DAVIES



Dale J. Osadchuk
Partner

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Expertise
Corporate
Mergers and Acquisitions
Private Equity
Infrastructure
Technology

Bar Admissions
Ontario, 2003

Dale brings a practical, solutions-based approach to clients' commercial transactions. Clients appreciate his incisive assessment and ability to balance competing considerations when he advises on their deals.

Dale has gained the trust of clients – including private equity firms and their operating companies, institutional investors, and federal and provincial government departments and agencies – who rely on his ability to explain complex concepts simply and succinctly. Clients turn to Dale for his expertise in guiding them through the development and structuring of novel commercial arrangements.

Dale has extensive experience across diverse industries, including gambling, technology, nuclear, aerospace, pulp and paper, life sciences and manufacturing.

He is the co-chair of the Talent Management Committee in our Toronto office and is a member of the firm's Diversity & Inclusion Council. Dale is also a mentor to several students, associates and junior partners.

REPRESENTATIVE WORK

Atlas Holdings LLC
Acted for Atlas Holdings LLC in its acquisition of Resolute FP Canada Inc.'s pulp, newsprint, and directory paper mill operations in Thunder Bay, Ontario.

OMERS Administrative Corporation
Acting for OMERS Administration Corporation in its US$200-million acquisition of 54.5% stake of global royalties on MAVYRET, from Enanta Pharmaceuticals, Inc.

Atlas Holdings, LLC
Acting for Atlas Holdings in its US$120-million acquisition of West Fraser Timber Co. Ltd.'s Quesnel River pulp mill in British Columbia and Slave Lake pulp mill in Alberta.

Atlas Holdings, LLC
Acted as Canadian counsel to Atlas Holdings, LLC, in its acquisition of Crown Paper Group, which includes Port Townsend Paper Corporation and Crown Corrugated Company, an integrated mill and containerboard operation.

OMERS Capital Markets
Acted for OMERS Capital Markets in its US$500-million acquisition of 30% of Ultragenyx Pharmaceutical Inc.'s royalty interest from Kyowa Kirin Co., Ltd. on the future sales of Crysvitar (burosumab) in the United States and Canada.

The Pallinghurst Group
Acted for Pallinghurst Lithium Limited, a UK-based private investor in the global

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natural resources sector, in the exchange of its indirect 25% ownership interest in Québec-based Nemaska Lithium Inc. for shares of Livent Corporation.

Canada Infrastructure Bank
Acted for Canada Infrastructure Bank in its C$400-million financing to support Brampton Transit's purchase of up to 450 zero-emission buses (ZEBs) by the end of 2027.

Canada Infrastructure Bank
Acted for Canada Infrastructure Bank in its development of a first of its kind, flexible financing program for the Government of Canada's zero-emission buses initiative.

Google LLC
Acted for Google LLC in its acquisition of North Inc., a pioneer in human computer interfaces and smart glasses.

Leviton Manufacturing Co., Inc.
Acted for U.S.-based Leviton Manufacturing Co., Inc. in its acquisition of Viscor Inc., Canada's largest independent lighting manufacturer.

FortisOntario Inc.
Acted for Fortis Inc. and its subsidiary FortisOntario Inc. in connection with Ontario's largest First-Nations-led transmission project being undertaken by Wataynikaneyap Power LP, a partnership between 24 First Nations and private investors led by Fortis. This project was one of Lexpert's Top 10 deals of 2019.

Ontario Lottery and Gaming Corporation
Acted for Ontario Lottery and Gaming Corporation in the long-term funding arrangements for Ontario's horse racing industry that were announced in March 2018, which will provide up to $105 million to the industry each year for 19 years.

Ontario Lottery and Gaming Corporation
Acted for Ontario Lottery and Gaming Corporation (OLG) in the procurement for a new service provider that acquired certain gaming and non-gaming assets from OLG and entered into a long-term casino operating and services agreement with OLG in respect of Fallsview Resort Casino and Casino Niagara.

