *Bankruptcy and Insolvency Act*.
- Acting for numerous debtors, including publicly traded companies, negotiating forbearance agreements with lenders.
- Acting as co-counsel to a purchaser in *Companies Creditors Arrangement Act* proceedings involving a shipping company in a weeklong claims bar process to assess maritime liens.
- Representing the directors of a bankrupt corporation in negotiations with the Canada Revenue Agency with respect to director's liability for unremitted source deductions and unremitted H.S.T.
- Representing a deposit insurer in the investigation of an insolvent credit union, including conducting a multi-day examination of the directors and other key employees of the credit union to ascertain the cause of the credit union's insolvency.
- Advising a family lawyer with respect to the insolvency aspects of a separation agreement.

Awards

- Recognized by *Best Lawyers in Canada* as a leading practitioner in Insolvency and Financial Restructuring Law (2025)

Professional Activities

- Certified Specialist, Bankruptcy and Insolvency Law (Law Society of Ontario)
- Past Director, Peel Law Association
- Member, Mississauga Arts Council

Speaking Engagements

- Instructor, "Module 4 - Top 5 Elements You Need to Know in Key Areas of Law Impacting Construction", Osgoode Certificate in Construction Law, Toronto, ON, November 5, 2024
- Speaker, "Enforcing Mortgages: Receiver or Power of Sale?", The Six-Minute Debtor-Creditor and Insolvency Lawyer 2024, Law Society of Ontario, Toronto, ON, October 16, 2024
- Speaker, "Implications of Insolvency on Employment-Related Claims", 25th Employment Law Summit, Law Society of Ontario, Toronto, ON, October 15, 2024
- Instructor, "Module 4: Top 5 Things in Key Areas of Law Impacting Construction", The Osgoode Certificate in Construction Law, Toronto, ON, March 1, 2024
- Presenter, "Rules 20 & 21 Motions", Litigating Beyond the Basics: Demystifying the (Not So) Mysterious, Peel Law Association, Online, November 10, 2021
- Presenter, "Motions Advocacy in a Virtual World ", Litigating Beyond the Basics: Demystifying the (Not So) Mysterious, Peel Law Association, Online, October 27, 2021

- Facilitator, "Best Practices for a Virtual Trial", Litigating Beyond the Basics: Demystifying the (Not So) Mysterious, Peel Law Association, Online, October 13, 2021
- Speaker, "Commercial Priorities for Real Estate and Business Lawyers 2021", Law Society of Ontario, Online, March 3, 2021

Additional Publications:

- Author, "[Bankruptcy pre-filing debt: Negotiating with suppliers](#)", *The Lawyer's Daily*, May 4, 2022
- Author, "Unequal Treatment of Creditors: Paying a Supplier's Pre-filing Debt in a Proposal Under the Bankruptcy and Insolvency Act", *National Insolvency Review*, December 2022

Publications

- Commercial Litigation Insights: Power of Sale vs. Receivership: A Comparative Guide, September 30, 2024
- Unequal Treatment of Creditors: Paying a Supplier's Pre-filing Debt in a Proposal Under the Bankruptcy and Insolvency Act, April 15, 2022
- The Rise of the Unregistered Priority Interest: Significant Priorities Cases in 2020, March 18, 2021