BLG Advised In The Top Deals And Cases Of 2018

Lexpert highlights BLG's varied expertise, for work in cannabis hostile takeover bid and in constitutional challenge

Toronto (February 20, 2019) — Borden Ladner Gervais LLP (BLG) has been recognized for its role in three of the top 10 deals and top 10 business decisions of 2018, as featured in the February 2019 edition of *Lexpert*. Highlighting the firm's varied expertise, BLG made the list for its involvement in *R. v. Comeau* and for its work with CanniMed Therapeutics in a hostile takeover bid by Aurora Cannabis Inc. – recognized as one of the year's top deals *and* cases.

In *R. v. Comeau*, BLG's Christopher Bredt and Ewa Krajewska acted as counsel to two interveners on the appeal before the Supreme Court of Canada (SCC), the Canadian Chamber of Commerce and the Canadian Federation of Independent Businesses. The case challenged the constitutionality of trade barriers between provinces, after a New Brunswick resident was charged by police for bringing liquor from Québec across the border. The SCC modified the historical legal test for when a provincial law impermissibly restrains trade from one that narrowly prohibited provincial governments from levying tariffs and duties to a more purposive approach against laws who essence and purpose is to limit trade among the provinces.

BLG was also recognized for its role advising CanniMed Therapeutics in *Re Aurora Cannabis Inc.*, considered the leading case on defensive tactics that a public company can employ when confronted with a hostile takeover bid, and also in the completion of the $1.23 billion takeover bid. BLG's team was led by Philippe Tardif and included Jason Saltzman, Andrew Powers, Mark Wheeler, Colin Cameron-Vendrig, Pierre Permingeat, Joseph Di Ponio, Rocky Swanson (capital markets and M&A), Denes Rothschild (competition), Danny Lang (tax), James Douglas, Caitlin Sainsbury, Graham Splawski and Ashley Thomassen (litigation).

BLG also advised in a number of the deals and cases that received an "honourable mention", including:

- *Deloitte & Touche v. Livent Inc.*, considered the leading case on auditors' negligence. BLG's Guy Pratte, Duncan Ault and Nadia Effendi acted as counsel for the intervener, the Chartered Accountants of Canada.
- Scotiabank's $2.6 billion acquisition of MD Financial Management. BLG acted for MD Financial, with a team led by Rebecca Cowdery, Lynn McGrade and Roma Lotay and including Donna Spagnolo, Ronald Kosonic, Jessica Evans, Benjamin Solomon and Wendy Or (investment management and insurance), Craig

Webster and Grace Pereira (tax), Robert Weir and James Fu (labour and employment), and Andrew Harrison (pensions).

- First Coin Capital Corp. in its merger with Galaxy Digital and Bradmer Pharmaceuticals Inc. to form a new enterprise in the blockchain, digital asset and cryptocurrency space. BLG acted for First Coin with a team led by Stephen Robertson that included Iñaki Gomez and Salvador Pimentel (securities), Kim Maguire and Robert Biggar (tax), and Caitlin Sainsbury and Graham Splawski (litigation).
- The Government of Canada and Canada Development Investment Corporation's $4.5 billion acquisition of Kinder Morgan's Trans Mountain Pipeline, including the proposed expansion project related to that pipeline. BLG represented the Government of Canada with a cross-practice team led by Kent Howie that included Peter Bryan, Miles Pittman, Donald Bird, Robert Shouldice, Alan Ross, Melinda Park, Stefan Timms, Lindsay Holmes, Chidinma Thompson, Scott Robson, Shawn Petrie, Xiaodi Jin, Ravi Latour, Josh Weinberger, Bill Woodhead, Laurie Robson, Andrew Harrison, Jeff Taylor, Steve Bodi, Bradon Willms, Bruce Fowler, Victoria Smith, Nadia Effendi, Alfred Page, Shane Barnes, Steve Suarez, Kim Maguire, Ramsey Glass and David Camp.
- Alterra Power Corp. in its $1.1 billion acquisition by Innergex Renewable Energy Inc. BLG acted for Alterra with a team led by Fred R. Pletcher that included Kent D. Kufeldt, Tom Ladner and Lauren DeGoey (securities and capital markets), Randy Morphy and Danielle Lewchuk (tax), Steve Warnett and Gordon R. Johnson (litigation) and Subrata Bhattacharjee and Denes A. Rothschild (competition).
- *Lexpert* compiles its annual list of the previous year's top deals and business decisions through an extensive canvass of Canadian lawyers involved in related areas of practice.

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