



MARC TROTTIER

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BIOGRAPHY

Marc advises on a wide range of domestic and cross-border restructurings and financings with a particular focus on funds investing in distressed situations, impaired credits and complex loan-to-own transactions. He has a particular interest in sports financing and restructuring, having acted for a number of leading receivables and finance lenders in the sports sector.

Marc qualified in Québec before relocating to the UK. He is fluent in French.

ADMISSIONS

Quebec

England and Wales

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- Entertainment Industry Practice
- Sports & Event Financing
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Recent changes to the special administration regime for water companies

The UK government recently introduced legislation implementing changes to the special administration regime for regulated water companies ("WISAR"). The changes are designed to modernise the WISAR and to better align it with the special administration regimes for other systemically important sectors like energy supplies and investment banks. The updates are contained in The Flood and Water Management Act 2010 (Commencement

No. 10) Order 2024, which became effective on 12 January 2024, and The Water Industry Act 1991 (Amendment) Order 2024 and The Water Industry (Special Administration) Regulations 2024, each of which came into effect on 22 February 2024.

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Fair's fair: the concept of fairness in Part 26A Restructuring Plans

Is there now an established test of fairness for the sanction of a Part 26A Restructuring Plan? In Re Virgin Active [2021] EWHC 1246 (Ch) at [219]-[221], the Court was quick to dismiss the idea despite remarks to the contrary included within the Explanatory Notes to the Corporate Insolvency and Governance Act 2020 ("CIGA 2020"). However, subsequent Part 26A cases have demonstrated that the Court will weigh in on the fairness of a Plan prior to sanction and is prepared to test Plan proponents in the interests of those being compromised. The general approach and level of scrutiny applied to the question of fairness by the Court tends to differ from case to case, often depending upon the level of challenge posed by Plan creditors, and is not confined to a consideration of such matters only within the context of cross-class cram down under section 901G Companies Act 2006 ("CA 2006"). Particularly in light ...

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Colin Ashford & Richard Obank join BCLP's Restructuring & Insolvency team

International law firm BCLP has strengthened its global Restructuring & Insolvency practice with the hire of two highly experienced and well-regarded partners, Colin Ashford and Richard Obank. They join BCLP today from law firm Brown Rudnick and are based in BCLP's London office.

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