



Doug Nishimura, Partner

in

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Overview

Doug Nishimura is an Alberta-based lawyer representing clients throughout Canada who are facing complex debt recovery litigation, financial restructuring disputes and other related business issues. These matters often involve the purchase or sale of distressed assets in a court-approved restructuring or receivership, and at times, through a bidding process.

Doug has more than 20 years of experience representing the full range of parties involved in debt recovery disputes and restructuring proceedings, including corporate debtors, large and small financial institution and secured lenders, unsecured creditors on an individual and collective basis, shareholders of insolvent corporations, trustees, monitors, receivers and other court appointed officers and counterparties of insolvent corporations.

Doug is a staunch advocate for companies and individuals who are experiencing serious financial difficulties and need to restructure or protect themselves against creditors. He handles a wide range of formal insolvency and financial restructuring issues and proceedings, including:

- Bankruptcy and receivership
- Companies' Creditors Arrangement Act (CCAA) actions
- Recovery of debt and protection from creditors
- Enforcement of securities
- Negotiation of forbearance and informal restructuring processes
- Purchases of assets in insolvency proceedings

In addition, Doug identifies and resolves problem areas in secured transactions, such as priority disputes, preference claims, trusts, fiduciary obligations, fiduciary claims and fraud actions. Clients also turn to Doug for help with investor actions, fraud investigation and recovery, injunctions and corporate and commercial dispute resolution.

Value to Clients

Doug has a reputation for strong oral and written arguments and for working one-on-one with clients. He excels at identifying each client's goals and developing tailored, proactive strategies for achieving them. Doug is also highly-regarded in the insolvency field and has deep experience navigating the complex processes and challenges his clients encounter.

Outside the Office

Doug spends most of his free time with his family. He was also a music teacher

Services

Collections, Bankruptcy +
 Insolvency
 Litigation
 Corporate + Business Disputes

Education

University of Calgary, 1995, Juris
 Doctor, Gold Medalist
 University of Calgary, 1992,
 Bachelor of Education With
 Distinction
 University of Calgary, 1985,
 Bachelor of Music
 1986, Alberta Teaching Certificate

Admissions

Alberta, 1997

before law school and is one several musicians in the firm who have been playing rock and roll as a group at local bars and other events for more than 20 years.

Experience

Lutheran Church Canada (Re), 2016 ABQB 419, Alberta Court of Queen's Bench

Statoil Canada Ltd v Cadillac Fairview Corporation, 2014 ABQB 24, Alberta Court of Queen's Bench

Grant Thornton Limited v Calmusky, 2014 ABCA 22 (CanLII), 2014 ABCA 22, Alberta Court of Appeal

Monarch Land Limited v CIBC Mortgages Inc., 2014 ABCA 143, 2014 ABCA 143, Alberta Court of Appeal

Statoil Canada Ltd. v. Cadillac Fairview Corporation, 2013 ABCA 420, Alberta Court of Appeal

Eisenberg v. 910234 Alberta Ltd., 2013 ABQB 580, Court of Queen's Bench of Alberta

Courtesy Chrysler (1987) Ltd. V. Chrysler Canada Inc., 2012 ABQB 658, Alberta Court of Queen's Bench

Clement (Re), 2011 ABQB 275, Alberta Court of Queen's Bench

Sprung Instant Structures Ltd. V. Royal Bank of Canada, 2008 ABQB 30, Alberta Court of Queen's Bench

Re Gauntlet Energy Corporation (Companies' Creditors Arrangement Act), 2003 ABQB 718, Alberta Court of Queen's Bench

Recognition

Corporate and Commercial Litigation, The Best Lawyers™ in Canada: 2024 - 2025

"Litigation Star", Benchmark Canada: 2014 - 2024

Notable Work

- Represented a bankruptcy trustee in a complex construction case involving numerous projects, creditors and claims, and helped the trustee collect and distribute debtor assets
- Represented the receiver in a highly-contested litigation matter involving a debtor that was harming investors by operating a fraudulent mortgage fund

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