



## Howard S. Silverman

### Partner

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[Banking & Financial Services](#)  
[Lending & Financing](#)  
[Banking](#)  
[Insolvency & Restructuring](#)

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.

Howard provides legal services through a Law Corporation.

### 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\$1.2B 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 a syndicate of lenders in connection with 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

- Selected by peers for inclusion in the 2022 (and since 2011) editions of *The Best Lawyers in Canada*® (Banking and Finance Law).
- Recognized in the 2022 (and since 2016) editions of *The Canadian Legal Lexpert*® *Directory* (Asset-Based Lending, Asset Equipment Finance/Leasing) and in the 2022 edition (Banking & Financial Institutions).
- 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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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 725 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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