



## Adam Birnbaum

Associate

### Office

Toronto

### Tel

416.367.7433

### Email

abirnbaum@dwpv.com

### Expertise

Corporate

### Bar Admissions

Ontario, 2019

## Adam is developing a broad corporate practice.

Adam has assisted on a range of transactions, including private and public mergers and acquisitions, securities offerings, financings, corporate governance and other corporate matters.

### REPRESENTATIVE WORK

#### Define Capital Inc.

Acted for Define Capital Inc. in its C\$20-million fundraising and subsequent acquisition of two Ontario-based software companies.

#### McKesson Corporation

Acting for McKesson Corporation in the sale of its Rexall and Well.ca businesses in Canada to Birch Hill Equity Partners.

#### BMS Group

Acted for BMS Group in its acquisition of Smith & Reid Insurance Brokers and O'Neil Insurance Brokers.

#### Agnico Eagle Mines Limited

Advised Agnico Eagle Mines Limited in its US\$580-million investment in Minas de San Nicolas (MSN) (previously a wholly owned subsidiary of Teck Resources Limited), which owns the San Nicolas copper-zinc development project located in Zacatecas, Mexico. As a result of the transaction, Agnico Eagle and Teck will own 50% of MSN. The proceeds of the subscription will be used by MSN to fund the first US\$580 million of post-closing development and construction costs.

#### Birch Hill Equity Partners

Acted for Birch Hill Equity Partners in its joint acquisition (and related financing) with Investissement Québec of Québec-based Polycor Inc., the largest quarrier of natural stone in the world.

#### AutoCanada Inc.

Acted for AutoCanada Inc., a multi-location North American automobile dealership group, in its acquisition of 11 dealerships from the Autopoint Group, a group that has operated for over 17 years across Southwestern Ontario with \$345 million in annual revenue.

#### BMO Capital Markets, RBC Capital Markets, Barclays, Scotiabank and TD Securities Inc.

Acted for a syndicate of underwriters, led by BMO Capital Markets, RBC Capital Markets and Barclays, as global coordinators and joint bookrunners, and Scotiabank and TD Securities Inc., as joint bookrunners, for the \$1.6-billion initial public offering (IPO) of Definity Financial Corporation, the largest Canadian IPO of 2021. This is the largest IPO by a Canadian company in over 20 years and the second largest ever, when taken together with the concurrent cornerstone private placements to Healthcare of Ontario Pension Plan and Swiss Re for aggregate proceeds of \$700 million. The IPO and private placements were made in connection with the concurrent demutualization of Definity's direct subsidiary (Economical Mutual Insurance Company) - the first demutualization of a

# DAVIES

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Canadian property and casualty insurer. This IPO won Capital Markets Deal of the Year at the 2022 Canadian Law Awards.

### **Nevada Gold Mines**

Acted for Nevada Gold Mines (NGM), the Barrick-Newmont joint venture, in its asset exchange agreement to acquire the remaining 40% of the South Arturo property from i-80 Gold Corp in exchange for NGM's Lone Tree and Buffalo Mountain Properties, and in its conditional up to \$50-million private placement in i-80 common shares.

### **TD Securities Inc. and BMO Nesbitt Burns Inc.**

Acted for TD Securities Inc. and BMO Nesbitt Burns Inc., as joint bookrunners, for Altus Group Limited's \$173-million bought deal public offering of common shares.

### **Ironbridge Equity Partners**

Acted for Ironbridge Equity Partners in the sale of Alliance Corporation, Canada's largest value-added distributor of wireless communications technology, to Lee Equity Partners and Twin Point Capital.

## **RECOGNITIONS**

Queen's University Faculty of Law—Queen's Law Prize in Advanced Corporate Law; Queen's Law Prize in Securities Regulation; Fasken Martineau DuMoulin LLP Prize (Torts); Queen's Law Prize in Alternative Dispute Resolution

## **INSIGHTS**

Davies Governance Insights 2020, contributor  
Oct. 05, 2020

## **EDUCATION**

Queen's University, JD, 2018  
Ivey Business School, University of Western Ontario, HBA (with Distinction), 2015