

Representative Work

DEALS

Some examples of our high profile transaction experience include:

- › **Walter Energy** in its proposed acquisition of Western Coal.
- › **Kinross Gold Corporation** in its acquisition of Red Back Mining Inc.
- › **Avis Budget Group** in its bid for Dollar Thrifty.
- › **Apache Corp.** on Canadian aspects of its acquisition of oil and gas properties from BP Canada Energy.
- › **Icahn** in its unsolicited bid for Lions Gate Entertainment.
- › **ConocoPhillips** in the sale of its interest in Syncrude to Sinopec.
- › **World Color Press, Inc.** in its acquisition by Quad Graphics.
- › **Comcast Corporation** in its proposed acquisition of a controlling interest in NBC Universal from General Electric.
- › **Shareholders of Acxsys Corporation** in the restructuring of Interac Association.
- › **Bank of Montreal** in its acquisition of Citicorp Diners Club.
- › **Boehringer Ingelheim's** acquisition of an animal health business from Pfizer.
- › **Cadbury plc** in the unsolicited bid by Kraft Foods Inc.
- › **CanWest Global Communications Corp.** in its acquisition of Alliance Atlantis Communications Inc.
- › **Canwest Global Communications Corp.** in the sale of the over-the-air and specialty television businesses of Canwest to Shaw Communications Inc.
- › **Canwest LP Entities and National Post Inc.** in their acquisition by CW Acquisition Limited Partnership.
- › **CF Industries** in the unsolicited offer from Agrium Inc.

Practical advice on competition/antitrust matters is possible only when your legal counsel has first-hand experience dealing with the most complex and difficult business situations. Canadian, U.S. and international businesses and law firms come to Osler's Competition/Antitrust and Foreign Investment Group with their most challenging problems and business critical transactions – and Osler answers with our blend of outstanding expertise, exceptional and efficient service, and seamless support to clients of all sizes and in all industries. Our team of competition/antitrust experts are repeatedly chosen as counsel for four differentiating factors:

- › Our lawyers are a seasoned group of “purists” – we don't dabble. This deep specialization allows us to identify issues, be exceptionally responsive and provide outstanding service in an area that is often highly complex and critical to the success of key business decisions.
- › Our team includes experienced litigators. Having been involved in virtually every Canadian and cross-border competition-related class action, Osler offers strategic insights and counsel to clients facing or managing litigation.
- › As the pre-eminent mergers and acquisitions firm in Canada, our competition/antitrust lawyers cut their teeth on transactions. Our ability to rapidly and effectively navigate regulatory processes, and game-changing amendments to the Canadian competition environment, is unsurpassed in the Canadian market.
- › The Osler team includes a former Senior General Counsel at Canada's Competition Bureau and Justice Department. This extensive experience prosecuting competition law cases, combined with regulatory investigations expertise, provides unique insight and compelling value to our clients.

Our team's expertise is formidable and deep. Ask Osler's competition/antitrust lawyers about:

- › Abuse of Dominance and Monopolization
- › Cartels and Bid Rigging
- › Antitrust Counselling and Compliance
- › Class Action Litigation
- › Competition Litigation

- › **Danaher Corporation** in its acquisition of MDS' Analytical Technologies business.
- › **Fording Coal** in its acquisition by Teck Cominco Limited.
- › **IBM Corporation** in its acquisition of Cognos.
- › **Inco Limited** in its proposed acquisition of Falconbridge Limited and its eventual acquisition by CVRD.
- › **My Travel plc** in its merger with Thomas Cook AG/KarstadtQuelle AG.
- › **NOVA Chemicals Corporation** in its acquisition by International Petroleum Investment Company.
- › **Royal Bank of Canada** in the restructuring of Visa.
- › **SANYO Electric Co.** in its acquisition by Panasonic Corp.
- › **Sony Music** in its acquisition of the BMG music business.
- › **TELUS Corporation** in the auction of BCE Inc.
- › **The Procter & Gamble Company** in the sale of its Global Pharmaceuticals Business to Warner Chilcott plc.
- › **U.S. Steel Corporation** in its acquisition of Stelco.

COMPETITION INVESTIGATIONS AND ENFORCEMENT PROCEEDINGS

We have represented clients in high profile Competition Bureau investigations and proceedings before the Competition Tribunal:

- › Leading financial institutions in the credit card industry inquiry/proceedings before the Competition Tribunal.
- › **Cadbury Adams Canada Inc.** in the regulatory investigation into allegations of price-fixing in the chocolate industry.
- › Numerous multinational corporations in investigations/inquiries involving allegations of price fixing and other Competition Act offences in the electronics (DRAM, SRAM, LCD, CRT, Flash Memory and ODD), communications, construction, financial services, oil & gas, travel and international transportation industries.
- › Domestic and multinational corporations in responding to Competition Bureau document production orders and warrants to search premises.
- › National retailers, consumer products manufacturers and others concerning misleading advertising matters before the Competition Bureau, the courts and Advertising Standards Canada.

- › Competitor Collaborations/ Strategic Alliances
- › Criminal Defence
- › Government/Regulatory Investigations
- › Investment Canada Act and Foreign Investment
- › Mergers, Acquisitions and Joint Ventures
- › Misleading Advertising and Deceptive Telemarketing
- › Pricing Practices and Distribution Strategies (price maintenance, tied selling, refusals to deal)
- › Search and Seizure

RECOGNITION

Osler's Competition/Antitrust Group is recognized in the world's leading surveys: *Chambers Global: The World's Leading Lawyers 2011* ranks Osler as one of the leading Canadian firms, noting that: "This historically established firm remains an active and reputable presence in competition and antitrust." According to *Chambers*, clients consider Osler's Competition/Antitrust Group to consist of lawyers with "excellent expertise." Osler is also listed as "consistently recommended" by *The Canadian Legal Expert Directory 2011*.

- › Major multinational corporations including **General Motors** in applications for private access before the Competition Tribunal.
- › **The Commissioner of Competition** in one of the leading contested merger cases in Canada involving the efficiency defence.

COMPETITION CLASS ACTIONS

- › **General Motors** in class action litigation in Ontario relating to the grey market importation of automobiles into Canada.
- › **Cadbury Adams Canada Inc.** in 14 class action proceedings pending in nine provinces across Canada relating to allegations of anti-competitive conduct in the sale of chocolate confectionary products.
- › An international airline in numerous class actions across Canada arising from the global antitrust investigations into allegations of price-fixing in the air cargo industry.
- › A major U.S. chemical company in a class action in Ontario relating to allegations of conspiracy and resale price maintenance in the sale of chemicals.
- › A global producer of dynamic access random memory (DRAM) in class proceedings in Québec and B.C. relating to allegations of price-fixing in the computer memory business.
- › A leading producer of consumer electronics products in class action proceedings in Ontario, Québec and B.C. relating to allegations of anti-competitive conduct.
- › A leading producer of commercial compressors in class action proceedings in Ontario, Québec and B.C. relating to allegations of price-fixing.
- › A leading producer of polyurethane foam in class action proceedings in Ontario, Québec and B.C. relating to allegations of price-fixing.

CONTACT US

For more information, please visit **osler.com** or contact the following individual:

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