

Whitney Wakeling

Partner

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Capital Markets
Corporate Commercial
Investment Management
Mergers & Acquisitions
Corporate Governance

Whitney is a securities lawyer who advises clients in the investment and wealth management industry.

She has particular expertise in advising investment fund managers, advisers and dealers on the development, distribution and ongoing administration of investment products and services. Whitney has extensive experience structuring investment products and assisting fund managers with bringing new investment products to market, including exchange-traded funds, mutual funds, private funds and other investment vehicles.

Whitney works closely with clients to plan and execute significant, high value strategic business changes, including securities registrant consolidations, fund mergers, investment objective changes, fund administrator conversions, change of manager mandates, exchange migrations and other fundamental changes to investment products and services. She also regularly advises clients on regulatory and compliance matters affecting funds, including sales practices, independent review committees and conflict of interest matters.

Whitney also acts as securities regulatory counsel on M&A transactions, including completing diligence to assess regulatory risk and compliance, drafting and negotiating transaction documents and preparing post-closing compliance remediation reports. As an advocate, Whitney regularly represents clients on exemption applications and has been engaged on several industry advocacy initiatives requiring innovative regulatory solutions and compelling advocacy and submissions to securities regulators. She also advises clients on a wide range of commercial law matters in the investment management industry, outsourcing transactions, commercial contract negotiations and corporate governance matters.

Whitney is a member of the firm's Environmental, Social and Governance steering committee.

Experience

- U.S.-based tech company: Advising a leading U.S.-based technology company in its acquisition of a Canadian quantum computing business.
- Fidelity Investments Canada ULC: Advising Fidelity in relation to the launch of bitcoin funds in Canada
- Canadian Hedge Fund Manager: Advising a hedge fund manager in relation to its merger with a Toronto-based alternative investment fund manager.
- Canadian Investment Fund Manager: Advising an investment fund manager in relation to the sale of its retail investment fund and portfolio management business.
- Restaurant and Hospitality Group: Advising a prominent Canadian restaurant and hospitality group on various acquisitions, divestitures and strategic partnerships.
- U.S. Private Equity Firm: Acting as Canadian counsel to a U.S. private equity firm in connection with the $2.3 billion acquisition of a global supplier of rigid packaging products and services.
- U.S. Private Equity Firm: Acting as Canadian counsel to a U.S. private equity firm in connection with the $2.4 billion acquisition of a North American manufacturer of rigid metal and plastic containers used to package industrial, bulk food and retail goods.
- Various Canadian- and US.-based Investment Fund Managers: Advising numerous Canadian and US-based investment fund managers in the launch and ongoing administration of their exchange-traded fund platforms, including exchange-traded funds structured as alternative mutual funds.
- Various Canadian- and U.S.-based Investment Fund Managers: Advising numerous Canadian and U.S.-based investment fund managers in the launch and ongoing administration of retail mutual funds.
- Various Investment Fund Managers: Advising numerous investment fund managers in obtaining exemptive relief from securities law requirements in connection with structuring and administering various exchange-traded fund, mutual fund and pooled fund products.
- U.S.-based Investment Fund Manager: Advising a U.S.-based investment fund manager in the launch of its mutual fund and pooled fund platforms in Canada.
- U.S.-based Investment Dealers and Advisers: Advising U.S.-based investment dealers and advisers in connection with obtaining registration under Canadian securities legislation.
- Canadian Securities Intermediary: Advising a Canadian securities intermediary and its board on a variety of corporate governance and compliance related matters.
- Canadian Bank: Acting as Canadian counsel to a Canadian bank on a global outsourcing transaction in connection with outsourcing functions related to its investment fund products and portfolio management services.
- Canadian Biomedical Company: Advising on sale to portfolio company of a prominent global private equity firm.
- U.S. Ingredients Production Company: Advising U.S.-based ingredients production company on acquisition of a Canadian plant-based protein company.
- U.S. Mining Company: Advising U.S.-based mining company on equity investment in Canadian mining project.

Insights & Events

- Author, "The ETF next door? CIRO and CSA set expectations for foreign ETFs", BLG Article, August 2026
- Author, "Understanding the OSC's Investment Management Division's 2025 priorities: Insights from Staff Notice 81-739", BLG Article, December 2025
- Author, "35 years of ETFs: The evolution of a Canadian innovation", BLG Article, March 2025

- Author, "ESG at BLG: Lessons learned from inside the ESG journey at Canada's law firm", BLG Article, April 2024
- Author, "18-year check up: Continuous disclosure review and guidance for IRCs", BLG Article, April 2024
- Author, "OSC issues new summary report with guidance for investment fund and structured product issuers", BLG Article, November 2023
- Author, "ETFs in the spotlight: The CSA review exchange-traded funds", BLG Article, October 2023
- Author, "Reduced regulatory burden for investment funds and managers - progress for 2022", BLG Article, February 2022
- Author, "Conflicted over how to identify and address conflicts?", BLG Article, March 2021
- Author, "BLG Represents First Bitcoin Market Participant to be Approved by Canadian Securities Administrators", BLG Article, September 2017

Beyond Our Walls

Professional Involvement

- Member, Law Society of Alberta
- Member, Law Society of Ontario
- Board of Directors, Canadian Exchange-Traded Fund Association

Awards & Recognition

- Recognized in the 2027 edition (and since 2026) of *Chambers Canada* (Investment Funds (Nationwide - Canada)).
- Recognized in the 2025 edition of *The Canadian Legal Lexpert® Directory* (Investment Funds & Asset Management).

Bar Admission & Education

- Ontario, 2013
- Alberta, 2019

- BA (Hons.), Queen's University, 2009, English Literature, B.A. in Political Studies
- JD, Osgoode Hall Law School, 2012

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As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 800 lawyers,

intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

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