

# Kori Williams

## Partner



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## Overview

Kori is a partner in the Banking and Finance group. Kori advises foreign and domestic clients on a wide range of transactions with a particular emphasis on acting for borrowers and lenders in various financing matters including bilateral and syndicated lending, asset based lending, acquisition financings, cross border financings, project financings, renewable energy projects, mezzanine financings, inter-creditor arrangements and real estate financings.

Kori acts for a number of financial institutions as well as other public and private entities in the financial services, resource, manufacturing, energy and retail industries.

Kori was recognized for a *Best Lawyers in Canada 2019* award for banking and finance.

## Experience

- **Avicanna Inc.:** Advising the issuer in connection with a non-brokered private placement of convertible debentures.
- **Ontario Power Generation Inc.:** Advising on the acquisition of a 50% interest in the 560MW combined-cycle natural gas-fired Brighton Beach Generating Station from affiliates of Canadian Utilities Limited. After completion of the acquisition, Ontario Power Generation is the sole owner of the Brighton Beach Generating Station.
- **Real Matters Inc.:** Advising one of North America's fastest-growing; most innovative technology companies and 2015 winner in of the prestigious Deloitte Technology Fast 50™ Leadership Award, in relation to the raise of CA\$100 million equity financing through a private placement of subscription receipts for Class A Shares to existing and new shareholders and issuance of equity in relation to an acquisition, in conjunction with a secondary offering by certain existing shareholders and an increase in its borrowing facilities.
- **Ad Hoc Group of First Lien Lenders of Catalyst Paper Corporation:** Advising on their CCAA/Chapter 15 proceedings.
- **Bank of Montreal:** Advising the Bank as administrative agent for a syndicate of lenders to Element Financial

Corporation and Element Financial (US) Corp in a US\$8.5 billion amended and restated senior secured credit facility to finance the acquisition of fleet assets in the United States, Australia and New Zealand from General Electric Capital Corporation.

- **Bank of Montreal:** Advising the Bank, as lead arranger and administrative agent, in connection with the establishment of syndicated credit facilities for Constellation Software Inc., a Canadian public company with worldwide operations, including a US\$300 million operating facility and a US\$350 million bridge acquisition facility to assist the borrower in acquiring Total Specific Solutions (TSS) B.V., a Netherlands company.
- **Bank of Montreal:** Advising the bank as administrative agent for a syndicate of lenders to Element Financial Corporation and Element Financial (US) Corp in a US\$8.5 billion amended and restated senior secured credit facility to finance the acquisition of fleet assets in the United States, Australia and New Zealand from General Electric Capital Corporation.
- **Beedie Capital Partners Inc.:** Acting for the lender in a CA\$4.2 million secured subordinated term loan to Nightingale Informatix Corporation, a provider of cloud-based electronic health record (EHR) software and related services.
- **Canadian Chartered Bank:** Acting as counsel to the administrative agent and the lenders in connection with the CA\$215 million project financing for the development, construction, ownership and operation of the 58.32 MW Bow Lake wind power project. The Bow Lake wind power project is owned by a limited partnership with the Batchewana First Nation and BluEarth Renewables as limited partners and currently represents the largest economic partnership between a First Nation and a wind energy developer in Canada.
- **Confidential client:** Acting as counsel to the lending syndicate on Element Financial Corporation's US\$585 million senior syndicated revolving credit facility and a US\$600 million syndicated bridge credit facility to support the acquisition of leased railcars and the acquisition of a leased helicopter portfolio from GE Capital. These transactions are part of Element Financial's US\$2-billion vendor finance program with Trinity Industries.
- **Element Financial Corporation:** Acting as counsel to the lenders in a CA\$1.5 billion amended and restated senior credit facility related to the acquisition of PHH Arval, PHH Corporation's North American fleet management services business.
- **Excellon Resources Inc.:** Advising the issuer on a CA\$6.6 million financing comprised of CA\$5.61 million in secured convertible debentures and the sale of a mining royalty interest for CA\$990,000.
- **First Uranium Corporation:** Acting as counsel in connection with its CA\$405 million sale of its principal operating assets.
- **Grant Forest Products Inc.:** Acting as counsel on the CCAA and US Bankruptcy Court approved acquisition of its oriented strand board facilities in Ontario and South Carolina, US by Georgia-Pacific LLC for US\$400 million.
- **Jemi Fibre Corp.:** Acting as counsel to a British Columbia-based forest products company on a CA\$30 million asset-based loan used in part to fund the acquisition of 31,800 hectares of private timberland.
- **MUFG Union Bank, N.A., Union Bank - Canada Branch and SMBC:** Advising the agent and a syndicate of lenders on a CA\$121 million project financing to be used for the development, construction, ownership and operation of a 40 MW wind power energy generation facility of Grand Valley 2 Limited Partnership in Ontario.
- **National Bank of Canada:** Acting as counsel to the administrative agent and the lenders providing credit facilities in the aggregate amount of CA\$215 million for the development, construction and commissioning of 4 solar projects in Ontario totaling 38.5 MW. The financing is also to be used in connection with the subsequent acquisition of the solar projects by BluEarth Renewables Inc. from CSI Solar Project 16 Inc.
- **River Cree:** Acting as counsel to the administrative agent and the syndicate of lenders with respect to a CA\$122 million secured credit facility for the financing of the River Cree Resort and Casino, a casino, hotel and sports complex located in Edmonton, Alberta, and subsequent refinancing that included CA\$45 million

senior debt term facility and CA\$200 million high yield cross-border bonds; this deal marks the first time a Canadian First Nation-owned company issued cross-border bonds.

- **Serabi Gold plc:** Advising in connection with the Brazilian focused gold mining and development company's US\$8 million loan facility with Sprott Resource Lending Partnership for the continued development of the Palito Mine and the Sao Chico gold project in Brazil.
- **Tenor Capital Management:** Acting as counsel to the DIP lender to Crystallex International Corporation in its CCAA / Chapter 15 proceedings.
- **Toronto Community Housing Corporation:** Advising in connection with several of its credit arrangements and its bond offering.

## Recognition

First recognized in 2019, Kori has been commended for his extensive knowledge and experience in the following respected publications:

- *The Best Lawyers in Canada: Asset-Based Lending Practice; Banking and Finance Law*
- *The Canadian Legal Lexpert Directory: Banking & Financial Institutions*

## Insights

- Co-author, "Can a license issued by Health Canada for producing or dealing cannabis be assigned as security?," *Dentons Insights*, January 4, 2018
- Focus on Financial Services - May 2010
- Focus on Financial Services - October 2009
- Lender Strategy in Light of New Pension Priorities

## Areas of focus

### Practices

- Banking and Finance
- Restructuring, Insolvency and Bankruptcy

## Education

- University of Western Ontario, 2007, LLB
- York University, 2002, BA (Hons)

## Admissions and qualifications

- Ontario, 2008

## Languages

- English