



## Benjamin Gross

Partner

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[Sports & Gaming Law](#)

Benjamin focuses his practice on **mining** law, infrastructure law, commercial real estate law, business and **corporate commercial** (including mergers and acquisitions), consumer law, and entertainment and sports law.

Benjamin regularly guides his clients in the creation of optimum structures and practices for meeting their objectives in the most satisfactory and effective way possible.

He advises them on creating a winning team, drafting both simple and complex documents (including contracts for **PPPs**, major projects and international/cross-border deals) designed to achieve desired outcomes and protect their interests throughout negotiations with numerous stakeholders.

Benjamin also advises on matters related to:

- banking law
- negotiation and drafting of loan documents (corporate and consumer credit) and related movable and immovable security agreements
- leasing contracts
- leases
- installment sales contracts (aircraft, rolling stock, heavy machinery, etc.)
- SWAPs and other derivatives.

Over the years, he has also developed a practice in non-litigious areas of commercial law related to mergers and acquisitions, insolvency, bankruptcy, the enforcement of movable and immovable security, the **Consumer Protection Act**, and competition law, in order to better provide his clients with sound legal advice encompassing a broad spectrum of business contingencies and considerations.

## Experience

- BLG acted as Canadian counsel for PE-backed Atlanta-based buyer, East West Manufacturing, LLC in its acquisition of all the assets of Groupe Varitron, Inc., a top 5 electronic manufacturing services (EMS) provider in Canada.
- Legal counsel to financial institutions, lenders' syndicates, finance companies, and borrowers for the purposes of very large, large, and small financings of companies active in the fields of communications, agrifood, metallurgy, processing of minerals and other raw materials, clothing, transportation, technology, recycling, packaging, leisure, medicine, and the environment, including in the context of acquisitions.
- Draft models of loan agreements, mortgage loans, legal opinions, leasing contracts, leases and installment sale agreements for leading North American financial institutions, finance companies, and insurance companies.
- Legal counsel to major lessors for their day-to-day operations, the establishment of vendor programs, and purchases of portfolios.
- Legal counsel for financings of luxury private jets, rail cars and vessels.
- Establish consumer credit and credit card programs and draft model documents.
- Québec counsel to the buyer in its acquisition of an important mine finance royalty portfolio (world-wide) for C\$1.125 billion.
- Legal counsel to an institutional investor with regard to multiple financings offered to Stornoway Diamond Corporation totaling \$946 million for the construction and operation of the Renard diamond mine.
- Counsel to the buyer in the context of the \$550 million purchase of the Niobec Mine.
- Counsel for the day to day operations of many publicly listed mining companies in Canada.
- Acted in purchases and financings of mines on every continent across the world.
- Acted in the financing of the Sheldrake hydro-electric dam.
- Acted in the financing of wind power fields, solar projects and other green energies.
- Drafting, negotiating and counseling clients in local and international infrastructure complex projects, PPPs and hybrid structures.
- Counsel to the builder for the construction of the new Maison Radio Canada (CBC tower in Montréal) for approximately C\$200 million.
- Lead counsel to winning bidder for major contracts for the maintenance of train lines.
- Lead counsel for bidders for multiple compost projects.
- Lead counsel for the construction, sale and financing of hotels, senior residences, shopping malls and residential buildings.
- Legal counsel to a financial institution for the financing of a quay and a new basin for ships and visitors at the Old Port of Montréal.
- Co-lead counsel for the construction and financing of a professional hockey team's practice arena in Brossard.
- Counsel to losing bidder for two high profile highway projects.
- Legal counsel to a lenders' syndicate for a loan totaling \$265 million to a professional hockey team. In a separate matter, advised the latest buyer of the hockey team.

- Legal counsel to financial institutions and finance companies for the financing of box office hits such as *The Host*, *Red 2*, *The Immortals*, *Barney's Version*, *Snow White*, *The Aviator*, *Human Trafficking*, and TV shows such as *Les enfants de la télé*.
- Counsel to IBMG in the signing of professional Israeli basketball teams to pre-season games in the National Basketball Association.
- Counsel to minor league hockey teams in respect of the construction of new arenas and/or financing matters.
- Counsel to various musicians in their signing of contracts with record labels.
- Drafting of licensing, production and co-production agreements.
- Counsel to lenders for the financing of golf courses, ski hills and amusements centers.
- Counsel for buyers and sellers of large (including multinational), medium and small scale businesses, whether by way of assets or equity, or where the target is a private or publicly traded entity.
- Advise clients, draft manuals and guides, and give seminars on subjects related to the *Competition Act*.

## Insights & Events

- BLG Talks Mining: Where do we go from here?
- Critical distinctions in equipment leasing & financing between the U.S. & Canada
- How to protect suppliers from defaulting or insolvent payers
- Co-Author, "Aircraft repossession and enforcement of security in Canada", Lexology, May, 2019
- Co-Author, "Aviation Finance & Leasing in Canada", Lexology, May, 2019
- Co-Author, "Insurance considerations for aircraft financing and leasing in Canada", Lexology, May, 2019
- Co-Author, "Latest developments in the Canadian infrastructure market," Lexology, April 2018
- Co-Author, "Improvements to the tax holiday for large investment projects," Lexology, December 2017
- Co-Author, "Latest developments in the Canadian infrastructures market," Lexology, December 2017
- Co-Author, "The public tendering process: are there alternatives to the lowest bidder rule?," Lexology, December 2017
- Co-Author, "Latest developments in the Canadian infrastructure market The privatization of Canadian airports: why, how and what is at stake? Canada Infrastructure Bank Act: highlights," Lexology, July 2017
- Co-Author, " Latest developments in the Canadian infrastructure market The Canada-Europe Free Trade Agreement: impacts on the infrastructure industry Biomethanization: a fast-growing market in Québec," Lexology, May 2017
- Co-Author, "The latest news from the Canadian infrastructures market Major trends in the infrastructures market for 2017," Lexology, February 2017
- Co-Author, "Creation of a Canadian infrastructure bank," Lexology, December 2016
- Co-Author, "Overview of the Canadian Public-Private Partnerships market," Lexology, December 2016
- Co-Author, "Renewable energies: the trend is toward hybrid financing," Lexology, December 2016
- Co-Author, " Mandatory mediation at the Small Claims Division: Merchants, be prepared!," Lexology, February 2016

## Beyond Our Walls

### Professional Involvement

- Member, Conseil des infrastructures
- Member, Prospectors and Developers Association of Canada (PDAC)

- Member, Canadian Council for Public-Private Partnerships (CPPP)
- Member, Canadian Finance and Leasing Association (CFLA)
- Member, Equipment Finance and Leasing Association (USA)
- Member, Lord Reading Law Society

## Community Involvement

- Member of the Board of Directors, Jewish Rehabilitation Hospital Foundation (Laval)

## Awards & Recognitions

- Recognized in the 2022 edition of *The Best Lawyers in Canada* (Asset-Based Lending Practice, Equipment Finance Law & Project Finance Law).
- Recognized in the 2022 edition of *The Canadian Legal Lexpert® Directory* (Asset Equipment Finance/Leasing, Asset-Based Lending), in 2021 and since 2015 (Asset Equipment Finance/Leasing) and 2018 edition (Mining).
- Recognized in the 2020 edition of *The Best Lawyers in Canada* (Project Finance Law).

## Bar Admission & Education

- Québec, 2001
- LLL and LLB (with distinction), McGill University, 2000
- B. Comm. (Dean's Honour Roll), McGill University, 1995-1996

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## BLG | Canada's Law Firm

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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