



OAIRP Bulletin

Issue #7
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Commercial List Users' Committee ("CLUC") Updates

Please note the following updates on important CLUC initiatives that impact our community:

CLUC Newsletter Issue #6

- [Download a PDF version of the latest CLUC Newsletter](#) which reports on a number of initiatives, suggested best practices, and news. It is a worthwhile read!
- Topics of interest include: bankruptcy discharge applications, continued concerns with short service, need for Court-Appointed Receivers to have independent legal counsel, E-Service Protocol, and revisions to some of the Model Orders.
- A copy of this newsletter and all prior issues are posted on OAIRP's website at: www.oairp.com/court matters.htm.

E-Service Protocol

The E-Service Protocol has been approved by CLUC and the Office of the Chief Justice.

- The Commercial List Judges expect that E-Service will be the primary mode of substituted service for the Insolvency Proceedings that are listed at paragraph 7 of the E-Service Protocol. The Monitor, Receiver, Proposal Trustee, etc. is to maintain the Case Website which should provide a "comprehensive record" of the case.
- All firms should examine their own websites to ensure that they are posting the required information to comply with the E-Service Protocol. For some practice tips, [download a PDF version of the presentation](#) that I delivered with Aubrey Kauffman at the 2013 CLUC Annual Golf Retreat.
- The E-Service Protocol is posted on Superior Court's website at <http://www.ontariocourts.ca/scj/practice/practice-directions/toronto/e-service-protocol/>.

- The topic will be discussed again on a panel at the 2014 CLUC Annual Retreat that is scheduled for June 4, 2014. More information and registration details are available at <http://bit.ly/1IRGnoV>.

Revised Model Orders

Finally, the CLUC Model Order Sub-Committee proposed various changes to the Model Orders, which were approved by the CLUC on January 21, 2014, and are posted on the Commercial List website at <http://www.ontariocourts.ca/scj/practice/practice-directions/toronto/>.

These changes largely focus on incorporating revised service provisions to give effect to the E-Service Protocol and well as some housekeeping. Revised Model Orders are:

- Model CCAA Initial Order
- Model Receivership Order
- Model Approval and Vesting Order
- Model Supplemental Order (Foreign Main Proceeding)

I hope this information is helpful to you in your day-to-day practice.

Regards,
Allan

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