Ontario Lottery and Gaming Corporation
Acting for Ontario Lottery and Gaming Corporation in connection with ongoing commercial matters relating to its remaining resort casino properties and its 31 charitable gaming centres (bingo halls) in Ontario.

OMERS Capital Markets
Acting for OMERS Capital Markets in connection with its acquisition of royalty interests and other IP-related financial assets based on pharmaceutical and medical device IP licences.

Viking Air Limited
Acted for Viking Air Limited in connection with its acquisition of the worldwide amphibious aircraft (CL-415 waterbomber) program from Bombardier, including the Type Certificates (manufacturing rights) for all variants of the waterbomber aircraft, and the after-market product support business.

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Christie Digital Systems USA, Inc.
Acted for Christie Digital Systems USA, Inc. in connection with its sale of Matrix series projector product lines to Rockwell Collins and related commercial arrangements.

Government of Canada
Acted for the Government of Canada in connection with the restructuring of the Nuclear Laboratories division of Atomic Energy of Canada Limited (a federal Crown corporation), including (i) the structuring and development of a competitive procurement process for a private sector contractor that will be responsible for the management and operation of AECL's sites, facilities and assets and the performance of AECL's nuclear decommissioning and waste management responsibilities, operating under a government-owned, contractor-operated (GoCo) model, and (ii) the drafting of the principal procurement and transaction documents, including the Request for Proposal and the management and operating agreements.

Forest Resources LLC
Acted for Atlas Holdings LLC and Forest Resources LLC in connection with the sale of their Canadian operations, consisting of CanAmPac, Boehmer Box, and Strathcona Paper, to Rosmar Litho, a subsidiary of PaperWorks.

Ontario Lottery and Gaming Corporation
Advised Ontario Lottery and Gaming Corporation (OLG) in connection with the negotiation of the arrangements with the primary service provider for OLG's Internet gaming business, PlayOLG.ca.

Westerkirk Capital Inc.
Acted for Westerkirk Capital Inc. in its acquisition of Vista Broadcast Group Inc., the parent company of Vista Radio Ltd. which holds 38 broadcast licences serving 50 communities throughout British Columbia, Alberta and the Northwest Territories.

407 East Development Group (SNC-Lavalin Inc. and Cintra Infraestructuras S.A.U.)
Acted for 407 East Development Group, a partnership formed by SNC-Lavalin Inc. and Cintra Infraestructuras S.A.U., in its winning bid for a 33.6-year DBFOM contract for the easterly extension of Highway 407 in Ontario and establishment of bank and short and long-term bond facilities for the financing of the project.

Atlas Holdings LLC and Blue Wolf Capital Partners LLC
Acted for Atlas Holdings LLC and Blue Wolf Capital Partners LLC in connection with the sale of Northern Resources Nova Scotia Corporation (the parent company of Northern Pulp, the Pictou County kraft pulp mill, and Northern Timber, which owns forest land) to Paper Excellence Canada Holdings Corporation.

Viking Air Limited
Acting for Viking Air Limited, a first tier original equipment manufacturer (OEM) of aeronautical products, in connection with ongoing commercial matters, including the sale of new DHC-6 Series 400 Twin Otter aircraft manufactured by Viking Air.

Meridiam Infrastructure, Bouygues Travaux Publics and Transfield

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Services Ltd.
Acted for the Miami Access Tunnel consortium, comprised of Meridiam Infrastructure, Bouygues Travaux Publics and Transfield Services Ltd. for the design, build, finance, operation and maintenance of the US$1.3 billion greenfield Port of Miami Tunnel project. Davies also acted as lead counsel for the consortium on the financing of the Project, with the senior debt financing of US$340 million being provided through a club of 10 international banks and the subordinated debt financing of US$341 million being provided as a 35-year fixed rate loan by the United States Department of Transportation under the federal TIFIA (*Transportation Infrastructure Finance and Innovation Act of 1998*) program. This project was awarded the 2009 Global PPP Deal of the Year by *Project Finance* magazine and the 2009 Americas PPP Deal of the Year by each of *Project Finance International* and *Project Finance* magazine.

