



Anthony M.C. Alexander
Partner

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Expertise
Dispute Resolution
Class Actions
Commercial Litigation

Bar Admissions
Ontario, 1994

Tony excels at developing innovative solutions for our clients' complex litigation matters.

Clients in a broad range of industries – including mining, manufacturing, services and telecommunications – rely on Tony's expertise and big-picture thinking to resolve their intricate commercial disputes. He advises on cross-border proceedings, class actions, intellectual property litigation and administrative/regulatory matters. Before joining our firm, Tony was a partner at another leading national law firm.

Tony is an adjunct professor at the University of Toronto's Faculty of Law and a regular instructor for the Law Society of Ontario's Professional Conduct and Practice in Ontario program. He is a board member of the Foundation for International Education in Neurological Surgery.

REPRESENTATIVE WORK

Grup Mediapro S.L.U.

Acted for Grup Mediapro S.L.U. in a litigation settlement with CSB, LP, culminating in a transaction pursuant to which Mediapro sold its Canadian business, consisting of the OneSoccer Channel, to CSB.

Legion Partners Asset Management

Acted for U.S. activist shareholder Legion Partners Asset Management in connection with its campaign for operational change and board seats on the board of Primo Water Corporation, a TSX-NYSE listed pure-play water solutions provider in North America and Europe. Legion's campaign included the commencement by Legion of an oppression Application in the Superior Court of Ontario concerning the legality of Primo's Advance Notice By-Laws. It culminated in an agreement to appoint two Legion nominees to the Primo board and Primo agreeing to adopt certain corporate governance enhancements, including changes to its advance notice bylaw provisions.

Shaw Communications Inc.

Successfully acted for Shaw Communications in landmark trial and appellate proceedings in which the Government of Canada challenged the company's C\$26-billion merger with Rogers Communications, the largest contested merger case ever heard in this country. This case was named the #1 business decision of 2023 by *Law360 Canada* and one of *Lexpert's* Top 10 Business Decisions of 2023.

Confidential client

Acting for the claimant in a C\$1.1-billion ICC arbitration regarding a major Canadian infrastructure project.

Centerra Gold Inc.

Acted for the special committee of independent directors of Centerra Gold Inc. in successfully obtaining approval of a contested plan of arrangement under the *Canada Business Corporations Act* in relation to the global arrangement agreement between Centerra, Kyrgyzaltyn JSC and the Government of the Kyrgyz

DAVIES

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Republic.

TransAlta Corporation

Acted for TransAlta Corporation in defending an oppression action brought by Mangrove Partners, a minority shareholder. Mangrove sought to set aside a \$750-million strategic transaction entered into between TransAlta and Brookfield Renewable Partners.

McKesson Corporation and McKesson Canada Corporation

Acting for McKesson Corporation and McKesson Canada Corporation to defend a high-profile proposed class action brought by the Province of British Columbia on behalf of all Canadian provincial governments, as well as the Federal government, against manufacturers and distributors of opioids seeking to recover health care costs related to the opioid crisis. Also acting for McKesson in additional opioid-related proposed class actions.

TransAlta Corporation

Acted for TransAlta Corporation in defending successfully "public interest" proceedings initiated against TransAlta by Mangrove Partners before the Ontario Securities Commission and Alberta Securities Commission in respect of the election of Directors of TransAlta at its Annual Meeting on April 26, 2019, and concerning a \$750 million financing transaction entered into between TransAlta and Brookfield Renewable Partners.

Vale Canada Limited

Acted for Vale Canada Limited and its affiliates in defending contractual claims before the Supreme Court of Newfoundland and Labrador in an amount of almost C\$500 million that were asserted by the Plaintiff under an Option Agreement pertaining to the Voisey's Bay Nickel Project. This case was settled in September, 2018, at the end of the first week of a four month trial that would have involved dozens of lay and expert witnesses. This was the first "hybrid trial" and first electronic trial ever conducted in the Province of Newfoundland and Labrador.

Ontario Lottery and Gaming Corporation

Successfully acted for the Ontario Lottery and Gaming Corporation in a judicial review application brought by the City of Niagara and the Region of Niagara Falls concerning the selection process for an operator of the Niagara gaming bundle.

RECOGNITIONS

The Best Lawyers in Canada—Corporate and Commercial Litigation

Benchmark Litigation Canada Awards—Impact Case of the Year (2019, 2023)

The Canadian Law Awards—Commercial Litigation Team of the Year (2023)

Law360 Canada—Top Business Decision (2023)

Chambers Canada Award—Litigation Firm of the Year (2018)

Chambers Canada: Canada's Leading Lawyers for Business—Litigation, General Commercial Department: Ontario (Band 1 for firm)

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INSIGHTS

“But That’s Not What That Means”: When Can Evidence of Technical Jargon, Industry Custom and Trade Practice be Used to Interpret or Augment a Commercial Contract?

June 01, 2021

Electronic Signatures: A Guide for Ontario Businesses

Mar. 04, 2021

Not All Customers Are the Same: Top Court Rules Business Customers Cannot Join Consumer Class Action

Apr. 09, 2019

Commercial Certainty Restored: The Federal Court of Appeal Reaffirms the Existence of Transactional Common Interest Privilege

Mar. 13, 2018

Legal Privilege: Are You Protected?

Oct. 25, 2017

Davies Governance Insights 2017

Oct. 02, 2017

The Law Society of Upper Canada, The Seventh Annual In-House Counsel Summit, “Solicitor-Client Privilege: A Guide for In-House Counsel”; Toronto, ON

Feb. 27, 2017

Federal Court Refuses to Recognize Common Interest Privilege in the Transactional Context

Dec. 23, 2016

The Law Society of Upper Canada, Professional Conduct and Practice in Ontario, “Solicitor-Client Privilege and Confidentiality Rule 3.3: Issues for Corporate Lawyers”; Toronto, ON

Dec. 01, 2016

New Record-Keeping Obligations for Ontario Corporations Are Coming

Nov. 04, 2016

EDUCATION

University of Toronto, LLB, 1992

Queen’s University, MA, 1989

Queen’s University, BA (Honours), 1988

BOARD MEMBERSHIPS

Foundation for International Education in Neurological Surgery

TEACHING ENGAGEMENTS

Tony is a regular instructor at the Law Society of Ontario’s Professional Conduct and Practice in Ontario program. He has lectured on the defence of securities class actions as part of the Osgoode Hall Law School LLM course Securities Litigation and Enforcement. Tony has taught The Business Torts (an upper-year

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seminar) as an adjunct professor at the University of Toronto Faculty of Law.