

## Mergers and Acquisitions

Business leaders running transformational deals – or smaller strategic ones – want a winning path to the finish line. When faced with hostile situations, they expect no less. Our focus is always on getting the deal done as we tackle issues and create strategies that simply work.

Public or private, buy or sell, we excel at the most business-critical transactions with a precise combination of creativity and practicality – meaning that our clients get the best possible business terms on the tightest closing schedules. Whether large, small or multijurisdictional, complex transactions require a firm grasp of a wide range of sophisticated issues. All demand the same level of rigour and depth of experience. Which is why we take a lean, cross-practice team approach, helping you achieve the best results, whether you're a publicly traded company, a private equity firm or an ambitious entrepreneur.

We use our deal fluency and track record for trailblazing to get the deal done. Clients such as The Blackstone Group Inc., in its \$6.2-billion acquisition of Dream Global Real Estate Investment Trust, and Alstom S.A., in its €4.4-billion strategic acquisition of Bombardier Transportation, rely on us to achieve their strategic goals. That's why we've played a significant role in five of the 10 largest-ever announced M&A deals with a Canadian target, based on deal value.

### Private M&A

“The team as a whole is outstanding. Their strengths as a team include being able to combine their skill set and experience to provide seamless legal advice to their clients.”

Client – *Chambers Canada 2020*

Private deals – regardless of size – can be as complex and high stakes as public deals. Whether you're a private or public company buying a private company, a buyout fund acquiring a business or a business owner making a once-in-a-lifetime sale of your company, you can count on us for agility and speed, grounded in deep experience.

We help you obtain the best possible business terms, implement the right structures and meet the tightest closing schedules. Applying our leading expertise – from financing and tax strategies to antitrust reviews and disputes – we tailor our approach so you achieve your business objectives.

We bring the same creativity, commitment and practical approach to your deal, whether in Canada, the U.S. or internationally. That's why Barrick turned to us for its historic joint venture with Newmont Goldcorp Corporation to create the world's largest gold complex, as did Michelin Group for the US\$1.7-billion acquisition of Camso Inc.

### Public M&A

“I would rank Davies as number one in Canadian M&A and corporate finance.”

Client – *Chambers Canada 2020*

When the stakes are highest and the issues complex, we forge the right path to get your most critical deals done. Whether negotiated or hostile, bet-the-company or leveraged buyout, we are rigorous in execution, tackling issues with clarity and speed.

Immersing ourselves in your concerns, we use our expertise to help score groundbreaking victories, whether on unsolicited bids, takeover defence or shareholder activism, so that you can realize the full potential of your transaction.

# DAVIES

In highly sensitive situations, boards, special committees, target companies and acquirers turn to our team for our incisive counsel on governance and shareholder engagement issues.

At the forefront of dealmaking, we stay committed and focused to get your deal done. In the past five years, we advised on 93 announced deals with a value of more than US\$290 billion (*MergerMarket*).

## REPRESENTATIVE WORK

### **Enovum Data Centers Corp.**

Acted for Enovum Data Centers, a wholly-owned subsidiary of Bit Digital, Inc., in the acquisition of land and a building for a build-to-suit 5MW Tier 3 data center expansion project in Pointe-Claire, Quebec, known as MTL2, for CAD \$33.5 million.

### **SureKap**

Acted as Canadian counsel to SureKap, a portfolio company of LFM Capital, in its acquisition of Kraken Automation Inc., a leading provider of automated packaging systems.

### **Toppan Inc.**

Acting as Canadian counsel to TOPPAN Holdings Inc. in its US\$1.8 billion acquisition of the Thermoformed and Flexibles Packaging business of Sonoco Products Company (NYSE: SON), a global leader in high-value sustainable packaging.

### **Canada Growth Fund**

Acting for Canada Growth Fund and Canada Growth Fund Investment Management Inc. with an equity investment of US\$25 million in Nouveau Monde Graphite Inc., an integrated Québec-based company specializing in graphite mining and processing. This investment marks CGF's first transaction in critical minerals sector and its first direct investment in Québec.

### **Agnico Eagle Mines Limited**

Acting for Agnico Eagle Mines Limited in its acquisition of O3 Mining Inc. by way of a friendly take-over bid valued at C\$204 million.

## RECOGNITION

*Chambers Global: The World's Leading Lawyers for Business*

- Corporate/M&A (Band 1 firm)
- International & Cross-Border Transactions (Band 1 firm)

*Chambers Canada: Canada's Leading Lawyers for Business*

- Corporate/M&A (Band 1 firm)
- Corporate/Commercial: The Elite: Ontario (Band 1 firm)
- Corporate/Commercial: The Elite: Québec (Band 1 firm)

# DAVIES

Mergermarket North America M&A Awards—Canada M&A Legal Advisory Firm of the Year (2021)

IFLR Americas Awards

- M&A Deal of the Year (2022)
- National Corporate Firm of the Year: Canada (2018, 2021)

*IFLR1000: The Guide to the World's Leading Financial Law Firms*—Mergers and Acquisitions (Tier 1 firm)

*IFLR1000 Canada*

- Mergers and Acquisitions, Ontario (Tier 1)
- Mergers and Acquisitions, Québec (Tier 1)

*The Legal 500 Canada*—Corporate and M&A (Tier 1 firm)

The Canadian Law Awards

- M&A Deal of the Year (2022, 2024)
- Canadian Deal of the Year (2020)
- Cross-Border Deal of the Year (2020)

*The Canadian Legal Lexpert Directory*—Mergers & Acquisitions: Toronto and Montréal (Most Frequently Recommended firm)

*The Best Lawyers in Canada*—Mergers and Acquisitions Law (Law Firm of the Year 2019)

ALM Global Legal Awards—Global M&A Deal of the Year: Canada (2017)