



## Nicole T. Taylor-Smith

Associée | Calgary

403.298.2401

ntaylorsmith@millerthomson.com

### SERVICES CONNEXES

Copropriété  
Litige | Construction  
Litige commercial  
Litige entre actionnaires  
Recouvrement de créances commerciales  
Restructuration et insolvabilité  
Services financiers  
Transactions immobilières et baux

### Biographie

( Disponible en anglais seulement )

Nicole Taylor-Smith is an experienced insolvency, restructuring and litigation lawyer and is the leader of the Business Law Group in Miller Thomson's Calgary office. Nicole brings a practical and pragmatic approach to her practice to achieve efficient and effective results for her clients.

Nicole regularly represents financial institutions, secured lenders, equipment lessees, debtors and creditors, receivers and trustees and other stakeholders in commercial reorganizations, secured transactions, bankruptcy matters and court-appointed receiverships. Her experience spans a wide range of industries including banking and financial services, energy, hospitality, and real estate development. Nicole is also an experienced litigation lawyer specializing in all aspects of debtor-creditor law including the enforcement of creditor's rights and remedies, commercial landlord-tenant matters, the enforcement of equipment leases, foreclosure actions and actions to recover land, construction lien actions, priority disputes, fraudulent preference actions and condominium disputes.

Nicole provides pragmatic advice and counsel in a number of areas:

**Insolvency law:** acting for debtors, creditors, and other stakeholders including purchasers of distressed assets in proceedings under the Companies' Creditor Arrangement Act and the Bankruptcy and Insolvency Act.

**Debtor-creditor litigation:** representing clients regarding the enforcement of commercial leases and equipment leases including foreclosure actions, builders' lien actions, and priority disputes.

**Condominium law:** acting mainly on behalf of condominium corporations with respect to the recovery of outstanding condominium contributions and the enforcement of condominium by-laws.

Nicole serves on the board of directors of the Western Canada chapter of the International Women's Insolvency and Restructuring Confederation (IWIRC), she is also an active member of the Turnaround Management Association. She is a frequent speaker on insolvency matters and priority issues.

### Réalisations professionnelles et leadership

- *The Best Lawyers in Canada* – Construction Law, 2020

### Mandats importants

- Acted on behalf of the receiver of Kitimat Development Group Inc.
- Acted on behalf of the debtor in the bankruptcy proposal of 3 Eau Claire Developments Inc.
- Acted on behalf of secured creditors in the Unity Builders' Group Companies' Creditors Arrangement Act matter.
- Acted on behalf of a financial institution and secured creditor in the Jurassic Oil & Gas Ltd. receivership matter.

### SECTEURS INDUSTRIELS CONNEXES

Agroentreprises et production alimentaire  
Construction et infrastructures  
Institutions financières  
Projets majeurs

- Acted on behalf of the debtor in the United Horsemen of Alberta's Companies' Creditors Arrangement Act matter.
- Acted on behalf of a secured creditor in the JED Oil Inc. Companies' Creditors Arrangement Act matter.

### **Leadership éclairé**

- Lending Horror Stories and Lessons Learned, The Risk Management Association, Alberta Chapter, 2019
- Legal Update, Canadian Association of Insolvency and Restructuring Professionals Insolvency and Restructuring Forum, 2016 and 2018
- Maximizing Recovery from Insolvent Customers, Canadian Finance and Leasing Association Conference, 2016
- Co-author, "Are Live-In Caregivers Permitted in Single Family Condo Units," *Condo Reporter*, March 2013
- Co-author, "The Fundamentals of Placing and Realizing on Agricultural Security," 2011 Alberta Law Conference, Canadian Bar Association
- "SemCanada Crude Company (Re) 2009 ABQB 397: Protecting Facility Joint Owners from Set Off," February 2010
- "When does the Limitation Period begin to run on a Guarantee? What You Need to Know," Fall 2009
- "Proper Account Agreement Can Save a Financial Institution from Liability for Improperly Clearing Forged Cheques," Winter 2008

### **Associations professionnelles**

- Member, Advocates' Society
- Member, Canadian Bar Association
- Member, INSOL International
- Member and former Director of Western Canada Chapter, International Women's Insolvency & Restructuring Confederation (IWIRC)
- Member, Turnaround Management Association (TMA)

### **Formation et admission au barreau**

- Alberta Bar, 2000
- LL.B. (with distinction), University of Alberta, 1999
- B.A., University of Calgary, 1995