



## Zachary C. Kling

Associate

### Office

New York

### Tel

212.588.5520

### Email

zkling@dwpv.com

### Expertise

Tax

### Bar Admissions

Indiana, 2016

New York, 2023

## Zachary provides practical and creative solutions to clients' complex tax issues.

Zachary acts for clients on the tax aspects of public and private mergers and acquisitions, financings and other commercial transactions. He has assisted on a diverse range of tax matters, including tax planning, disputes with the Internal Revenue Service and state tax agencies, and compliance with reporting and withholding obligations.

Prior to joining Davies, Zachary worked for a large international law firm in New York.

### REPRESENTATIVE WORK

#### Plusgrade Inc.

Acted for Plusgrade in connection with General Atlantic's strategic investment in the ancillary revenue powerhouse. The investment represents a monumental transaction for the global travel tech sector.

#### ArcTern Partners Inc.

Acted for ArcTern Ventures in the formation of its third flagship fund, ArcTern Ventures Fund III, a US\$335 million venture capital fund focused on climate technology companies around the world.

#### Amcor Rigid Plastics USA, Inc.

Acting for Amcor Rigid Plastics USA, Inc. in the sale of its 50% interest in Bericap North America, a 50/50 joint venture between Amcor and Germany-based Bericap Holding GmbH that manufactures closures for beverage, food and industrial end markets in the U.S., Canada and Mexico.

#### Fortis Inc.

Acted for Fortis Inc. in establishing its at-the-market public offering of up to C\$500-million of common shares, which may be sold through the Toronto Stock Exchange, the New York Stock Exchange or on any other marketplace in Canada or the United States on which the common shares are traded.

#### Sprott Inc.

Acted for Sprott Inc. in the formation of Sprott Private Resource Streaming and Royalty Annex Fund, a US\$310-million annex fund that invests alongside Sprott's first streaming fund, which brings the combined total assets under management of Sprott Resource Streaming and Royalty Corp. in both funds to US\$1.1 billion.

#### Foodtastic Inc.

Acted as tax counsel to Foodtastic Inc., a leading franchisor of restaurant brands in Canada, in its C\$74.4-million acquisition of Freshii Inc.

#### Fulcrum Capital Partners

Acted for Fulcrum Capital Partners in the sale of Kore Outdoor Inc. to Ironbridge Equity Partners.

#### Birch Hill Equity Partners

# DAVIES

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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.

### Hydrostor Inc.

Acted for Hydrostor Inc., a developer of Advanced Compressed Air Energy Storage (A-CAES) projects, in securing a US\$250-million preferred equity financing commitment from Goldman Sachs Asset Management - one of the largest investments in the emerging long-duration energy storage sector.

## INSIGHTS

US Corporate AMT: Inbound Investors Beware of Aggregation Rules, co-author  
Nov. 15, 2023

Federal Courts Weigh in on the FBAR: Providing Relief from Outrageous Penalties  
Mar. 22, 2023

U.S. Tax Laws: A Review of 2022 and a Look Ahead to 2023  
Feb. 21, 2023

Upcoming Proposed Regulatory Changes to Stock Buyback Excise Tax  
Dec. 29, 2022

U.S. Climate Change and Healthcare Bill Moves Democrats' Tax Policy Forward  
Aug. 18, 2022

U.S. Tax Laws: A Review of 2021 and a Look Ahead to 2022  
Mar. 03, 2022

Revised U.S. Tax Proposals Will Affect Foreign Investment  
Nov. 08, 2021

House Democrats Release Details on Proposed Tax Increases  
Sept. 16, 2021

Biden Proposes to Sharply Increase Taxes on Corporations and High-Income Individuals, While Encouraging Investment in Renewable Energy  
June 03, 2021

Biden Administration Unveils Tax Plan to Boost Investments in Infrastructure  
Apr. 06, 2021

## EDUCATION

New York University, LLM, 2019

Indiana University, JD (summa cum laude), 2016

Indiana University—Purdue University Indianapolis, BA (Sociology), 2013