

Overview

With our global platform and experienced securities litigators, Dentons is uniquely positioned to deliver innovative, seamless services in local and multijurisdictional securities litigation matters.

We have successfully defended public companies, professional advisors, and directors and officers in securities class actions. In addition, we regularly represent clients in contested tender offers and takeover bids, as well as proxy contests and other shareholder disputes. We also have extensive experience defending clients in enforcement proceedings before securities, investment dealers and market regulators.

We work closely with our corporate securities colleagues and our team regularly appears before courts at all levels, before securities regulators, and in mediation and arbitration proceedings. At Dentons, we deliver innovative, flexible and pragmatic solutions to securities law disputes.

Representative Experience

- **Accuride Equity Committee:** Preparing and arguing for a comprehensive alternative valuation, which exceeded the debtors' valuation by more than US\$250 million, on behalf of the Official Committee of equity security holders. We also presented alternative senior and mezzanine financing proposals to replace the debtors' proposed exit financing—an expensive rights offering and backstop package, which was highly dilutive to existing equity. We vigorously and successfully defended attacks on the formation and existence of the equity committee and its right to retain professionals. The confirmation hearing was adjourned at the equity committee's request. Ultimately, a global settlement was structured with additional recoveries for shareholders, including the agreement of an insider shareholder to forego part of its recovery under the plan for the benefit of other shareholders.
- **Attorney General of Alberta:** Advising on the National Securities Regulator References heard by the Alberta and Quebec Courts of Appeal and by the Supreme Court of Canada (Reference Re Securities Act, 2011 SCC 66).
- **Augen Capital Corp.:** Representing successful party in precedent-setting proxy contest case. *Mason v. Augen Capital Corp.* (2010), 75 B.L.R. (4th) 116 (Ont. S.C.J. – Comm. List).
- **Capital Power Income L.P.:** Advising on its CA\$1.1 billion acquisition by Atlantic Power Corporation.
- **Consolidated Thompson Iron Mines:** Advising on its CA\$4.9 billion acquisition by Cliffs Natural Resources Inc.
- **Deloitte & Touche:** Advising on upholding an earlier dismissal of a proposed CA\$100 million securities class action against, among others, Deloitte, in connection with a public offering of shares in the failed waste management company, Philip Services Corp. (*Coulson v. Citigroup Global Markets Canada Inc.* 2012 ONCA 108) (2012).
- **Grant Thornton:** Counsel to Grant Thornton in a \$100 million class action lawsuit brought on behalf of the company's shareholders. This lawsuit represents one of the first test cases for secondary market disclosure legislation recently implemented in both Alberta and Ontario. The matter was ranked among the top ten suits of 2009 by *LEXPERT*. *Ainslie v. CV Technologies Inc. et al.*, 2009 CanLII 7165 (ONSC), 2008 CanLII 63217 (ONSC).
- **KPMG:** Advising on the Hollinger/Black litigation where KPMG was the auditor of the Hollinger group of companies, which following revelation of alleged management fraud, has led to multi-jurisdictional litigation and regulatory proceedings (*Hollinger Inc. (Re)*, 2012 ONCA 5107 CanLII).
- **Vivendi:** Advising on the dispute over ownership of PTC, Poland's leading telecoms company. Our team was led

by the Warsaw office working with colleagues in Berlin, Paris, London and New York. The team created innovative litigation strategies which brought lateral thinking to the matter and played a pivotal role in resolving it, achieving a settlement of €1.25billion for Vivendi.

Your Key Contacts

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