

International/Cross Border

Despite recent backlashes against open borders and increased international trade, the world still remains more open and integrated than ever before. Doing business abroad nonetheless presents unique legal challenges. It is important to obtain sophisticated legal advice to navigate foreign requirements and opportunities accurately and strategically.

Our lawyers act for foreign companies and individuals investing in or visiting Canada, and for Canadian companies and citizens doing business internationally. We bring our cross-border expertise to bear on a range of corporate, litigation, securities, tax, real estate investment and financial services matters. Our lawyers help make the process of doing business in foreign jurisdictions as seamless as possible, and we work with several clients in the mining industry in this regard.

We also assist Canadian and foreign citizens that are pursuing professional or personal opportunities in Canada or abroad, assisting individuals with immigration, employment, tax and personal investment opportunities in foreign jurisdictions.

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Areas of Expertise

- Capital markets
- Competition and Anti-Trust
- Anti-Bribery and Anti-Corruption
- Corporate and commercial transactions
- Employment
- Financial services
- Immigration
- Investment
- Litigation
- Mergers and acquisitions
- Securities
- Tax
- Tourism

Representative Experience

Recent cross-border transactions in which we have been involved include:

- acting as Canadian counsel to various US-based private equity funds on leveraged acquisitions of Canadian-based businesses in the medical device, transportation, industrial products and consumer products businesses and related leveraged financings.
- acting as Canadian counsel to various German bank-led lending syndicates in connection with the provision of senior and subordinated credit facilities to multinational corporations with operations in Canada.
- representing various corporations with headquarters in the US in connection with cross-border credit facilities in excess of \$100 million.
- acting for a major US financial services company on its acquisition of a leading Canadian financial services company.

Americas

We have acted on numerous cross-border litigation and bankruptcy matters including assisting clients engaged in litigation in United States courts. In this context, we have extensive experience in obtaining and resisting the obtaining of Letters Rogatory, Anti-Suit Injunctions and other procedural and substantive matters that dictate the location and scope of litigation.

Asia

We have supervised litigation in the Court of Appeal of the Republic of Singapore and in various courts in the Republic of India.

Caribbean

We are frequently retained on precedent setting cases in the courts of the Eastern Caribbean, including in the Court of Appeal for that region. We have litigated some of the largest commercial cases in the Eastern Caribbean and are frequently invited to give seminars and lectures to the Judges and lawyers of the region.

Recent examples of our work include having acted for an off-shore hedge fund in a multi-jurisdictional, multi-million dollar dispute (Platinum Trading Management Ltd. v. Craig Reeves), and having successfully discharged an international freezing order for an off-shore trust in Naomi Darren v. Intrust Trustees (Nevis) Limited. Our lawyers are also retained to enforce foreign judgments and to protect the interests of Canadians who make investments in the region, as we recently did for a Canadian investor in a significant land development project in St. Kitts Development Corporation v. Golfview Development Limited.

Europe

We have extensive experience in supervising litigation in England and the Channel Islands, including injunctive proceedings. Among the cases we have litigated in England is a case over the control of a Congolese corporation which owned substantial natural resource concessions, and a case over the control of a major hedge fund regulated by the Financial Services Authority.

Foreign Judgments

We have extensive experience assisting foreign litigants in enforcing their foreign judgments in Canada, including judgments granted pursuant to cross-border bankruptcy protocols, and assisting Canadian litigants resisting enforcement in Canada of foreign judgments. For example, we have acted as counsel on one of the leading cases on the defences to the enforcement of foreign judgments in Ontario. *Oakwell Engineering Ltd. v. Enernorth Industries Inc.* (2006), 81 O.R. (3d) 288 (C.A.). Our experience extends to advising parties on enforcement issues before the foreign judgment has been issued by the foreign court to ensure that it is enforceable in Canada.

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