DAVIES



Marc Pontone

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Expertise

Mergers and Acquisitions
Capital Markets and Securities
Corporate
Corporate Governance

Bar Admissions

Ontario, 2016

Marc provides clients with strategic and business-oriented solutions for their complex corporate and commercial transactions.

Marc's practice focuses on corporate and securities law with an emphasis on complex corporate and commercial transactions, including public and private mergers and acquisitions, private equity buyouts, significant investments and other strategic transactions. He works with clients across a broad range of industries, including mining and resources, energy, communications and media, technology and retail.

Marc also regularly advises clients in connection with joint ventures, partnerships, option agreements, royalties and project acquisitions in the mining and resources sector.

Representative Work

Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited** in its merger with Kirkland Lake Gold Ltd. to create a $30-billion combined company and the gold industry's highest-quality senior producer.

Rogers Communications Inc.

Acted for **Rogers Communications Inc.** in its C$4.7 billion acquisition of BCE Inc.'s ownership stake in Maple Leaf Sports and Entertainment.

Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited** in its C$2.9-billion acquisition, by way of plan of arrangement, of Rupert Resources Ltd., for Agnico Eagle shares and contingent value rights, as part of a comprehensive consolidation of properties in the Central Lapland Greenstone Belt of Northern Finland that establishes Finland as a multi-asset, multi-decade regional platform within Agnico Eagle's portfolio.

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. This deal won M&A Deal of the Year at the 2024 Canadian Law Awards.

Barrick Gold Corporation

Acted for **Barrick Gold Corporation** in its proposed US$42-billion merger with Newmont Mining Corporation to combine the world's two largest gold companies.

Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited** in its joint topping bid with Pan American Silver Corp. for the US$4.8-billion acquisition of Yamana Gold Inc., pursuant to which Pan American acquired all of the issued and outstanding common shares of Yamana and Agnico Eagle acquired Yamana's Canadian assets (including its interest in the Canadian Malartic mine).

Rogers Communications Inc.

Acted for **Rogers Communications Inc.** in its C$4.35 billion acquisition of Kilmer Sports' 25% ownership stake in Maple Leaf Sports and Entertainment.

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Barrick Gold Corporation

Acted for **Barrick Gold Corporation** in its historic joint venture with Newmont Mining Corporation, which combined their respective mining operations, assets, reserves and talent in Nevada to create the world's largest gold complex.

Shaw Communications Inc.

Acted for **Shaw Communications Inc.** in its joint C$2.85-billion sale with Rogers Communications Inc. of Freedom Mobile Inc. to Videotron Ltd., a subsidiary of Québecor Inc.

Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited** in its C$481-million acquisition, by way of plan of arrangement, of Aurion Resources Ltd., as part of a comprehensive consolidation of properties in the Central Lapland Greenstone Belt of Northern Finland that establishes Finland as a multi-asset, multi-decade regional platform within Agnico Eagle's portfolio.

Agnico Eagle Mines Limited

Advised **Agnico Eagle Mines Limited** in its US$580-million investment in Minas de San Nicolas (MSN) (previously a wholly owned subsidiary of Teck Resources Limited), which owns the San Nicolas copper-zinc development project located in Zacatecas, Mexico. As a result of the transaction, Agnico Eagle and Teck will own 50% of MSN. The proceeds of the subscription will be used by MSN to fund the first US$580 million of post-closing development and construction costs.

People Corporation

Acted for the special committee of the board of directors of **People Corporation** in connection with the $1.2-billion acquisition of People Corporation, by way of a plan of arrangement, by investment funds managed by Goldman Sachs Merchant Banking.

Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited** in its US$325-million acquisition from B2Gold Corp. of its 70% interest in Fingold Ventures Ltd., a joint venture held by B2Gold together with its 30% joint venture partner Aurion Resources Ltd., as part of a comprehensive consolidation of properties in the Central Lapland Greenstone Belt of Northern Finland that establishes Finland as a multi-asset, multi-decade regional platform within Agnico Eagle's portfolio.

Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited** in its acquisition of O3 Mining Inc. by way of a friendly take-over bid valued at C$204 million.

Russel Metals Inc.

Acted for **Russel Metals Inc.** in its C$225-million acquisition of seven service centers from Samuel, Son & Co., five of which are located in Western Canada and two in the United States.

Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited** in the sale of its 55% ownership interest in the Barsele project in northern Sweden to Goldsky Resources Corp for consideration of approximately $199 million.

Avenir Minerals Limited

Acted for **Avenir Minerals Limited** in its $94.3-million acquisition of Fox River

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Resources Corporation, which owns the Martison phosphate project located near Hearst, Ontario.

Sixty North Unity

Acting for **Sixty North Unity**, a consortium of Indigenous communities from the Yukon, the Northwest Territories and Nunavut, in connection with its proposed acquisition of Northwestel from Bell Canada for approximately C$1 billion, which would make Northwestel the largest indigenous-owned telecommunications company in the world.

Russel Metals Inc.

Acted for **Russel Metals Inc.** in its US$119-million acquisition of seven service center locations from Kloeckner Metals Corporation, six of which are located in the U.S. South and one in the U.S. Midwest.

Agnico Eagle Mines Limited

Acted for Agnico Eagle Mines Limited in its US$180-million strategic equity investment in Perpetua Resources Corp. and the negotiation of an investor rights agreement and a registration rights agreement.

Ironbridge Equity Partners

Acted for **Ironbridge Equity Partners** in its sale of Midland Appliance, a leading seller of premium home appliances, based in Western Canada.

Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited** in its acquisition of the Detour East property from Wallbridge Mining Company Limited.

Dominus Capital

Acted as Canadian counsel to **Dominus Capital** in its acquisition of Creative Outdoor Advertising, a street-level media provider serving local advertisers in small and mid-sized municipalities in the United States and Canada.

Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited** in its acquisition of an exploration license from, and a concurrent strategic investment in, S2 Resources Limited.

Motif Labs

Acted for **Motif Labs** in its equity and debt financing activities and, ultimately, in its C$90-million sale to Organigram Holdings Inc.

Ironbridge Equity Partners

Acted for **Ironbridge Equity Partners** in its sale of Advanced Engineered Products to TerraVest Industries.

Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited** in its strategic equity investment in Canada Nickel Company Inc. and negotiation of an investor rights agreement.

Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited** in its earn-in agreement with FireFox Gold Corp. to form a property-level joint venture in respect of the Kolho property located in northern Finland, together with a concurrent equity investment in FireFox Gold Corp. and the negotiation of an investor rights agreement.

Fengate Asset Management Ltd.

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Acted for **Fengate Asset Management Ltd.** in the C$50.2-million sale of 60 MW Sault Ste. Marie solar portfolio located in northwestern Ontario to Innergex Renewable Energy Inc.

Fengate Asset Management Ltd.

Acted for **Fengate Asset Management Ltd.** in the sale of a 75% interest in the 40 MW Grand Valley III wind project in Ontario to Axium Infrastructure.

Recipe Unlimited Corporation

Acted for the special committee of the board of directors of **Recipe Unlimited Corporation**, Canada's largest full-service restaurant company, in the sale of Recipe to Fairfax Financial Holdings Limited, a deal that values Recipe at approximately $1.2 billion.

Barrick Gold Corporation

Acted for **Barrick Gold Corporation** in the sale of a portfolio of 22 royalties to Maverix Metals for total cash consideration of up to US$60 million, and Nevada Gold Mines in the sale of a portfolio of three royalties to Gold Royalty Corp. for share consideration with a value of US$27.5 million.

Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited** in its acquisition of a 35% interest in Green Star Royalties Ltd., a company focused on the origination of carbon sequestration projects and other green technology opportunities. In connection with its investment, Agnico was granted certain investor rights, including representation on Green Star's board and an ability to co-invest alongside Green Star in its future projects and investments.

Xplornet Communications Inc.