Westerkirk Capital Inc. and Ironbridge Equity Partners Limited
Acted for private equity firms Westerkirk Capital Inc. and Ironbridge Equity Partners Limited in connection with their acquisition of Gaspard & Sons, a leading North American provider of robes and vestments, from the Gaspard family.

Atlas Holdings LLC
Acted for Atlas Holdings LLC in connection with its acquisition, together with Blue Wolf Capital Management, of a pulp mill in Pictou, Nova Scotia from Neenah Paper, Inc.

Ivex Packaging
Acted for Ivex Packaging Inc. which was acquired by Induspac Group Inc. in a transaction valued at $7 million.

Onex Corporation
Acted for Onex Corporation on financing matters in connection with Onex's acquisition of Eastman Kodak Company's Health Group, renamed Carestream Health, Inc., in a transaction valued at US$2.35 billion.

Ontario Lottery and Gaming Corporation
Acted for Ontario Lottery and Gaming Corporation which entered into re-branding and licensing agreements with Caesar's World Inc., a wholly owned subsidiary of Harrah's Entertainment, Inc., in connection with a $400 million redevelopment of Casino Windsor.

Gallop Logistics Corporation
Acted for Gallop Logistics Corporation in an acquisition by Greatwide Logistics Services, Inc.

Roman Corporation Limited
Acted for Roman Corporation with respect to an application under the *Companies' Creditors Arrangement Act* for protection in January 2006. Following the application, the assets were sold to Forest Resources LLC.

Agnico Eagle Mines Limited
Acted for Agnico Eagle Mines Limited in connection with its US$66.8 million acquisition of the Pinos Altos project in Mexico from Industrias Penoles S.A. de C.V.

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Viking Air Limited
Acted for Viking Air Limited in its acquisition from Bombardier Inc. of the Type Certificates issued by Transport Canada for the de Havilland fleet of heritage aircraft, including the Chipmunk, the Beaver and the Twin Otter.

Lifestyle Brands Ltd.
Acted for Lifestyle Brands Ltd. in its sale of trademarks and related intellectual property to Collective Licensing International, LLC.

Richard D. Kinder, GS Capital Partners V Fund, LP, AIG Global Asset Management Holdings Corp., et al.
Acted as Canadian counsel to GS Capital Partners V Fund, LP, AIG Knight LLC, Carlyle Partners IV, LP and Carlyle/Riverstone Global Energy and Power Fund III, LP in connection with the US$26.5 billion management buyout of Kinder Morgan Inc.

Onex Corporation
Acted for Onex Corporation, which owned Mid-Western Aircraft Systems, which acquired the Wichita/Tulsa divisions of Boeing Commercial Airplanes in a transaction valued at $1.5 billion.

Viking Air Limited
Acted for Viking Air Limited in connection with obtaining exclusive rights to manufacture and distribute spare parts for the de Havilland fleet of heritage aircraft from Bombardier Inc. with respect to the acquisition of certain assets of Bombardier's Commercial Service Centre.

RECOGNITIONS

Lexpert Special Edition: Finance and M&A

Lexpert Special Edition: Infrastructure

Lexpert Special Edition: Technology and Health Sciences

The Canadian Legal Lexpert Directory—Corporate Commercial Law; Private Equity; Property Leasing

The Best Lawyers in Canada—Mergers and Acquisitions Law

Lexpert Rising Stars: Leading Lawyers Under 40—Corporate

INSIGHTS

Panelist, Canadian Lawyer Magazine's Women in Law Summit, "Breaking Through the Glass Ceiling: Supporting Women into Leadership Positions"; Toronto, ON
Feb. 12, 2020

Pride at Work Canada, Out on Bay Street: Annual Conference and Case Competition, "From Out On Bay to Out At Work: Perspectives in the Legal Profession"; Toronto, ON
Sept. 07, 2012

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EDUCATION

University of Toronto, JD (Honours), 2002
University of Alberta, BComm (with Distinction), 1999

COMMUNITY INVOLVEMENT

Chances for Children, pro bono legal counsel and volunteer