



Hugo Babos-Marchand

Partner

Montréal
Québec City

hbmarchand@mccarthy.ca

t. 514-397-4156

418-521-1461

Bar Admission

Québec 2009

Law School

McGill University
Université Laval

Practices

Bankruptcy & Restructuring
Corporate Commercial Litigation
Securities Litigation

Hugo is a trusted partner and a strategic advisor, helping clients navigate the complexities of restructuring as well as banking, commercial and securities litigation, including extraordinary remedies and shareholders' rights disputes.

Hugo is a partner in our Quebec Region Litigation and Bankruptcy & Restructuring groups. He has built an excellent reputation with clients in the Quebec market drawing on his experience, knowledge and extensive network in the industry. He understands the issues they face, takes the time to grasp their unique goals, and is able to provide creative and practical solutions and effective litigation and restructuring strategies.

Recognized as a leading lawyer in Quebec in bankruptcy and insolvency matters, Hugo regularly acts for all types of actors in these cases, including secured creditors, debtor companies, trustees, monitors, receivers and acquirers.

Some of Hugo's recent transactions include:

- acting for Fiera, the main secured creditor in the proceedings of Groupe Airmedic Inc. under the *Companies' Creditors Arrangement Act*;
- acting for CIBC in the proceedings regarding the companies of Groupe Huot under the *Bankruptcy and Insolvency Act*;
- acting for Richter, the trustee under the notice of intention and subsequently the trustee to the bankruptcy of ChronoMetriq. This case is the first application of the Supreme Court of Canada's decision in the matter of *Canada North* in the context of a notice of intention to file a proposal. Richter's position was upheld by the Court of Appeal in a recent decision (*Attorney General of Canada v. Richter Advisory Group Inc.*, 2023 QCCA 1295);
- acting for Raymond Chabot Administrateur Provisoire, the provisional administrator to certain assets of Dominic Lacroix pursuant to an *Act respecting the Regulation of the Financial Sector*. This was the first time an

Hugo Babos-Marchand

Partner

Montréal
Québec City

hbmarchand@mccarthy.ca

t. 514-397-4156
418-521-1461

officer of the Court was able to seize cryptocurrency (Bitcoin) in the context of his mandate. In this matter, the Court of Appeal also made a policy decision regarding contempt of court (*Lacroix v. Autorité des marchés financiers*, 2020 QCCA 873);

- acting for National Bank of Canada in the receivership proceedings of Solution Highpoint Inc. In these proceedings, the Bank successfully challenged and had declared as abusive a claim by two suppliers to recover certain goods delivered to the borrower (*Receiver of Solution Highpoint Inc.*, 2022 QCCS 3505);
- acting for HSBC Bank Canada in a liability claim arising from a fraudulent scheme (fraud by the President). The Superior Court made a policy decision regarding bank liability (*Alfagomma Inc. v. HSBC Bank Canada*, 2022 QCCS 3655);
- acted for EY in its capacity as receiver in the matter of the receivership of Northern Star Mining Inc., notably as the lead lawyer for pleadings before the Court of Appeal leading to a landmark decision on the legal nature of a Royalty agreement in Quebec mining law (*Anglo Pacific Group PLC v. Ernst & Young Inc.*, 2013 QCCA 1323);
- acting for Digital Shape Technologies in a defamation case brought against an ex-employee. The Superior Court made a policy decision regarding the application of a non-disparagement clause (*Digital Shape Technologies Inc. v. Walker*, 2018 QCCS 4374).

Hugo is a member of the Insolvency Institute of Canada, Canada's premiere private sector insolvency organization which draws its members from the most senior and experienced Canadian insolvency professionals. Hugo holds a master's degree in law from McGill University and a bachelor's degree in law from Université Laval. He was called to the Quebec Bar in 2009.

Awards & Rankings

The Canadian Legal Lexpert Directory

Leading Lawyer: Litigation - Corporate Commercial; Insolvency & Financial Restructuring - Insolvency Litigation; Banking & Financial Institutions

Hugo Babos- Marchand

Partner

Montréal
Québec City

hbmarchand@mccarthy.ca

t. 514-397-4156
418-521-1461

Lexpert Special Edition: Litigation

Leading Lawyer

Lexpert Special Edition: Finance and M&A

Leading Lawyer

Benchmark Litigation Canada

Future Star

Benchmark Litigation Canada

40 & Under

Recent Experience

- **BioExpert International Inc. acquires Laboval Inc.**
June 3, 2022
- **Éclairage Contraste M.L. Inc. and Immeubles Lecluze Inc. obtain substantive consolidation under the Bankruptcy Insolvency Act**
February 14, 2022

Recent Insights

- **Court-ordered charges under the Bankruptcy and Insolvency Act may rank before deemed trusts**
October 20, 2023
- **Québec's Bill 96 Amending French Language Legislation Has Been Adopted: How is Litigation Affected?**
June 23, 2022
- **The notion of gross fault unpacked by Quebec Courts**
April 20, 2021