Acted for **Xplornet Communications Inc.**, Canada's largest rural-focused broadband service provider, in its acquisition of Swift High Speed, a facilities-based rural broadband service provider in Manitoba.

Initial Purchasers

Acted as Canadian counsel to the initial purchasers, led by **Barclays**, in multiple private placements of senior notes and senior secured notes of GFL Environmental Inc., in an aggregate principal amount of over US$5 billion.

Epic Games, Inc.

Acted for **Epic Games, Inc.**, in its acquisition of Montréal-based ArtStation, an online marketplace and industry hub for digital artists.

Epic Games, Inc.

Acted for **Epic Games, Inc.** in its investment in Toronto-based SideFX, the company behind the Houdini 3D animation software used in video game development as well as for visual effects in film productions.

Northleaf Capital Partners

Acted for **Northleaf Capital Partners** in its strategic sale of a non-controlling interest to Mackenzie Financial Corporation, a subsidiary of IGM Financial Inc., and Great-West Lifeco Inc.

Barrick Gold Corporation

Acted for **Barrick Gold Corporation** in an integrated transaction involving (i) the sale by Barrick of all of the shares of Bullfrog Mines LLC to Bullfrog Gold Corp., a

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U.S.-based gold and silver exploration company; and (ii) a concurrent $22 million equity investment in Bullfrog Gold by Augusta Investments Inc. and certain individuals identified by Augusta.

Bank of Montreal, Royal Bank of Canada and The Bank of Nova Scotia

Acted for **Bank of Montreal**, **Royal Bank of Canada** and **The Bank of Nova Scotia**, as lenders, in the establishment of approximately $1.1 billion in secured margin loan facilities made available to a number of shareholders of GFL Environmental Holdings Inc. The margin loans were established in connection with the initial public offering of subordinate voting shares and tangible equity units of GFL Environmental Inc.

Square, Inc.

Acted as Canadian counsel to **Square, Inc.** in its acquisition of Dessa, a Toronto-based company building machine learning applications that address significant real-world challenges for all types of businesses.

Axium Infrastructure Inc.

Acted for **Axium Infrastructure Inc.** in establishing a mezzanine credit facility in respect of Axium Solar's Elmsley and St. Isidore solar projects in Ontario.

Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited** in its exploration, earn-in and option agreement with Arcelia Gold Corp. to form property-level joint venture in respect of the La Millionaria property in the State of Chihuahua, Mexico.

Berkshire Partners

Acted as Canadian counsel to **Berkshire Partners** in the $800-million sale of Farm Boy, a fast-growing and successful Canadian food retailer, to Empire Company Limited.

Sleep Country Canada Holdings Inc.

Acted for **Sleep Country Canada Holdings Inc.** in its $88.7-million acquisition of Endy, one of Canada's leading mattress-in-a-box e-commerce players, and the financing of this acquisition through an increase in and amendment to its $210-million senior secured syndicated credit facility.

Baffinland Iron Mines Corporation and Baffinland Iron Mines LP

Acted as Canadian counsel to **Baffinland Iron Mines Corporation** and **Baffinland Iron Mines LP** in their U.S. and Canadian private placement of US$575 million 8.750% senior secured notes, the repurchase and redemption of an existing series of US$350 million senior secured notes, an associated consent solicitation and an amendment and joinder to the existing revolving credit agreement to increase the aggregate of incremental commitments.

Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited** in its acquisition of all of the exploration assets of Canadian Malartic Corporation, including the Kirkland Lake and Hammond Reef projects, for an aggregate purchase price of US$325 million.

Nomura Securities International, Inc.

Acted for **Nomura Securities International, Inc.** in the refinancing of credit facilities in an aggregate amount of approximately $230 million made available for the long-term operation of seven 10-MW ground-mount solar photovoltaic projects in Ontario, each of which had been awarded a 20-year power purchase contract with the

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Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited** in its equity investment in Orla Mining Ltd. and negotiation of an investor rights agreement.

Breton Hill Capital Ltd.

