



Aaron J. Atkinson

Partner

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Expertise

Mergers and Acquisitions
Corporate Governance
Shareholder Activism
Capital Markets and Securities
Private Equity
Life Sciences
Mining

Bar Admissions

Ontario, 2001

Clients trust Aaron to deliver strategic solutions for their critical business transactions.

Aaron's practice focuses on public and private mergers and acquisitions, capital markets and securities, and corporate governance. Canadian and international businesses, boards and investors spanning a wide range of industry sectors – including mining, technology, infrastructure and financial services – count on Aaron for his business-minded and results-oriented approach to their complex legal issues.

A seasoned and strategic practitioner, Aaron has advised on some of the country's most high-profile domestic and cross-border transactions, including contested matters such as unsolicited takeover bids and proxy contests with wide-ranging experience advising bidders/activists as well as targets and target boards.

Well versed in corporate governance, Aaron is also regularly called upon to advise boards and board special committees on transactional matters as well as internal investigations and complex governance issues.

REPRESENTATIVE WORK

Agnico Eagle Mines Limited

Acted for Agnico Eagle Mines Limited in its joint topping bid with Pan American Silver Corp. for the US\$4.8-billion acquisition of Yamana Gold Inc., pursuant to which Pan American acquired all of the issued and outstanding common shares of Yamana and Agnico Eagle acquired Yamana's Canadian assets (including its interest in the Canadian Malartic mine).

Points.com Inc.

Acted for Points.com Inc., the global leader in powering loyalty commerce, in its sale by plan of arrangement to Plusgrade Parent L.P. in an all-cash transaction valuing Points at US\$385 million.

Mantle Ridge LP

Acted for Mantle Ridge LP in its accumulation of a material equity stake in Dollar Tree and subsequent engagement with Dollar Tree culminating in an agreement to appoint seven new directors, including Richard Dreiling, as executive chair, and Paul Hilal, founder and CEO of Mantle Ridge LP, as vice chair.

Elliott Investment Management L.P.

Acting for Elliott Investment Management L.P. in its shareholder engagement with Kinross Gold Corporation regarding capital allocation.

Elliott Investment Management L.P.

Acted for Elliott Investment Management L.P. in its accumulation of a material stake in Suncor Energy and subsequent engagement with Suncor culminating in an agreement (i) to appoint three new directors immediately with a potential fourth to be added depending on Suncor's performance against its peers, (ii) to participate on Suncor's CEO search committee, and (iii) to form a board committee to conduct a strategic review of Suncor's downstream retail business.

DAVIES

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IAMGold Corporation

Acted for IAMGold Corporation in its engagement with Resource Capital Fund and subsequent entry into a Collaboration Agreement to appoint additional independent directors to the board.

SEMAFO Inc.

Acted as counsel to SEMAFO Inc. in its US\$2.1-billion business combination with Endeavour Mining Corporation by way of plan of arrangement under the *Business Corporations Act* (Québec).

BMO Capital Markets

Acted for BMO Capital Markets, in connection with its formal valuation and fairness opinion to the special committee of Aris Gold Corporation, regarding Aris Gold's merger with GCM Mining Corp. to create a leading American gold producer.

Nova Metrix LLC

Acted for Nova Metrix LLC in the sale of its subsidiary, FISO Technologies Inc., to Resonetics LLC, a portfolio company of GTCR.

Generac Holdings Inc.

Acted as Canadian counsel to Generac Holdings Inc., a leading energy technology company, in its US\$770-million acquisition of ecobee Inc., a leader in sustainable smart home solutions.

RECOGNITIONS

Chambers Canada: Canada's Leading Lawyers for Business—
Corporate/Commercial: Ontario

IFLR1000: The Guide to the World's Leading Financial Law Firms—Mergers and
Acquisitions

The Legal 500 Canada—Corporate and M&A (Leading Individual)

The Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada—
Corporate Commercial Law; Corporate Finance & Securities; Mergers and
Acquisitions; Private Equity

Lexpert Special Edition: Agribusiness and Cannabis

Lexpert Special Edition: Finance and M&A

Lexpert Special Edition: Mining

Lexpert Special Edition: Technology and Health Sciences

The Canadian Legal Lexpert Directory—Corporate Commercial Law (Most
Frequently Recommended); Corporate Finance and Securities (Most Frequently
Recommended); Mergers and Acquisitions (Most Frequently Recommended);
Private Equity (Most Frequently Recommended); Corporate Mid-Market; Mining

The Best Lawyers in Canada—Corporate Governance Practice; Leveraged
Buyouts and Private Equity Law; Mergers and Acquisitions Law; Securities Law

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Lexpert Rising Stars: Leading Lawyers Under 40

Who's Who Legal: Capital Markets—Debt and Equity; Who's Who Legal: M&A and Governance—Mergers and Acquisitions; Who's Who Legal: Canada—Capital Markets; Mergers and Acquisitions

INSIGHTS

Taking AIM at the Mithaq Decision: A Critique

May 28, 2024

Activist Investor Conference, "Are You Equipped for Conflict? Prevailing in High Stakes Battles"; New York, NY

Mar. 21, 2024

In a Win for Shareholders, B.C. Securities Commission Provides Joint Actor Guidance for Proxy Contests

Jan. 26, 2024

Governance Insights: 10 Trends that GCs and Boards Need to Know

Jan. 24, 2024

"Con Ed" Damages in Canadian Public M&A: Revisiting *Cineplex v Cineworld* in Light of Recent Delaware Case Law

Jan. 10, 2024

Governance Insights: Get Smart on Artificial Intelligence (AI) and Corporate Governance: Key Considerations for Boards of Directors

Dec. 07, 2023

Guide to Shareholder Activism and Proxy Contests in Canada

Nov. 16, 2023

As the Pandemic Abates, Activists Advance: Shareholder Activism Rebounds in Canada

Oct. 20, 2023

Time (and Process) of the Essence: Ontario Court Accelerates Timing of Requisitioned Meeting

Feb. 08, 2023

Davies Governance Insights – September 2022, contributor

Sept. 06, 2022

EDUCATION

University of Windsor, LLB (Gold Medallist), 1999

University of Windsor, BA (Hons), 1996

TEACHING ENGAGEMENTS

Aaron is an adjunct professor at Osgoode Hall Law School where he teaches the Advanced Business Law Workshop. He has served as a lecturer in Osgoode's Corporate Remedies LLM course and taught "Mergers and Acquisitions: Emerging Strategies and Regulatory Issues" for the Intensive Course in Canadian Securities Law and Practice, part of Osgoode's

DAVIES

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Professional Development Program. Previously, Aaron taught Corporate Finance and M&A for eight years at the University of Windsor Faculty of Law.

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