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“A clear, concise communicator who provides good business advice.” - Client Testimonial, Chambers Global

Chris Hersh is a partner in the **Competition, Antitrust & Foreign Investment Group** and joined Cassels Brock after practising competition law with another major Toronto-based firm. 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. Chris is also a key member of the firm's China Mining and Life Sciences groups.

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.
- Acting for The Westaim Corporation in its \$530 million sale of JEVCO Insurance Company to Intact Financial Corporation
- Acting for 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
- Acting for Hecla Mining Company in its \$550 million acquisition of Aurizon Mining Ltd.
- Successfully obtaining intervenor status for a client in the TREB abuse of dominance proceedings
- Acting for True North Apartment REIT in its acquisition of a \$152.8 million property portfolio
- Representing Starlight Investments Ltd. in its \$2.3 billion acquisition of TransGlobe Apartment Real Estate Investment Trust
- Acting for Denison Mines Corp. in its \$70 million take-over of Fission Energy Corp.



- Acting for Merlin Securities, LLC in its \$100 million takeover by Wells Fargo Securities
- Providing compliance advice to MEDEC, Canada's medical devices trade association
- Acting for Avion Gold Corporation in its \$389 million sale to Endeavour Mining.
- Acting for Hilco (UK) Ltd. its purchase of \$130 million of the Kraus Group's debt and security
- Acting for Alexion Pharmaceuticals, Inc. in its \$1.08 billion acquisition of Enobia Pharma Corp.
- Acting for Pfizer on its US\$68 billion acquisition of Wyeth
- Providing counsel to clients in connection with responding to production orders and "dawn raids"
- Acting as international coordinating counsel to Goldcorp in its US\$21.3 billion combination with Glamis Gold and US\$1.6 billion acquisition of mining assets from Barrick Gold, among others
- Working, on an ongoing basis, with a number of major corporations and industry associations to ensure that their activities comply with the *Competition Act*
- Acted for a major manufacturer/distributor of heavy equipment in its novel resolution of an inquiry under criminal provisions of the *Competition Act* — this involved no finding or admission of fault and the payment of voluntary customer rebates

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*, *The Best Lawyers in Canada and Global Competition Review* (the GCR 100). He was also selected as one of *Lexpert's Rising Stars: Leading Lawyers Under 40* in 2010.

Client Commentary

- "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)

Achievements

- *The Legal 500 Canada* (Competition & Antitrust)
- *Martindale-Hubbell*, Distinguished™ rating
- *Global Competition Review* (the GCR 100) – Recommended
- *Chambers Canada* (Competition/Antitrust)
- *Chambers Global 2006–2019* (Competition/Antitrust)
- *The Best Lawyers in Canada 2015–2020* (Competition/Antitrust)
- *Who's Who Legal: Canada 2017* (Competition)
- 2011 *Lexpert Guide to the Leading US/Canada Cross-Border Corporate Lawyers in Canada* (Canadian Corporate Lawyer to Watch)
- *Lexpert's Rising Stars: Leading Lawyers Under 40* (2010)
- *Legal Media Group Guide to the World's Leading Competition and Antitrust Lawyers*

Call to the bar

Ontario, 2000

Associations

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

Expertise



Advertising & Marketing

Automotive

Competition, Antitrust & Foreign Investment

Life Sciences

Private Equity

Real Estate Investment Trusts

White Collar Crime & Regulatory Response