

**PROGRAM
CHAIR**

Nicolaas A. Blom
Partner
McCarthy Tétrault LLP

SPONSOR



WESTERN FORUM

COMMERCIAL REAL ESTATE LAW

June 17 -18, 2003 · Hyatt Regency · Vancouver

The Western real estate practice has evolved in complexity due to bigger real estate deals, increased land and property development in the industrial sector and new options for investment and financing. Stay ahead of the game and emerge as a leader in the industry by attending this event and learning about:

- Identifying the challenges and pitfalls in large-scale commercial transactions and how to provide strong and effective representation
- Following the shifting trends of the Western office market and understanding their legal implications
- Overcoming the hurdles in property and land development
- Avoiding closing risks in commercial real estate transactions
- Dealing with claims relating to title insurance
- Legal and tax issues surrounding alternative acquisition structures
- Regulatory requirements and securities legislation relating to REITs
- Securitizing existing loan portfolios
- Recent amendments to pension plan legislation and investing for real estate
- Bullet-proofing purchase and sale agreements

and much more...

LUNCHEON ADDRESSES

TITLE INSURANCE IN A LAND TITLES WORLD

John V. Rider, LL.B., *Vice President, Commercial Division, First Canadian Title*

Special Guest Speaker – REAL ESTATE FRAUD

Inspector Keith Hutchinson, *Financial Crimes Section, Vancouver Police Department*

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WHO SHOULD ATTEND

- *Real Estate Lawyers*
- *Land Use Planning Lawyers*
- *Property Development and Financing Lawyers*
- *Project Financing Lawyers*
- *Environmental Lawyers*
- *In-house Counsel for Developers*
- *Structured Finance Specialists*
- *Financial Risk Managers*
- *Senior Project Developers*
- *General Contractors and Subcontractors*
- *Land Use Planners*
- *Real Estate Consultants*

Dear Colleagues:

Commercial real estate in Canada is a booming business and is evolving on financial, geographical, and business levels. What does it take for lawyers to stay ahead of the game and continue to provide strong representation and service to clients? What are the dominant trends and how are they shifting? Attend this intensive 2-day **Insight Information** conference and hear from experienced practitioners and industry experts in Canada's Western market.

- **Examining the change in the size and scope of commercial real estate deals and providing effective representation**
- **Understanding trends in municipal and planning law and what it means for land and property development**
- **Sound procedure for handling contaminated sites in real estate deals**
- **Avoiding risks associated with closing commercial real estate deals**
- **The growing role of title insurance in a torrens jurisdiction**
- **The CMBS market in Canada and advising clients accordingly**
- **Recent amendments to pension plan legislation**
- **Tackling the legal challenges associated with regional REITs**
- **Characteristics and limitations of alternative acquisition structures**
- **The latest trends in debt financing**
- **Making your way through bankruptcies and restructuring**

Please join us for two full days of up-to-date information geared towards providing legal practitioners across several areas with the knowledge to stay ahead.

Sincerely,



Nicolaas A. Blom
Partner, McCarthy Tétrault LLP

Delegates will receive a set of original materials that will serve as a valuable reference source after the program.

TUESDAY

JUNE 17, 2003

8:00 **Registration and Continental Breakfast**

8:55 **Welcoming Remarks From Insight Information Co.**

9:00 **Opening Address From the Chair**

Nicolaas A. Blom

Partner

McCarthy Tétrault LLP

9:15 **A View From the Trenches: Providing the Most Effective Representation for Large Commercial Real Estate Deals**

Moderator:

David P.L. Mydske

Partner

Borden Ladner Gervais LLP

Charles McKee

Associate Counsel

Lawson Lundell

Jeffrey Merrick

Partner

Blake, Cassels & Graydon LLP

- The change in scope and size in real estate deals and how it impacts legal review and documentation
- Acting for large investors and developers
- Acquisitions of entire portfolios
- How do provincial boundaries fit in?

10:30 **Coffee Break**

10:45 **The Shifting Trends of the Western Office Market: Legal Implications and Effective Strategies**

Ashley F. Hilliard

Partner

McCarthy Tétrault LLP

- What are the causes of the recent changes to the downtown office leasing market?
- Applying leasing law to lease extensions
- Negotiating and preparing commercial leases

11:30 **Laying the Groundwork: Impact of Municipal and Planning Law on Property Development**

Lynn Ramsay Q.C.

