

DAVIT AKMAN

Additional Resources

Representative Work

- Acting as global lead competition and foreign investment review counsel to Sandstorm Gold Ltd. in connection with its US\$1.1 billion portfolio transformation, including its acquisition of Nomad Royalty Company Ltd.;
- Acting as competition counsel for WonderFi in connection with its C\$250 million acquisition by Robinhood Markets, Inc.;
- Acting as Canadian competition and foreign investment clearance in respect of Pacific Investment Management Company LLC (PIMCO) of Just Energy Group;
- Acting as competition counsel for General Recycling Industries Ltd in connection with its C\$157 million acquisition by Secure Energy Services Inc.;
- Acting as competition counsel for Trivest Partners in connection with the acquisition of its portfolio company, Dock & Door Holdings (Canada) Inc., by ASSA ABLOY Group;
- Acting as global lead competition counsel for Torex Gold Resources Inc. in connection with its US\$327 million acquisition of Prime Mining Corp.;
- Acting as competition and foreign investment counsel for Hiking Group Shandong Jinyue Int'l Trading Corporation in its acquisition of all of the issued and outstanding shares of Long Run Exploration Ltd.;
- Acting as competition counsel to Hecla Mining Company in connection with the US\$593 million sale of its wholly owned subsidiary Hecla Quebec Inc. to Orezon Gold Corporation;
- Acting as competition counsel for Discovery Silver Corp. in connection with its US\$500 million acquisition of certain Canadian mining operations of Glencore Canada Corporation.
- Acting as global lead competition counsel for EMX Royalty Corporation in connection with its US\$100 million merger with Elemental Altus Royalties Corp.;
- Acting as competition counsel for GreenFirst Forest Products Inc. in connection with the C\$94 million sale of its Quebec sawmills to Chantiers Chibougamau Ltée;
- Acting as foreign investment counsel for Malike Innovations Limited in connection with its US\$200 million acquisition of substantially all of its non-core patents and patent applications of BlackBerry Limited;
- Acting as global lead foreign investment counsel for Consolidated Uranium Inc. in connection with its acquisition of Virginia Energy Resources Inc.;
- Acting as competition counsel for LoyaltyOne, Co. in connection with the sale of LoyaltyOne's AIR MILES Reward Program business to the Bank of Montreal;
- Acting as competition counsel to the Government of Canada/CDIC in connection with its acquisition of the Trans Mountain Pipeline and proposed expansion project from Kinder Morgan, Inc.;
- Acting as competition counsel to WonderFi Technologies Inc. in connection with its acquisition of Coinberry Limited;

- Acting as competition counsel to WonderFi Technologies Inc. in connection with its acquisition of Coinsquare Ltd. and Coinsmart Financial Inc.;
- Acting as foreign investment counsel to The Veritas Capital Vantage Fund L.P. in connection with its acquisition of Xiphos Systems Corporation;
- Acting as Canadian competition counsel to AmeriPride Services Inc. in connection with its US\$1 billion acquisition by Aramark;
- Acting as Canadian competition and foreign investment counsel to Elanco Animal Health Incorporated in connection with its acquisition of Prevtex Microbia, including inventory and pipeline assets;
- Acting as Canadian competition and foreign investment counsel to Stone Canyon Industries LLC in connection with its US\$2.4 billion acquisition of BWAY Corp.;
- Acting as Canadian competition and foreign investment counsel to Sumitomo Corporation in connection with its €751 million acquisition of Fyffes plc;
- Acting as competition counsel Wilbur Ellis Nutrition, LLC in connection with its acquisition by Balmoral Funds LLC;
- Acting as competition counsel for Cor4 Oil Corp. in connection with its US\$62 million acquisition by International Petroleum Corporation (IPC);
- Acting as counsel for KEMET Corporation and KEMET Electronics Corporation in class actions in British Columbia, Ontario and/or Quebec alleging price fixing in respect of sales of electrolytic and film capacitors;
- Acting as counsel for Hewlett-Packard Company, HP Inc. and HP Canada in the proposed Ontario class action against Intel, Microsoft, Lenovo, Dell, Apple and HP in respect of the “Spectre” and “Meltdown” defects in certain Intel central processing units;
- Acting as competition counsel to CIMIC Group in connection with the sale for \$2.116 billion of a 50% equity interest in its subsidiary Thiess, the world’s largest mining services provider, to Elliott Advisors;
- Acting as competition counsel to Preferred Proppants in its disposition of its Canadian proppant sands business to Source Energy Services;
- Acting as competition and foreign investment counsel to Virtu Financial in connection with the sale of its MatchNow business to Cboe Global Markets;
- Acting as competition counsel for a major private education provider in connection with its sale to a private equity fund for \$400 million;
- Acting as Canadian competition and foreign investment counsel to Stone Canyon Industries LLC in connection with its US\$2.3 billion acquisition of Mauser Group NV;
- Acting as competition and foreign investment counsel to Securian Financial Group in connection with its US\$142 million acquisition of the Affinity business of ivari;
- Acting as counsel to eBay Canada Limited and Marktplaats BV in successfully opposing an application by Audatex Canada, ULC to the Competition Tribunal for leave to apply for an order under the refusal to deal provision in section 75 of the Competition Act;
- Acting as counsel to Innovative Medicines Canada (formerly Rx&D) — the national association of leading research-based pharmaceutical companies — and several of its members in connection with the updating of the Competition Bureau’s Intellectual Property Enforcement Guidelines;
- Acting as counsel to BCE Inc. and Bell Canada in the landmark case in the Supreme Court of Canada involving the proposed \$51.7 billion privatization of BCE — the largest leveraged buyout in history;
- Acting as counsel to Mars Canada and Mars, Incorporated in multiple class actions alleging price-fixing of sales of chocolate confectionery products, including cross-border issues arising out of parallel US class actions, and in a related criminal investigation by the Canadian Competition Bureau;

