



Kenneth R. Rosenstein

Partner | Toronto

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Biography

Ken Rosenstein is the Managing Partner of the Toronto office. He focuses his practice on all areas of corporate and commercial finance and creditor enforcement matters. He is acknowledged as a leading practitioner in Asset-Based Lending. Previously in the financial services industry with a private non-bank finance company building their asset-based lending business, Ken developed an on hands intimate understanding and gained practical experience associated with lending money and recovering loans. He is a consummate relationship builder and leverages his connections with corporate finance, investment banking and industry experts to connect people and create opportunities for his clients. His passion for finding creative, practical solutions enables him to confidently help clients be more competitive and manage risk.

Licensed to practice in Ontario and Alberta, Ken acts as counsel and represents a number of major banks and non-bank financial institutions. Over and above his ABL expertise, he is thoroughly versed in all forms of financings including cashflow, syndicated, senior secured, mezzanine, subordinated debt, and quasi-equity financings, both domestic and cross-border, for both lenders and borrowers.

Ken also has extensive experience in a broad range of industries, including retail, manufacturing, distribution, logistics, packaged goods and the automotive industry, and regularly presents and writes on various topics relating to the financial services and insolvency industry.

Professional achievements & leadership

- Recognized in *The Canadian Legal Lexpert Directory* as a leading lawyer in the areas of Asset-Based Lending, 2017, 2019 - 2024; and Banking and Financial Institutions, 2022, 2024; Asset Equipment Finance/Leasing, 2024
- Past Co-chair of the Canadian Institute's Commercial Loan Finance & Security Conference, 2007 - 2009

Thought leadership

In addition to the selected presentations below, Ken also regularly conducts in-house training sessions and seminars for his institutional clients on issues relating to finance, restructuring and enforcement

RELATED SERVICES

Corporate
Financial Services
Mergers & Acquisitions
Restructuring & Insolvency

matters. **Presentations**

- Presenter, "Legal Challenges Update," Asset-Based Lending in a Globalized Economy Forum, February 2017
- Co-presenter, "US-Canadian Cross Border Finance," Boston Bar Association Commercial Finance Committee Meeting, April 2011
- Moderator, "Addressing the Impact of the Credit Crunch through Alternative Financing Solutions," Canadian Institute's 11th Annual Commercial Loan Financing & Security Conference, March 2009

Ken has written extensively on various topics relating to asset-based lending, debtor-in-possession financings and insolvency-related matters, including the selected articles below. **Publications**

- "Enhanced Super-Priority for Farmers - Lenders Beware", *National Insolvency Review*
- "Use of Roll-ups in Canadian CCAA Cases is Hotly Debated," *Turnaround Management Association*.
- "Liquidation of a Pharmacy's Prescription Drug Inventory," *Health Law in Canada Journal*.
- "A Look at the Current State of the Law of the Priority of Pension Benefit Obligations over Secured Lenders," Ontario Bar Association's *Insolvency News*.
- "A Bank's Right of Set-Off in the Face of Receipt of a Garnishment," Ontario Bar Association's *Insolvency News*.

Corporate directorships

- Global Investment Committee Member, Turnaround Management Association
- Former Director of the Board of Directors of the Turnaround Management Association
- Central Canada Campaign Cabinet Member, JDRF (Juvenile Diabetes Research Foundation)

Professional memberships

- Association for Corporate Growth (Toronto Chapter)
- Marketing and Communication Council - Turnaround Management Association

Bar admissions & education

- Ontario, 1993
- LL.B. and B.C.L., McGill University, 1991
- B.A., Economics (Honours), McGill University, 1987