



Kosta Kostic

Montréal

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education and year of call

- Called to the Quebec bar - 2002
- Osgoode Hall Law School, Certificate in Mining Law - 2013
- McGill University, LL.B. - 2001
- Concordia University, B.A. (Communication Studies) - 1996

practice areas

capital markets

corporate finance

fintech

corporate governance

IPOs and alternative IPOs

investment funds and asset
management

mergers and acquisitions

negotiated transactions

cryptocurrency and blockchain

private equity

industries

cleantech

information technology

life sciences

mining

oil and gas

profile

Partner and member of McMillan LLP's National Capital Markets and M&A Group, Kosta's practice is predominantly focused on corporate finance, securities and mergers and acquisitions matters.

Representing both issuers and investment dealers, Kosta has extensive experience in private and public debt and equity offerings. He has also acted as lead counsel in a number of private and public merger and acquisition transactions, corporate reorganization and restructuring transactions, as well as a variety of negotiated transactions, including take-over bids and proxy contests.

Kosta also has a broad range of experience providing advice to both private and public companies with respect to their ongoing corporate and securities law obligations. He has acted for various junior, mid-cap and established issuers in connection with their initial public offerings, follow-on offerings and listings on the Toronto Stock Exchange, the TSX Venture Exchange and the Canadian Securities Exchange (formerly the CNSX). Kosta has also advised investment fund managers in connection with the establishment of publicly offered and privately placed investment funds.

Kosta is a co-founder of Finfusion MTL, a non-profit organization that helps develop, promote and support innovation in the finance and technology community (FinTech) in Montreal, Quebec; and Impak Finance Inc., a Quebec-based FinTech company focused on driving the social impact economy and building an impact ecosystem, and which recently completed an initial coin offering (ICO) of the MPK coin.

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Kosta regularly acts for clients in the following industries: mining, oil and natural gas, renewable energy, information technology, biotechnology, manufacturing, retail and transportation.

Kosta is a member of the Local Advisory Committee for the TSX Venture Exchange. He has also served as a director or corporate secretary of several publicly-listed and private companies.

directorships and professional associations

- Quebec Bar
- Canadian Bar Association
- TSX Venture Exchange - Local Advisory Committee Member

representative matters

- Counsel to SEMAFO Inc. in connection with a “bought deal” public offering of 26,450,000 common shares, including the exercise in full by the underwriters of the over-allotment option, at a price of \$4.35 per common share, for aggregate proceeds to Semafo of approximately \$115 million.
- Counsel to NOVACAP, one of Canada’s leading private equity firms, in connection with its strategic investment in Firmex, the fastest growing provider of virtual data rooms and platform for secure document sharing.
- Counsel to NOVACAP in its acquisition of Intelerad Medical Systems Inc.
- Counsel to NOVACAP in the context of the initial public offering (IPO) by Stringray Digital Group Inc. on the Toronto Stock Exchange (TSX) of an aggregate of 25,760,000 subordinate voting shares and variable subordinate voting shares at a price of \$6.25 per share, for total gross proceeds of \$161 million (including the exercise in full of the over-allotment option granted to the underwriters).
- Counsel to SEMAFO Inc. in connection with a “bought deal” private placement of 15,640,000 common shares at a price of \$3.70 per share for aggregate gross proceeds of \$57.9 million and a senior secured credit facility with Macquarie Bank Limited (Macquarie) providing for an amortizing three-year term loan in the principal amount of US\$90 million. The net proceeds of the private placement and the credit facility were used to finance a portion of the acquisition consideration for the shares of Orbis Gold Limited acquired by SEMAFO pursuant to a public offer in Australia.

awards and rankings

- Recognized by *Best Lawyers in Canada (2020)* as a leading lawyer in the area of Securities Law



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publications

August 2019

Cryptocurrency Securities Law Update – Platform Framework
and Service Providers
Securities and Capital Markets Bulletin

November 2017

OSC Grants Exemptive Relief to Token Funder Inc.
Capital Markets Bulletin

September 2017

McMillan Advises on First Initial Coin Offering Granted
Exemptive Relief by Canadian Securities Regulators
Capital Markets Bulletin