

## Tax

Business leaders conducting complex transactions want efficiency, innovative thinking and a smart, successful path to the finish line. That's what our market-leading Canada-U.S. tax lawyers deliver.

We take on your tax challenges and develop structures that work – often pursuing strategies that break new ground. We established a Canadian landmark with the original tax-deferred conversion of a mutual fund into a REIT. And we helped devise the unique inversion structure for the merger of two global quick-service restaurant chains.

Applying our extensive experience across all major industries and sectors, we help you navigate tax environments with agility and precision. We know how to satisfy divergent interests while achieving practical results that keep all parties on course. And when tax disputes arise, we stand by your side, helping to get the matter resolved as efficiently as possible – so you can keep moving forward.

### **Cross-Border and International Tax**

“Their reputation is stellar. Day-to-day, they are instrumental in making sure we can operate on a global scale.”

*Client – Chambers Canada*

When business interests cross borders, unified tax planning – particularly where the tax systems don't easily align – is essential. Whether your situation involves a merger, joint venture, reorganization or spinoff, our team of leading lawyers in Canada and the U.S. takes a pragmatic and business-minded approach to developing structures that work. Keeping your broader business objectives in constant focus, we delve into the details to get the right results.

### **Mergers and Acquisitions Tax**

“An extremely commercially focused group that has the ability to provide advice beyond the tax issues.”

*Legal 500 Canada*

Successfully completing a merger hinges on sound tax planning. From private acquisitions to public company deals, often working with our industry-leading corporate and competition lawyers, we're dedicated to giving you comprehensive business advice in terms you can understand.

Grounded in proven experience, our tax lawyers work regularly on significant domestic and international deals. In the past two years, we advised on deals totalling \$220 billion. We deftly consider all angles and tackle issues with clarity and speed to come up with sophisticated solutions that work.

### **Tax Disputes**

“Their lawyers are methodical and speedy in execution and take the issues seriously. They are bright, innovative and really understand the client's business and overall context.”

*Legal 500 Canada*

Lengthy tax audits or disputes are costly and disruptive for any business. Applying our extensive experience advising clients with operations in Canada and the U.S., we streamline the audit process with federal and provincial authorities.

# DAVIES

And when you are faced with a corporate, sales tax or transfer pricing dispute, we guide you every step of the way, including – if necessary – before every level of court.

From kickoff of an audit through appearing in court, our lawyers adeptly advocate and negotiate for your interests. We are fearless and methodical about getting the right result.

## REPRESENTATIVE WORK

### ALT 5 Sigma Inc.

Acted as tax counsel to ALT 5 Sigma Inc., a leading next generation blockchain financial technology provider, in its acquisition by JanOne Inc.

### Professional athletes

Successfully represented Russell Martin and Joshua Donaldson, former Toronto Blue Jays players, in their tax disputes before the Tax Court of Canada against the Canada Revenue Agency. The case centered on the correct computation of their income earned in Canada under the Income Tax Act, specifically the proper allocation of employer contributions to Retirement Compensation Arrangements and their exclusion from taxable Canadian-source income.

### Glencore Canada Corporation

Acted for Glencore Canada Corporation in its dispute before the Tax Court of Canada and Federal Court of Appeal with respect to the tax treatment of break fees.

### Onex Corporation

Acted for Onex Corporation in its successful application for judicial review of the amended *Income Tax Act* before the Federal Court of Canada.

### Leading Cinema Operator

Acted for a leading cinema operator in its successful tax dispute with the Canada Revenue Agency in connection with the treatment of the sale of a movie theatre as a capital versus income gain.

## RECOGNITION

*Chambers Global: The World's Leading Lawyers for Business—Tax* (Band 1 firm)

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

- Tax (Band 1 firm)
- Charities/Non-profits

*Tax Directors Handbook*

- Tax (Tier 1)
- The Law Firm Tax 100

International Tax Review's *World Tax: The Comprehensive Guide to the World's Leading Tax Firms*

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- Tax (Tier 1 – Canada)
- Tax Controversy (Tier 1 – Canada)
- Transactional Tax (Tier 1 – Canada)
- Transfer Pricing (Canada)

*The Legal 500 Canada*—Tax (Tier 1 firm)

*The Canadian Legal Lexpert Directory*

- Corporate Tax: Toronto (Most Frequently Recommended firm)
- Litigation – Corporate Tax: Montréal (Most Frequently Recommended firm)
- Corporate Tax: Montréal
- Litigation – Corporate Tax: Toronto
- Investment Funds & Asset Management

*The Best Lawyers in Canada*—Tax Law Firm of the Year (2018 and 2021)

*International Tax Review's Americas Tax Awards*

- Tax Firm of the Year, Canada (2016, 2019, 2022)
- Impact Deal of the Year: Kansas City Southern's Merger with Canadian Pacific Railway (2022)
- Impact Deal of the Year: Aurora Cannabis Inc.'s Acquisition of MedReleaf Corporation (2019)
- Impact Deal of the Year: Barrick Gold Corporation's Merger with Randgold Resources (2019)
- Real Estate Tax Deal of the Year (2017)