



firm profile

McMillan is a modern and ambitious business law firm serving public, private and not-for-profit clients across key industries in Canada, the United States and internationally. With recognized expertise and acknowledged leadership in major business sectors, we provide solutions-oriented legal advice through our offices in Vancouver, Calgary, Toronto, Ottawa, Montréal and Hong Kong. Our firm values – respect, teamwork, commitment, client service and professional excellence – are at the heart of McMillan’s commitment to serve our clients, our local communities and the legal profession. For more information, please visit our website at www.mcmillan.ca.

contacts

John Clifford
416.865.7134

Sandra M. Knowler
604.893.2334

private m&a

overview

When successful companies want to become even more successful, they often choose to merge with or acquire another company. They may be looking to expand to a new geography, perhaps even a new industry, or they may just be targeting an enterprise that sells complementary products or services.

While public mergers and acquisitions (M&A) transactions usually dominate headlines, there is no shortage of activity in the private M&A market as well. Private companies are equally ambitious—and business is all about staying one step ahead of the competition.

The objectives may be the same, but the financial arrangements and transaction processes can be quite different. Private buyers and sellers alike require expert legal counsel to advise on the optimal course of action. They need the kind of legal advice that can ensure a fair price is achieved, and that the value of the combined entity is greater than the sum of its parts.

McMillan's Mergers and Acquisitions group works with companies of all sizes and in virtually every industry as they embark on the M&A journey. We regularly work with buyers and sellers—both in Canada and internationally—so we understand the unique needs of both sides. Our lawyers help clients navigate the complex process of structuring deals, overcoming regulatory hurdles and reducing the potential for litigation.

McMillan professionals help clients lead by:

- Structuring and presenting bids
- Drafting acquisition and financing agreements
- Negotiating asset and share purchase agreements
- Advising on tax, competition, foreign investment review, and other relevant topics
- Drafting non-disclosure, non-compete and non-solicitation agreements
- Negotiating terms on ongoing liabilities
- Structuring transitional arrangements
- Advising on personnel issues, such as non-disclosure, non-compete and non-solicitation agreements