Acted for **Breton Hill Capital Ltd.**, a Canadian investment firm managing approximately US$2 billion in client assets, in its sale to Neuberger Berman Group LLC, a global, independent, employee-owned investment manager.

Axium Infrastructure Inc. and The Manufacturers Life Insurance Company

Acted for (i) **Axium Infrastructure Inc.** and **The Manufacturers Life Insurance Company** in their joint $922-million acquisition from AltaGas Ltd. of a 35% interest in three hydroelectric projects in northwest British Columbia: the 195 MW Forrest Kerr Hydroelectric Facility, the 66 MW McLymont Creek Hydroelectric Facility and the 16 MW Volcano Creek Hydroelectric Facility; and (ii)**Northwestern Hydro Acquisition Inc. (NWHA)**, the special purpose acquisition vehicle formed to complete the acquisition, in a subsequent $650 million senior secured bond financing and related letter of credit facility.

Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited** in its US$80-million acquisition of the Santa Gertrudis gold project in Mexico from GoGold Resources Inc. In connection with the acquisition, Agnico Eagle provided GoGold with a US$7.5 million term loan, secured by a second ranking charge on all of GoGold's assets, which will be set off against the purchase price at the closing of the acquisition.

PSP Investments

Acted for **PSP Investments** in its strategic initiatives with Pattern Energy Group Inc., including (i) the acquisition of a 9.9% interest in Pattern Energy; (ii) the joint venture between PSP and Pattern Energy to co-invest in various renewable projects; (iii) the joint acquisition with Pattern Energy of a 51% and 49% interest, respectively, in the 179 MW Meikle wind project in British Columbia and the 143 MW Mont Sainte-Marguerite wind project in Québec; and (iv) the acquisition of 49% of the Class B interests held by Pattern in the Panhandle 2 wind project in Texas.

Restaurant Brands International Inc.

Acted as Canadian counsel for **Restaurant Brands International Inc.** in a US$1.5-billion private placement of first lien senior secured notes due 2024 issued by two of its subsidiaries.

Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited** in connection with its strategic equity investment in GoldQuest Mining Corp. and negotiation of an investor rights agreement.

McKesson Corporation

Acted for **McKesson Corporation**, a leading international healthcare services and information technology company, in connection with its $3-billion acquisition of Rexall and Rexall Pharma Plus, which operate approximately 470 pharmacies in Canada, from Katz Group, one of Canada's largest privately owned enterprises.

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Axium Infrastructure Inc. and The Manufacturers Life Insurance Company

Acted for **Axium Infrastructure Inc.** and **The Manufacturers Life Insurance Company** in their joint $1.4-billion acquisition of AltaGas Ltd.'s remaining 55% interest in three hydroelectric projects in northwest British Columbia: the 195 MW Forrest Kerr Hydroelectric Facility, the 66 MW McLymont Creek Hydroelectric Facility and the 16 MW Volcano Creek Hydroelectric Facility.

Axium Infrastructure Inc. and The Manufacturers Life Insurance Company

Acted for **Axium Infrastructure Inc.** and **The Manufacturers Life Insurance Company** in a private placement in Canada and the United States of over $1 billion of fixed rate bonds in order to refinance bridge loans used to complete their recent acquisition of AltaGas Ltd.'s remaining 55% interest in three hydroelectric projects in northwest British Columbia.

Axium Infrastructure Inc.

Acted for **Axium Infrastructure Inc.** in connection with its equity investment in a 900 MW combined cycle natural gas power plant to be built near Edson, Alberta, known as the Cascade Power Project. This project won *Project Finance International*'s Canadian Power Deal of the Year award for 2020.

Kirkland Lake Gold Inc.

Acted for the Special Committee of the board of directors of **Kirkland Lake Gold Inc.** in connection with its $1-billion combination with Newmarket Gold Inc., by way of a Plan of Arrangement, to create a new low-cost, mid-tier gold producer.

Spectrum Health Care LP

Acted for **Spectrum Health Care LP** in connection with its $16.5-million acquisition of the Preferred Health Care Services division of Sienna Senior Living Inc.

Shaw Communications Inc.

