

Cassels



Chris Hersh

Partner

Contact Information

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Office

Toronto

Expertise

- Competition & Foreign Investment
- Private Equity
- Product Liability
- Regulatory

Biography

Chris Hersh is a partner in the Business Law Group at Cassels and serves as Chair of the firm's Competition & Foreign Investment Group. Chris provides strategic counsel to clients on all aspects of competition law, including mergers and acquisitions, criminal matters, abuse of dominance, marketing and advertising, as well as pricing and distribution issues. Chris has an active foreign investment practice and provides advice to international clients regarding *Investment Canada Act* reviews by the Investment Review Division and the Cultural Sector Investment Review directorate. In addition to his transactional and regulatory practice, Chris has an active competition litigation practice and acts for clients involved in matters before the Competition Tribunal, trans-border criminal investigations/prosecutions, as well as defendants and institutional plaintiffs in class actions brought in respect of price-fixing cartels.

Some of the highlights of Chris's career in competition law include acting for:

- CF Industries Holdings, Inc. in its \$915 million acquisition of control of Canadian Fertilizer Limited from Glencore International plc. and Agrium Inc.
- The Westaim Corporation in its \$530 million sale of JEVCO Insurance Company to Intact Financial Corporation
- Alpha Trading Systems Inc. and Alpha Trading Systems Limited Partnership in connection with the Maple Group's \$3.8 billion consolidation of TMX Group Inc., The Canadian Depository for Securities Limited, and Alpha Group
- Hecla Mining Company in its \$550 million acquisition of Aurizon Mining Ltd.
- A client in the TREB abuse of dominance proceedings in obtaining intervenor status

In addition to his practice, Chris regularly writes and speaks in Canada and abroad on all aspects of competition. Chris also served as an adjunct professor at the University of Western Ontario Law School and as a guest lecturer at the Osgoode Hall Law School LL.M. program, where he taught competition law. Additionally, Chris is the current chair of the CBA Competition Law Section's Private Actions committee and was the Canadian representative to the International Bar Association's working group on European private enforcement of competition law.

Chris is recognized internationally as a leading Canadian competition lawyer by *Chambers Global*, *Chambers Canada*, *Best Lawyers in Canada* and the *Global Competition Review's* annual ranking, the GCR100.

Achievements

- *Best Lawyers in Canada* (Competition/Antitrust)
- *Chambers Canada* (Competition/Antitrust)
- *Chambers Global* (Competition/Antitrust)
- *GCR100: Global Competition Review*
- *Legal 500 Canada* (Competition & Antitrust)
- *Legal Media Group Guide to the World's Leading Competition and Antitrust Lawyers*
- *Lexpert*, Rising Star Award (2010)
- *Martindale Hubbell*, Distinguished™ Rating
- *Who's Who Legal*, Future Leader (Competition)

Client Commentary

- “Impresses with his knowledge of business, his flexibility and his responsiveness.” – *Chambers Canada (Competition/Antitrust)*
- “Incredibly business-focused.” – *Chambers Global (Competition/Antitrust)*
- “Great understanding of how businesses work.” – *Chambers Global (Competition/Antitrust)*
- “Deep subject matter expertise.” – *Chambers Canada (Competition/Antitrust)*
- “Very knowledgeable and credible – always practical, always efficient.” – *Chambers Canada (Competition)*
- “He brings incredible knowledge of competition law as well as strategic thinking around issues.” – *Chambers Global (Competition)*
- “A clear, concise communicator who provides good business advice.” – *Chambers Global (Competition)*
- “He is able to get away from the legal speak on issues and make it matter to our business leaders and employees.” – *Chambers Canada (Competition)*
- “Lauded by clients for his ‘great business perspective’ and ‘consistently practical and flexible approach when it comes to providing business advice.’” – *Chambers Global (Competition)*

Recent Representative Work

- Cassels Acting as Strategic and Legal Advisor to Canopy Growth on its Acquisition of Supreme Cannabis for \$435 Million
- Cassels Acts For Second City in Sale to ZMC
- TMAC Resources Completes \$286.6 Million Sale to Agnico Eagle
- Cassels Represents EHC Global in Closing of \$130 Million Sale
- Liberty and Schlumberger Close North American Pressure Pumping Transaction

Insights

- Canada Toughens National Security Reviews of Foreign Investments
- Non-Solicitation and “No-Poach” Agreements – Clarity on Canadian Law?
- Facebook’s Multi-Million Dollar Settlement with the Commissioner of Competition Increases the Risks Faced by Organizations for Non-Compliance with Privacy Laws

COVID-19 Insights

- Provincial Reopening Plans – Information for Restaurants, Cafés and Other Food Service Establishments (Third Update)
- Provincial Reopening Plans – Information for Restaurants, Cafés and Other Food Service Establishments (Second Update)
- Provincial Reopening Plans – Information for Restaurants, Cafés and Other Food Service Establishments

Education / Bar Admissions

Cassels

- LL.B., Osgoode Hall Law School, 1998
- B.A. (Hons.), Lakehead University, 1995
- Ontario, 2000

Associations

- American Bar Association, Antitrust Law Section
- Canadian Bar Association, Vice-Chair, Legislation & Competition Policy Committee, National Competition Law Section
- International Bar Association
- Ontario Bar Association