- Acting as Canadian counsel to Whirlpool and Embraco in multiple class actions alleging price fixing of sales of compressors, including cross-border issues arising out of parallel US class actions, and in a related criminal investigation by the Competition Bureau;
- Acting as Canadian counsel to Beijing Matsushita Color CRT Company, Ltd. in multiple class actions alleging price fixing of sales of cathode ray tubes, including cross-border issues arising out of parallel US class actions;
- Acting as counsel to Rogers and Microcell in defending a series of class actions throughout Canada concerning so-called "system access fees" charged by Rogers, Microcell and many other telecommunications companies. These included some of the largest class actions in Canadian history;
- Acting as counsel to DIRECTV, Inc. in the Supreme Court of Canada in *Bell Express Vu Limited Partnership v Rex*, a leading decision on the interpretation of the federal Radiocommunication Act and, more generally, the principles governing the interpretation of statutes;
- Acting as counsel to a defendant in a criminal investigation by the Commissioner of Competition into a conspiracy in the Canadian carbonless paper industry;
- Acting as counsel to Agrico United in proceedings before the Competition Tribunal to rescind a consent agreement filed in the merger of United Grain Growers Ltd. and Agrico Cooperative Limited, to form Agrico United;
- Acting for the Commissioner of Competition as special counsel in contested proceedings relating to a Consent Order in Abitibi-Consolidated Inc.'s acquisition of Donahue Inc.

Insights (2010-2020)

- Canadian Competition Bureau Takes Enforcement Action Against Misleading Privacy Claims, July 2020
- Competition Bureau Addresses COVID-19 Competitor Collaborations, April 2020
- Supreme Court of Canada Issues Landmark Competition Class Action Decision in *Godfrey* Appeals, September 2019
- Revised Canadian Intellectual Property Enforcement Guidelines Worth a Closer Look, June 2019
- Supreme Court of Canada Won't Rule on Permissibility of Global Class Actions: Leave is Denied in *Airia Brands*, October 2018
- Supreme Court to Hear Hotly Contested Issues Affecting Competition Class Actions, June 2018
- Canada (Chapter), *ABA Antitrust Class Actions Handbook*, 2nd Edition, 2018
- *Avoiding Nightmares: Moving from Competition Compliance Training to Compliance Management*, July 2017
- *Hot Topics in Misleading Advertising: Ordinary Price Claims and Other Competition Bureau Enforcement Priorities*, July 2017
- *Private Competition Law Actions (Canada)*, January 2017
- *Foreign Investment in Canada: Past, Present, & Future*, October 2016
- *Life Sciences Legal Trends in Canada*, June 2016
- *FinTech Study May Lead to Important Regulatory Changes in Canada*, May 2016
- *Questionable Policy: New Canadian IP Enforcement Guidelines Miss the Mark on Pharma*, April 2016
- *GCR Know How: Antimonopoly & Unilateral Conduct*, September 2015
- Recent Ontario Decision Confirms that Proposed Secondary Market Securities Class Action Claims Will be Subject to Rigorous Scrutiny, August 2015
- *New PWGSC Integrity Regime: A Mixed Bag*, July 2015
- Canadian Competition Tribunal Issues First Contested Hold Separate Order in a Merger Case, June 2015
- Canadian Competition Bureau Issues Draft Update of Intellectual Property Enforcement Guidelines, June 2015

