DAVIES

Elisa K. Kearney
Partner

Office
Toronto

Tel
416.367.7450

Email
ekearney@dwpv.com

Expertise
Competition, Antitrust and Foreign Investment
Investigations and White Collar Defence
Advertising, Marketing and Distribution
Technology
Communications and Media
Retail
Cannabis

Bar Admissions
Solicitor, England & Wales, 2013
New York, 2010
Ontario, 2004

A "brilliant antitrust lawyer," Elisa is known to be "top-notch," "sharp and hard-working," and "willing to get down to details."
Client – *Chambers Canada*

Elisa has a broad regulatory practice with a specialization in competition and foreign investment law. With vast knowledge of Canada's regulatory framework, she provides strategic advice on numerous federal statutes to domestic and international clients interfacing with the Canadian government.

Elisa's broad-based expertise has earned her the trust of leading technology, communications and media companies; retailers; and consumer packaged goods manufacturers.

Clients turn to Elisa to advise on the full range of antitrust, consumer protection and privacy matters, from multijurisdictional merger controls and cartel investigations to reviewable conduct, misleading advertising and ecommerce. She also counsels clients on foreign ownership and control restrictions.

Elisa regularly appears before the Competition Bureau and has acted as external counsel to the Commissioner of Competition and the Canadian Radio-television and Telecommunications Commission.

REPRESENTATIVE WORK

Shaw Communications Inc.
Acted for Shaw Communications Inc. in the acquisition by Rogers Communications Inc. of all of Shaw's issued and outstanding Class A and Class B shares in a transaction valued at approximately C$26 billion, including debt, representing a significant premium for Shaw's shareholders.

Wattpad Corp.
Acted for Wattpad Corp., a global multi-platform storytelling entertainment company headquartered in Canada, in its acquisition by Naver Corporation, a public South Korean Internet conglomerate. This transaction is valued at more than US$600 million.

Google LLC
Acted for Google LLC on competition matters relating to its acquisition of Fitbit, Inc., a leader in wearable health-focused technology.

Alstom S.A.
Acted as Canadian counsel to Alstom S.A. in its EUR4.4-billion strategic acquisition of Bombardier Transportation.

Canopy Growth Corporation
Acted for Canopy Growth Corporation on competition and regulatory matters in relation to the $5-billion investment in Canopy made by Constellation Brands Inc.

Google Inc.

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Acting as Canadian counsel to Google Inc. on competition and other regulatory matters.

Monsanto Company
Acted for Monsanto Company on competition and regulatory matters in its US$66-billion acquisition by Bayer AG.

Kinepolis Group NV
Acted for Kinepolis Group NV in its $123-million acquisition of Landmark Cinemas Canada LP, Canada's second-largest movie theatre exhibition company.

Iron Mountain Incorporated
Acted for Iron Mountain Incorporated (IRM) in connection with the divestiture of certain records and information management assets in the United States and Canada to Arkive, Inc., a portfolio company of the U.S.-based private equity firm, Summit Park Partners. The U.S. Department of Justice and Canadian Competition Bureau required these assets to be divested following IRM's US$2-billion acquisition of Recall Holdings Ltd.

National Tire Distributors
Acted for National Tire Distributors, the Canadian subsidiary of American Tire Distributors, in its sale to Groupe Touchette Inc.

RECOGNITIONS

Chambers Global: The World's Leading Lawyers for Business—Competition/Antitrust

Chambers Canada: Canada's Leading Lawyers for Business—Competition/Antitrust

Global Competition Review—Women in Antitrust (2021)

GCR 100 Canada: A Guide to the World's Leading Competition Law and Economics Practices—Competition & Foreign Investment Review

Global Competition Review's "40 Under 40" (2016)

The Legal 500 Canada—Competition and Antitrust (Leading Individual)

Lexpert Special Edition: Agribusiness and Cannabis

The Canadian Legal Lexpert Directory—Advertising and Marketing Law; Competition Law

Lexpert Rising Stars: Leading Lawyers Under 40

The Best Lawyers in Canada—Advertising and Marketing Law; Cannabis Law; Competition/Antitrust Law; Defamation and Media Law

Who's Who Legal: Thought Leaders Competition; *Who's Who Legal: Competition*; *Who's Who Legal: Canada*—Competition

Expert Guides' *Rising Stars*

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INSIGHTS

Canadian Government to Enhance Scrutiny of Foreign Investments in the Interactive Digital Media Sector
Mar. 13, 2024

Section Chair, CBA Competition Law Fall Conference; Ottawa, ON; Oct. 26 & 27, 2023
Oct. 26, 2023

The Digital Markets and Competition Enforcement Guide, Canada chapter, co-author
Nov. 25, 2022

Canadian Internet Governance Forum, Canadian IGF Talks, "A Canadian Competition Policy for the Platform Economy"; Webcast
June 08, 2022

The Digital Markets and Competition Enforcement Guide, Canada chapter, co-author
Dec. 07, 2021

Public Mergers and Acquisitions in Canada: Overview, co-author
Nov. 01, 2021

Where Things Stand: Update on the *Digital Charter Implementation Act, 2020*
Dec. 22, 2020

New Privacy Law for Canada: Government Tables the *Digital Charter Implementation Act, 2020*
Nov. 20, 2020

Are You Prepared for a Search?
Oct. 23, 2020

Moderator, Canadian Bar Association, Competition Law Fall Conference, "Lessons for 2020 From the Year in Review"; Ottawa, ON
Oct. 17, 2019

EDUCATION

New York University, LLM, 2009
Osgoode Hall Law School, LLB, 2003
McGill University, BA (Hons) (History & Political Science), 2000

PROFESSIONAL AFFILIATIONS

American Bar Association
Canadian Bar Association

COMMUNITY INVOLVEMENT

Canadian Bar Association, Section of Competition Law and Foreign Investment Review Executive Committee, chair
Canadian Chamber of Commerce, National Cannabis Working Group, member and lead for industry-led review of the *Cannabis Act*

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C.D. Howe Institute, Competition Policy Council, co-chair; Telecommunications Working Group

TEACHING ENGAGEMENTS

Elisa is a guest lecturer in The Regulation of the Canadian Cannabis Industry at Osgoode Hall Law School as well as advanced corporate transactions at University of Toronto Faculty of Law and advanced corporate law at Queen's University Faculty of Law. She was also an adjunct professor at the University of Toronto Faculty of Law, teaching The Legal Challenges of Digital Environments as part of the new Global Professional Master of Laws program in Innovation, Law and Technology.