Senior Partner – Real Estate Practice

Miller Thomson LLP

- Guiding through the municipal approval process of land development
- Updates in zoning law
- Environmental issues – when is knowledge of environmental law needed?
- Trends in retail development

12:15 **Networking Luncheon**

1:45 **Guiding Real Estate Deals Through Contamination and Liability Issues**

Mary Jo. E. Campbell

Partner

Borden Ladner Gervais LLP

- Effect of recent legislative and policy changes on deals
- Impact of recent cases on deals
- Other practice pointers for bullet-proofing purchase and sale agreements
- Protecting landlords from liability for tenant-caused contamination
- Building contamination – indoor air quality and mould

2:30 **Refreshment Break**

2:45 **Avoiding Closing Risks in Commercial Real Estate Transactions**

Greg Umbach

Associate

Blake, Cassels & Graydon LLP

- Recognizing and countering fraud
- Consequences to breaching undertakings
- Understanding legal options and choices in closing deals

3:30 **Commercial Applications of Title Insurance in a Torrens Jurisdiction**

Christopher D. Quiring LLB

Vice President, Canada Division

Director, Western Canada Operations

Stewart Title Guaranty Company

- Common uses for title insurance in torrens jurisdiction

PANEL DISCUSSION

Enroll Today! Call 1-888-777-1707 or fax 1-866-777-1292

- The role of the lawyer in relation to the title insurer
- Title insurance and native lands
- Reducing solicitors exposure to liability
- The future of title insurance

4:15 Conference Adjourns For the Day

WEDNESDAY

JUNE 18, 2003

8:00 Continental Breakfast

9:00 Opening Address From the Chair

Nicolaas A. Blom

Partner

McCarthy Tétrault LLP

9:15 Canadian Mortgage Backed Securities: Guiding Clients Through the Advantages, Disadvantages and Future Outlook

Leon Dadoun

Managing Director Securitization

CIBC World Markets Inc.

- The CMBS market in Canada
- CMBS structures and process
- Special issues for conduit lenders and borrowers
- Securitizing existing loan portfolios
- Recent regulatory and legal developments

10:00 Coffee Break

10:30 Pension Funds for Real Estate Investing: What Every Real Estate Lawyer Should Know

Rita C. Andreone

Partner

Lawson Lundell

John H. Fraser

Partner

Lawson Lundell

- Emerging pension funds in the Western market
- Why are some property categories more attractive for pension fund investment?
- Recent amendments to pension plan legislation
- Legal implications of legislation

- Recent transactions by Canada's largest pension funds: What do they say about the future?
- Acting for sellers to the Eastern based pension funds

11:30 Regional Real Estate Investment Trusts: Tackling the Legal Challenges

Mitchell H. Gropper Q.C

Senior Partner

Farris, Vaughan, Wills & Murphy

- A REIT – a structural primer
- The REIT market in Canada – an overview
- Western Canadian REITs
- Establishing a REIT
- Regulatory requirements and securities legislation
- Governance issues relating to REITs – trustees, committees, compensation and disclosure issues

12:15 Networking Luncheon Sponsored By



1:15 Luncheon Address: Title Insurance in a Land Titles World

John V. Rider, LL.B.

Vice President, Commercial Division

First Canadian Title

- Title and off-title issues
- Title Insurance as a practice tool
- Fraud and Forgery
- Environmental Services

Real Estate Fraud

Special Guest Speaker

Inspector Keith Hutchinson

Financial Crimes Section

Vancouver Police Department

2:15 Selected Development and Acquisition Structures

Brock Rowland

Partner

Farris, Vaughan, Wills & Murphy

- Strata title development – residential, commercial and mixed
- Airspace parcels
- Joint ventures
- Property transfer tax considerations

- Dealing with secured creditors
- Rights of *Builders' Lien Act* claimants
- The effects of bankruptcy on collateral security held by landlords

3:00 Refreshment Break

3:15 New Trends in Debt Financing

Speaker to Be Announced

- Conduit and mezzanine lending
- Managing the expectations of the lender and borrower
- Managing the relationship between the senior and mezzanine lender
- Matching lending to properties and portfolios

4:00 Successfully Navigating Through Bankruptcies and Restructuring

Lloyd Murphy

Vice President

BDO Dunwoody Limited

Partner

BDO Dunwoody LLP

Marcel J. Peerson

Partner

Fasken Martineau DuMoulin LLP

- Restructurings under the proposal provisions of the Bankruptcy and Insolvency Act and the CCAA
- Disclaimer of leases and landlord remedies

4:45 Conference Ends

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UPCOMING EVENTS:

Commercial Real Estate Law

May 12-15, 2003, Toronto

6th Annual

Asset Based Securitization Forum

June 1-4, 2003, La Malbaie

19th Annual

Canadian Securities Regulation Course

June 2003, Vancouver

Commercial Arbitration

October 2-3, 2003, Toronto

CMBS

October 15-16, 2003, Toronto

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Please note that if you register for the conference and do not attend, you are liable for the full registration fee unless you cancel within the period stated above.

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