



## Jonathan Bilyk

Knowledge Management and  
Practice Support Counsel

### Office

Toronto

### Tel

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### Email

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### Bar Admissions

Ontario, 2016

Jon develops knowledge management strategies to increase efficiencies and deliver exceptional client service.

As Knowledge Management and Practice Support Counsel, Jon specializes in developing, maintaining and enhancing precedents and other resource materials for the firm's Corporate and Securities groups. He works closely with lawyers to provide practice support and facilitate the sharing of know-how and expertise. Jon is an active participant in external and internal thought leadership, providing the latest in legal and industry developments to both lawyers and clients.

Before assuming this role, Jon worked for several years as an associate in the firm's Corporate and Securities practices.

## REPRESENTATIVE WORK

### **Oaktree Capital Management, L.P. and Kartesia Securities IV S.A.**

Acted as Canadian counsel to Oaktree Capital Management, L.P. and Kartesia Securities IV S.A. in the debt restructuring of TSX-listed Foraco International SA, a leading global provider of mineral drilling services incorporated in France, pursuant to which Oaktree and Kartesia received repayment of their senior secured notes, exchanged certain subordinated notes for an equity position in Foraco and entered into a related investor rights agreement.

### **Affiliates of Sherfam Inc.**

Acting for affiliates of Sherfam Inc. in their indirect sale to Red Pine Exploration Inc. of their interest in the Wawa Gold Project in Ontario for consideration of \$12.6 million.

### **Cornerstone Capital Resources Inc.**

Acted for Cornerstone Capital Resources Inc. in its successful defence of the hostile bid launched by SolGold plc for Cornerstone, including Cornerstone's proposed requisition of a meeting of SolGold to change the board of SolGold.

### **Blackstone Tactical Opportunities**

Acted for Blackstone Tactical Opportunities in its US\$460-million sale with Orion Resource Partners of the gold prepay, stream facilities and an offtake agreement in respect of Lundin Gold Inc.'s Fruta del Norte mine to Newcrest Mining Limited.

### **Barrick Gold Corporation**

Acted for Barrick Gold Corporation in its earn-in arrangement with Precipitate Gold Corp. (PGC), under which Barrick was granted the right to acquire a 70% interest in PGC's Pueblo Grande project in the Dominican Republic, and a related subscription for common shares of PGC.

### **Fortis Inc.**

Acted for Fortis Inc. with concurrent offerings of common shares for aggregate proceeds of approximately \$1.2 billion. The offerings included a \$690-million bought deal in Canada and the U.S. using the multijurisdictional disclosure

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system, including the exercise by the underwriters of their over-allotment option, and a concurrent \$500-million registered direct offering to an institutional investor. Each of the offerings was made pursuant to a prospectus supplement under Fortis' existing base shelf prospectus.

### Berkshire Partners

Acted as Canadian counsel to Berkshire Partners in the \$800-million sale of Farm Boy, a fast-growing and successful Canadian food retailer, to Empire Company Limited.

### Barrick Gold Corporation

Acted for Barrick Gold Corporation in connection with various strategic equity investments in, and negotiations of investor rights agreements with, Midas Gold Corp., Reunion Gold Corporation and Royal Road Minerals.

### SmartREIT

Acted for SmartREIT in its \$1.1-billion acquisition with Strathallen Acquisitions Inc. of OneREIT.

### Optiva Inc.

Acted for Optiva Inc., a digital monetization service provider, in its \$68-million rights offering of subordinate voting shares and subsequent \$28 million private placement with ESW Capital, LLC. The transaction is the result of a strategic review that was overseen by the Special Committee of Optiva's board of directors.

## INSIGHTS

*Governance Insights: Protecting Information to Protect Process – When is it Appropriate to Restrict a Director's Access to Board Records?*  
June 20, 2024

Canada Is Now Party to the Apostille Convention – A Welcome Change to Facilitate the Use of Public Documents Abroad, co-author  
Apr. 01, 2024

In a Win for Shareholders, B.C. Securities Commission Provides Joint Actor Guidance for Proxy Contests  
Jan. 26, 2024

*"Con Ed"* Damages in Canadian Public M&A: Revisiting *Cineplex v Cineworld* in Light of Recent Delaware Case Law  
Jan. 10, 2024

Corporate Transparency Updates for CBCA Corporations: New Reporting and Public Access Rules Effective January 22, 2024  
Dec. 20, 2023

Doing Business in Canada 2023, contributor  
Nov. 14, 2023

*Kraft (Re)*: Tips from Ontario's Capital Markets Tribunal—When Is Selective Disclosure in the "Necessary Course of Business"  
Nov. 01, 2023

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Ownership of Privileged Communications in M&A Transactions: Practical  
Takeaways and Recent Case Law  
July 13, 2023

OBCA Changes Could Be Used to Restrict Shareholder Rights  
Apr. 28, 2023

Québec's Enterprise Transparency Regime Is Coming Into Force  
Feb. 15, 2023

## **EDUCATION**

Osgoode Hall Law School, JD, 2015

Queen's University, MA, 2011

University of Toronto, BA (Honours with Highest Distinction), 2010

## **TEACHING ENGAGEMENTS**

Jon previously co-lectured the Advanced Business Law Workshop on Public M&A  
at Osgoode Hall Law School.