



Gavin D.F. MacDonald

PARTNER

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PRACTICE AREAS

Banking & Finance • Corporate & Commercial • Mergers & Acquisitions • Restructuring & Insolvency
• Small & Medium Sized Enterprises • Fisheries & Aquaculture

BIOGRAPHY

Gavin is a partner in the Halifax office. He obtained his law degree from the University of Western Ontario. His practice focuses on business law in the areas of organization and financing, business restructuring, insolvency, and banking. Active in the local business community, Gavin is Past Chair of the Board of Directors for the Halifax Chamber of Commerce.

EXPERIENCE

Commercial Transactions

Gavin regularly acts for clients in commercial transactions and advises on purchases and divestitures of businesses by way of share and asset purchases, partnerships and joint ventures.

Corporate Law

He regularly advises clients on corporate law matters, including matters related to corporate structures, governance and unlimited liability companies (ULCs).

Banking & Finance

Gavin has extensive experience in matters of corporate financing, acting for both domestic and international lenders and borrowers on both a secured and unsecured basis. He is co-Chair of Cox & Palmer's Banking Group. Experience has included:

- Lead Canadian counsel to a European lender to Canadian businesses in the fishery and aquaculture. Acted for the lender on various secured loans in the aggregate of hundreds of millions CAD (2016 – Present).
- Lead counsel in Nova Scotia to a Canadian chartered bank on its largest commercial lending matters (2015 – Present).
- In 2017, represented a US based lender on a 200 million CAD refinance of secured debt, which included mortgage security on approximately 250,000 acres of Ontario woodland. Prepared and negotiated the credit agreement and lead a team of Halifax and Toronto lawyers to prepare all necessary documentation and manage the closing.
- Acting on behalf of the Province of Nova Scotia on a complex forgivable loan arrangement to Irving Shipbuilding Inc. as part of the National Shipbuilding Procurement Strategy, including negotiation of unique custom covenants to address community benefits contemplated by the Strategy.

Insolvency & Restructuring

He regularly advises financial institutions, insolvency professionals and companies involved in business restructuring, contested and uncontested insolvency proceedings before the trial and appeals courts of Nova Scotia.

Examples of Gavin's insolvency and restructuring experience include:

- Being selected by the Supreme Court of Nova Scotia as representative co-counsel for affected users of the Quadriga CX crypto-currency platform as part of its insolvency.
- Acting for a foreign receiver of an insolvent tidal power development company in seeking to restructure and sell the entity including proceedings in the Supreme Court of Nova Scotia and Federal Court of Canada.
- Advising the Province of Nova Scotia on its acquisition of Bowater-Mersey Paper Company Limited from Resolute FP as part of its insolvency and the restructuring of the closed plant as an industrial incubator.

INDUSTRY RECOGNITION & AWARDS

- Listed in the publication the Best Lawyers in Canada as a leading practitioner in the areas of Insolvency and Financial Restructuring, and Banking and Finance Law.
- Recognized in the Canadian Legal Lexpert Directory as a leading practitioner in Insolvency & Financial Restructuring, Corporate & Commercial, Corporate Mid-Market and Banking & Financial Institutions.
- 2024 Law Firm of the Year for Banking & Finance Law by The Best Lawyers™ in Canada.
- Named a "Rising Star, Top Canadian Lawyer Under 40" by Lexpert Magazine in 2015.

LANGUAGES

- English

LAW SOCIETY MEMBERSHIPS

- Canadian Bar Association
- Nova Scotia Barristers' Society

BAR ADMISSION

- Nova Scotia (2002)

LAW SCHOOL

- University of Western Ontario

EDUCATION

- Mount Allison University (BA, Honours in Economics, 1998)
- University of Western Ontario (LLB, 2001)

PUBLICATIONS

- True Lessors, the CCAA and Allocation of Administrative Expenses
- Shareholder Loans: Are They Equity or Debt?
- Requirements for Granting a Bankruptcy Order
- Substantive Consolidation: Efficient and Equitable Restructuring of Group Companies
- A Mixed Grill: 2016 Mid-Market Technical Update
- Receivership Orders in Nova Scotia: Case Law Update

PROFESSIONAL ACTIVITIES & AFFILIATIONS

- Director, Atlantic Provinces Economic Council (APEC) (2022 –)
- Member, Insolvency Institute of Canada (2010 –)

- Member, Canadian Bar Association, Bankruptcy and Insolvency Section National Executive (2014 –)
- Chair, Canadian Bar Association – Nova Scotia, Bankruptcy and Insolvency Section (2012 – 2014)
- Chair, Canadian Bar Association – Nova Scotia, Business Section (2011 – 2012)
- Risk Management Association (Nova Scotia)
- Canadian Insolvency Foundation

COMMUNITY AND VOLUNTEER ACTIVITIES

- Past Chair of the Board of Directors, Halifax Chamber of Commerce (2021 – 2022)
- Chair of the Board of Directors, Halifax Chamber of Commerce (2020 – 2021)
- Vice Chair of the Board of Directors, Halifax Chamber of Commerce (2019 – 2020)
- Director, Halifax Chamber of Commerce (2016 -2019)
- Member, Halifax Chamber of Commerce HR and Governance Committee (2018 – 2019)
- Member, Halifax Chamber of Commerce Audit & Risk Committee (2016 – 2018)
- Chair, Halifax Chamber of Commerce Provincial Affairs Committee (2006 – 2010)