

# Cassels



## Marc Mercier

Partner

### Contact Information

416 869 5770  
mmercier@cassels.com

### Office

Toronto

### Expertise

- Banking & Specialty Finance
- Energy
- Restructuring & Insolvency
- Private Equity
- Infrastructure

### Biography

Marc Mercier\* is a partner in the Banking & Specialty Finance Group at Cassels and serves as Chair of the firm's Audit & Risk Management Committee. Marc's practice places a particular emphasis on secured, unsecured and merger and acquisition financing, treasury management and financial derivatives-related matters, along with reorganizational workouts and restructurings. Marc also handles extensive financing work in the subordinated/convertible debt, venture capital and private equity areas.

Marc's representative experience includes having acted for:

- Planet Fitness in Canada in its \$1.275 billion refinancing transaction
- Wendy's Restaurants in Canada in its recent sale of US\$1.075 billion in senior secured notes
- Summitt Energy in its multi-year extension energy supply agreements in Canada and the US
- The Federal Government of Canada in connection with the restructurings and refinancings of General Motors and Chrysler
- Harley-Davidson Canada in its renewal of syndicated bank credit facilities totalling US\$500 million for a three-year term to support its and HDFFS Canada's commercial paper program and to fund its and HDFFS Canada's lending activities and other operations

Marc is the author of various articles published in legal journals and texts. He speaks frequently at derivatives, secured lending, insolvency and restructuring, and law reform conferences and bank seminars. In addition to being an adjunct faculty member of the University of Toronto Faculty of Law in the late 1990s, where he led classes in debt financing and restructuring, Marc has been an adjunct faculty member at Osgoode Hall Law School at York University since 2005, where he teaches advanced financing law in the graduate (masters level) banking programme. As a senior member of the firm's financial services practice area, Marc is extremely active in the practice development and mentoring of both senior and junior members of his team.

In 2018, the Ontario Junior Hockey League (OJHL) honoured Marc with the Chairman's Award, which is presented to an individual who demonstrates the core values of the OJHL including integrity, professionalism and sportsmanship. In 2021, this award was renamed the Marc Mercier Chairman's Award in recognition of Marc's leadership, guidance, and dedication to the OJHL. Marc also successfully climbed Mount Kilimanjaro in July of 2018.

*\*denotes Professional Corporation*

## Achievements

- *Best Lawyers in Canada* (Banking and Finance)
- *Canadian Legal Lexpert Directory* (Banking & Financial Institutions)
- *Chambers Canada* (Banking & Finance)
- *Chambers Global* (Banking & Finance)
- *Legal 500 Canada* (Banking & Finance)
- *Martindale Hubbell*, Distinguished™ Rating

## Client Commentary

- "A 'roll up your sleeves' kind of guy. He doesn't shy away from work, and comes back to you with thorough analysis." – *Chambers Global (Banking & Finance)*
- "Always very responsive and approachable." – *Chambers Global (Banking & Finance)*
- "Acts as a partner, rather than a vendor." – *Chambers Canada (Banking & Finance)*
- "He is very responsive and always keeps our business needs in mind." – *Chambers Canada (Financial Services)*
- "Marc consistently delivers top advice. He has the ability to jump into issues as well as keep a strategic outlook on matters." – *Chambers Global (Financial Services)*
- "He is exceptionally responsive and he goes above and beyond." – *Chambers Global (Financial Services)*
- "Highly regarded as a great resource in this space." – *Chambers Global (Financial Services)*
- "He has lots of experience to draw from and provides strategic guidance." – *Chambers Global (Banking & Finance)*

## Recent Representative Work

- TPG Global Acquires Leading Sound Stage Owner Cinespace
- Epsilyte Holdings Acquires StyroChem Canada
- Beacon Transit Lines Inc. Completes Asset Sale to 9305-8955 Québec Inc.
- Rapido SAS Completes Purchase of the Roadtrek RV Brand
- Cassels Represents The Wendy's Company in Canada in Sale of US\$950 Million Senior Secured Notes by Wendy's Funding, LLC

## Insights

- Supreme Court of Canada Decision in MacDonald Minimizes Role of Taxpayer Intent in Characterizing Derivative Contracts

## Pro Bono & Community Involvement

- Boston University's Alumni Association of Canada, Vice President
- National Club (Toronto), Board of Directors
- Ontario Junior Hockey League, Board of Governors, Governor of the Cobourg Cougars Junior "A" Hockey Club
- Ontario Hockey Association, Board of Directors
- RBC Cup Committee, Co-Chair (2015-2017)
- World Junior "A" Challenge, Co-Chair (2015)

## Education / Bar Admissions

- LL.M., Boston University, 1994
- LL.B., University of New Brunswick, 1991
- B.A. (Hons.), Western University, 1988
  
- Ontario, 1993

## Associations

- Canadian Bar Association
- Canadian Insolvency Foundation
- Ontario Bar Association
- International Association of Restructuring, Insolvency and Bankruptcy Professionals (INSOL)
- Turnaround Management Association (TMA)
- Risk Management Association, Toronto Chapter