



## Howard S. Silverman

Partner

T 416.367.6119

F 416.367.6749

Toronto

[hsilverman@blg.com](mailto:hsilverman@blg.com)

[Banking & Financial Services](#)

[Lending & Financing](#)

[Banking](#)

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Howard represents banks and other financial institutions, as well as borrowers, in a variety of lending transactions, including capital markets transactions, asset-based lending, commercial lending, acquisition financing and cross-border financing.

### Experience

- Represented Canada Enterprise Emergency Funding Corporation in connection with \$100 million LEEFF loans to Sunwing Vacations Inc. to enable Sunwing Vacations Inc. to provide refunds to eligible customers.
- Advised Canada Enterprise Emergency Funding Corporation in the development and implementation of the Large Employer Emergency Funding Facility in connection with COVID-19 pandemic
- Represented Canada Enterprise Emergency Funding Corporation in connection with \$700 million LEEFF loans to Transat A.T. Inc.
- Represented Canada Enterprise Emergency Funding Corporation in connection with \$375 million LEEFF loans to Sunwing Vacations Inc. and Sunwing Airlines Inc.
- Represented The Bank of Nova Scotia and Bank of Montreal, as co-lead arrangers, and The Bank of Nova Scotia, as administrative agent, in connection with US\$482 million term loan and US\$343 million revolving credit facility in connection with acquisition by New Flyer group of companies of Motor Coach/MCI group of companies.
- Represented The Bank of Nova Scotia and The Toronto-Dominion Bank, as co-lead arrangers, and The Bank of Nova Scotia, as administrative agent, in connection with a US\$2B credit facility for Agnico Eagle Mines Limited.

- Represented co-lead arrangers and administrative agent in connection with term and revolving credit facilities in connection with the acquisition of a bus manufacturing company.
- Represented Bank of America, as administrative agent, in connection with the US\$330M acquisition financing by Bauer Sports of Easton baseball.
- Represented PNC Bank, National Association, as administrative agent for s syndicate of lenders in connection a US\$400 million revolving credit facility and a €220 million term loan facility to the P.H. Glatfelter group of companies.
- Represented a U.S. financial institution, as administrative agent, in connection with a US\$625M credit facility to a diversified food service equipment company.
- Represented a U.S. financial institution, as administrative agent, in connection with a US\$350M credit facility to a global business advisory firm.
- Represented a U.S. bank, as administrative agent, in connection with a US\$850M real estate-based financing.
- Represented a U.S. bank, as administrative agent, in connection with a US\$2B real estate-based financing.
- Represented a U.S. insurance company in connection with a \$300M loan to a storage company, secured by 50 properties across Canada.
- Represented a supplier of school, office and consumer products in connection with a US\$1.02B syndicated-acquisition financing.
- Represented a U.S. bank, as collateral agent, in connection with the US\$1.8B acquisition by Lundin Mining of a copper mine in Chile.
- Represented a manufacturer of ventilation system products in connection with a US\$250M syndicated asset-based credit facility.
- Represented CIBC, as agent, in connection with a US\$180M asset-based credit facility to Noranda Operating Trust.
- Represented a modular building and storage container company in connection with a syndicated asset-based credit facility, restructuring and recapitalization.
- Represented Globalive Capital in the restructuring and recapitalization of Wind Mobile.
- Represented a company that produces unsaturated polyester resins for composites and coating resins in its restructuring and recapitalization.
- Represented a heavy construction and mining services company in connection with its credit facilities with a syndicate of lenders.
- Represented an investment advisory firm in connection with its credit facilities with its lender.
- Represented the agent for a syndicate of lenders in connection with a cross-border credit facilities to a logistics company.
- Represented the agent for a syndicate of lenders in connection with a cross-border credit facility to a bridge building and renovating company.
- Represented the agent for a syndicate of lenders in connection with a cross-border credit facility to a digital imaging and video equipment rental company.
- Acted for the lender in connection with a credit facility to a zinc mining company.
- Acted for the agent in connection with a syndicated credit facility to a waste management company.
- Acted for the agent in connection with a syndicated credit facilities to a construction company.

## Insights & Events

- Author, "Ontario PPSA Modernized to Include Electronic Chattel Paper," BLG Publication, June 2019.

- Lecturer, "Drafting and Negotiating the Credit Agreement," Federated Press, Loan Documentation Course, 2015-16.
- Author, "Lenders Must Ensure Compliance with Guarantee Conditions or Risk Discharge of Guarantee: Coast Mountain Aviation v. Brooks Enterprises," National Banking Law Review, April 2013.
- Author, "Inadvertently Discharged PPSA Financing Statement Saved by Equity," National Creditor Debtor Review, March 2013.
- Author, "Independent vs. Co-Extensive Limitation Periods for Guarantees in Ontario: The Bank of Nova Scotia v. Williamson," National Banking Law Review, April 2009.
- Lecturer, "Asset-Based Lending," Secured Lending and Debt Finance Course, Osgoode Professional Development, 2007-18.
- Speaker, "Asset-Based Lending," Insight Advanced Asset-Based Lending Conference, 2007-08
- Author, "Negotiating Landlord Waivers," CCH Commercial Times, May 2003.

## Beyond Our Walls

### Professional Involvement

- Member, Law Society of Upper Canada
- Member, Canadian Bar Association
- Member, Ontario Bar Association

## Awards & Recognitions

- Recognized in the 2024 (and since 2016) editions of *The Canadian Legal Lexpert® Directory* (Asset-Based Lending, Asset Equipment Finance/Leasing; Banking & Financial Institutions).
- Selected by peers for inclusion in the 2024 (and since 2011) editions of *The Best Lawyers in Canada®* (Banking and Finance Law).
- Recognized in the 2020 (and since 2016) editions of *Chambers Canada — Canada's Leading Lawyers for Business* (Banking and Finance).
- Recognized in the 2018 (and since 2015) editions of *Chambers Global — The World's Leading Lawyers for Business* (Banking and Finance).
- Recognized in the 2016 edition of *Who's Who Legal: Canada* (Banking).
- Recognized in the 2016 edition of the *Legal 500 Canada* (Banking and Finance).
- Martindale-Hubbell® BV® Distinguished™ Peer Review Rated.

## Bar Admission & Education

- Ontario, 1991
- LLB, University of Toronto
- MA, Brandeis University
- BA (Hons.), York University



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