Acted for **Shaw Communications Inc.** in connection with its sale of Shaw Media Inc. to Corus Entertainment Inc. for $2.65 billion. Shaw Media is the owner of the Global Television Network and 19 specialty channels including HGTV Canada, Food Network Canada and Showcase. Davies acted for Shaw in 2010 on the purchase of these assets from CanWest Global Communications for $2 billion. The proceeds from this sale were used to finance Shaw's acquisition of WIND Mobile for $1.6 billion. Davies acted for WIND Mobile.

Bank of Montreal

Acted for **Bank of Montreal** and a syndicate of lenders on an increase and amendment of GFL Environmental Inc.'s revolving credit facility in connection with its $800-million acquisition of TransForce Inc.'s Matrec solid waste division.

Ironbridge Equity Partners

Acted for **Ironbridge Equity Partners** in its acquisition of Advance Engineered Products Ltd.'s tank production and services business under a sale proceeding conducted pursuant to the *Companies' Creditors Arrangement Act*. The assets purchased also include the mobile vacuum systems business carried on under the Westech Vac Systems name and the metal fabrication and machining business carried on under the Dumur Industries name.

Agnico Eagle Mines Limited

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Acting for **Agnico Eagle Mines Limited** in the sale of certain properties in the Abitibi Greenstone Belt, Quebec to Vior Gold Corporation Inc.

Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited in** its strategic alliance and earn-in agreements with Cascadia Minerals Ltd. to form a strategic alliance regarding generative exploration and an opportunity to earn in to property-level joint venture in respect of properties in the Yukon, together with a concurrent equity investment in Cascadia and the negotiation of an investor rights agreement.

Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited** in its C$22.4-million strategic investment in Wallbridge Mining Company Limited and the negotiation of an investor rights agreement.

Ironbridge Equity Partners Management Limited

Acted for **Ironbridge Equity Partners Management Limited** in its acquisition of Veradek Inc., a Canada-based designer of outdoor living space products.

Agnico Eagle Mines Limited

Acted for **Agnico Eagle Mines Limited** in its purchase from Prism Resources Inc. of a 7.5% net profit interest royalty over certain claims forming part of Agnico Eagle's Detour Lake property.

Agnico Eagle Mines Limited

Acting for **Agnico Eagle Mines Limited** in the sale of the Delta base and precious metal project and Helm Bay gold project in Alaska to Vizsla Copper Corp. for consideration including approximately C$38.7 million in shares, share purchase warrants, net smelter return royalties on both projects and up to C$20 million in contingent milestone payments.

Recognitions

Lexpert Special Edition
M&A; Mining

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External Engagements

In the News
Interview, *Financial Post***, "Who's willing to get dirtier? Tensions boiling over in war for MEG Energy"**
Sep 17, 2025
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In the News
Interview, *The Globe and Mail***, "The new due diligence: why M&A scrutiny is digging deeper (and taking longer) than ever before"; Web Publication**
May 15, 2024
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Insights

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Nov 2, 2026

Lexpert Recognizes Davies' Expertise in Mining
Sep 2, 2026

Davies Comments on Proposed Changes to Canadian Securities Rules
Aug 25, 2026

Agnico Eagle Adds to Finland Holdings with Trio of Deals Valued at $3.8 Billion
Apr 23, 2026

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Apr 15, 2026

Lexpert Affirms Davies' Position as a Leading Firm
Mar 17, 2026

Governance Insights: A Preview of 2026
Jan 26, 2026

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Sep 22, 2025

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Governance Insights: Protecting Information to Protect Process – When is it Appropriate to Restrict a Director's Access to Board Records?
Jun 20, 2024

Governance Insights: 10 Trends that GCs and Boards Need to Know
Jan 24, 2024

Transformative Deal Between Shaw and Rogers to Expedite Canada's 5G Rollout
Mar 15, 2021

Education

Osgoode Hall Law School, JD, 2015
Wilfrid Laurier University, BBA (Honours) (with Distinction), 2011

Bar Admissions

Ontario, 2016