- Canadian Competition Tribunal Issues Important Guidance on the Interpretation of Consent Agreements, May 2015
- Potential Changes to the Canadian Competition Bureau's Intellectual Property Enforcement Guidelines May be a Game Changer for Technology Companies and Firms in Patent-Intensive Industries, April 2015
- Tiny Merger Will Have Major Implications for Merger Review in Canada, January 2015
- International Suppliers and Retailers Get Two Lumps of Canadian Competition Law Coal for the Holidays, December 2014
- Privilege Ownership Should be on Every Corporate Transaction Checklist, September 2014
- Legitimate Businesses Should be at Least as Concerned as Fraudsters About the Competition Act-Related Amendments Under Canada's New Anti-Spam Legislation, July 2014
- Illinois Brick Rejected in Canada, May 2014
- Recent Decisions Highlight the Importance of Dealing with Attorney-Client Privilege Ownership in Corporate Transactions in Canada and the US, May 2014
- The Usual Suspects? The Scope of Corporate Criminal Liability Under Canadian Antitrust Law, October 2013
- Northern Exposure? Recent Developments in Antitrust Enforcement in the Canadian Pharmaceutical Industry, March 2013
- The Long Arm of US Antitrust Law Gets Longer, January 2012
- The Mouse That Roared: Challenge of Small Merger Has Significant Implications for Canadian Competition Enforcement, January 2012
- Tops for Retaining and Instructing Experts: The New Expert Witness Rule, December 2011
- One Hand Taketh Away: Recent Developments in Indirect Purchaser Class Actions in Canada, January 2011
- The Pendulum Swings? Recent Developments in Canadian Competition Class Actions, January 2011
- Private Competition Litigation in Canada, August 2010

Speaking Engagements (2017-2021)

- Speaker, "To Close or Not to Close. That is the Question", CBA National Competition Law Section, Competition Law Fall Online Symposium, October 18, 2021
- Moderator and Speaker, "International Perspectives on Privacy and Competition Law", Virtual Annual Meeting of the ABA Business Law Section, September 22, 2021
- Moderator and Speaker, "Competition Class Actions", Barreau du Quebec, National Conference on Class Actions – Recent Developments in Quebec, in Canada and in the U.S., October 22, 2020
- Moderator and Speaker, "The Impact of COVID-19 on the Pharma Industry and Recent Developments Involving Biosimilars and Generics", CBA National Competition Law Section, Annual Fall Conference, October 21, 2020
- Moderator and Speaker, "When Compliance Programs Fail: Best Practices for Investigating and Managing Potential Wrongdoing", Annual Meeting of the ABA Business Law Section, September 25, 2020
- Moderator, "Damages Claims in Cartel Cases", ICN Cartel Working Group, December 11, 2019
- Speaker, "International Competition Law in the Dynamic Digital Economy", Pepper Hamilton's Annual Antitrust Development Update CLE Event, Philadelphia PA, December 11, 2019
- Speaker, "OH MY GODFREY! What the Supreme Court's Decision Means for Defendants", 2019 Class Actions Seminar, Toronto ON, November 20, 2019
- Speaker, "Collective Actions on a World Stage", ABA's 23rd Annual National Institute on Class Actions, Nashville TN, October 17, 2019

- Speaker, “The State of Cross-Border Criminal and Cartel Enforcement”, ABA Section of Antitrust Law and CBA National Competition Law Section, Washington DC, May 2019
- Program Chair, “Managing the Civil and Criminal Aspects of a Cartel”, CBA National Competition Law Section, Toronto ON, March 2019
- Speaker, “Global Merger Update”, Pepper Hamilton's Annual Antitrust Development Update CLE Event, Philadelphia PA, December 2018
- Program Chair and Speaker, “Antitrust in the Age of the Internet and Big Data: Getting Products to Market”, Annual Meeting of the ABA Business Law Section, Austin TX, September 2018
- Speaker, “Merger Review: U.S. and Beyond”, Pepper Hamilton's Annual Antitrust Development Update CLE Event, Philadelphia, PA, December 7, 2017
- Speaker, “Cross-Border Competition Class Action Litigation”, Philadelphia Bar Association, Philadelphia PA, December 6, 2017
- Program Chair and Speaker, Competition/Antitrust Developments Update, Toronto ON, September 26, 2017
- Program Chair and Speaker, “Managing and Minimizing Antitrust and Other Deal Risks – Issues, Trends and Developments in the United States and Canada”, Annual Meeting of the ABA Business Law Section, Chicago IL, September 14, 2017