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overview

Mergers and acquisitions (M&A) involving public companies are often played out for all to see, as the business press track the intrigue of a potential link-up between two corporations.

For companies in the middle of the transaction, however, the drama is very real. For the acquirer, it is all about consummating a deal quickly and at a fair price, all while retaining the value of the acquired company. For the acquisition target, it may be about fighting off an unwanted or inappropriate suitor, or obtaining the best possible price for shareholders. For both, the transaction must meet complex regulatory requirements—often across multiple jurisdictions.

McMillan's Mergers and Acquisitions Group is a leader in merger, acquisition and divestiture transactions in Canada, and has particular expertise in US-Canada cross-border deals. We regularly represent buyers and sellers, target companies, investment dealers, lenders and financial advisors in complex transactions that involve a variety of business combinations across all industry sectors. These transactions include the purchase of assets or shares, going-private efforts, take-over bids, amalgamations and plans of arrangement.

Whether you find yourself on the buy-side or the sell-side of a transaction, we deliver unmatched breadth and depth to your legal team, bringing experts from all relevant areas of McMillan to protect your interests and maximize your return on investment.

McMillan professionals help clients lead by:

- Advising on friendly or hostile acquisitions
- Representing them in proxy fights, contested shareholder meetings and poison pills
- Advising Boards on their response to bids, including defensive strategies
- Working with dissident shareholder groups
- Counseling on due diligence and integration planning
- Advising on merger clearances

representative transactions

- Catalyst Capital in its US$5.4 billion restructuring of Pacific Exploration & Production
- West Fraser Timber Co. Ltd. in its US$430 million acquisition of Gilman Cos.
- Norsat International Inc. in its $85.2 million acquisition of Hytera Communications Co. Ltd.

firm profile

McMillan is a modern and ambitious business law firm serving public, private and not-for-profit clients across key industries in Canada, the United States and internationally. With recognized expertise and acknowledged leadership in major business sectors, we provide solutions-oriented legal advice through our offices in Vancouver, Calgary, Toronto, Ottawa, Montréal and Hong Kong. Our firm values – respect, teamwork, commitment, client service and professional excellence – are at the heart of McMillan's commitment to serve our clients, our local communities and the legal profession. For more information, please visit our website at www.mcmillan.ca.

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- Waterous Energy Fund in its US$244 million acquisition of an interest in Northern Blizzard Resources Inc.
- Refresco Group N.V. in its US$1.25 billion acquisition of Cott Corporation
- Bit Stew Systems in its $207.5 million sale to General Electric
- Scientific Games Corporation (Nasdaq:SGMS) in its C$775 million (or US$631 million) acquisition of NYX Gaming Group Limited (TSXV:NYX)
- Williams Partners LP in its $1.35 billion sale of its Canadian natural gas liquids midstream businesses to Inter Pipeline Ltd.
- Wausau Financial Systems, a subsidiary of Deluxe Corporation (NYSE:DLX), in its acquisition of RDM Corporation
- CCL Industries Inc. in its US$500 million acquisition of Avery Dennison Corporation's Office & Consumer Products and Designed & Engineered Solutions
- Western Wind Energy Corp in its C$430 million acquisition by Brookfield Renewable Energy Partners LP
- Rogers Communications in its C$815 million acquisition of Mobilicity
- NuData Security Inc. in its sale to Mastercard Incorporated