



# Scott Bergen

## Partner

Toronto

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t. +1 416-601-8867

## Bar Admission

Alberta 2012

Ontario 2017

## Law School

University of Victoria

## Practices

Mergers & Acquisitions

Capital Markets

Public Companies

Securities Regulation and Investment

Products

## Industries

Private Equity & Investments

Infrastructure

Energy & Infrastructure

Power

Oil & Gas

## US and International Markets

US Markets

Scott Bergen is a partner in our Business Law Group in Toronto with a practice focused on mergers and acquisitions, corporate finance and securities. Scott has experience advising sponsors, private equity and alternative investment funds, investment banks, private companies and public issuers on a wide range of transactions in a variety of industries, including infrastructure, power, retail and consumer products and energy.

## RECENT TRANSACTIONS

### Mergers & Acquisitions

- **TD Greystone Asset Management and IST3 Investment Foundation** in the \$1.7 billion agreement to acquire up to a 100 per cent of Alberta PowerLine from Canadian Utilities Limited and Quanta Services Inc.
- **Brookfield Asset Management** in the \$4.3 billion acquisition of Enercare Inc. by Brookfield Infrastructure Partners
- A consortium of buyers including **ParkJockey, Mubadala Capital and Softbank** (through a significant investment in SoftBank) in the acquisition of Impark from a subsidiary of Ontario Teachers Pension Plan Board
- **Brookfield Infrastructure and GIC** in the US\$8.4 billion acquisition of Genesee & Wyoming Inc., a US freight railroad owner and operator
- **Cortland Partners, LLC**, an Atlanta-based multi-family real estate company, in its US\$1.2 billion acquisition of Pure Multi-Family REIT LP
- **TD Greystone Asset Management**, in the acquisition of JLIF Holdings (Project Service) US, Inc. and its 100% subsidiary Project Services LLC, which operates the Connecticut Service Plazas, by Applegreen plc, IST3 Investment Foundation and TD Greystone Asset Management
- **Enbridge Inc.** in its C\$37 billion acquisition of Spectra Energy Corp. to create the largest energy infrastructure company in North America

### Strategic Transactions

- **EllisDon Capital** in establishing a long-term joint venture with Fiera Infrastructure in respect of certain of EllisDon's Infrastructure projects in Canada
- **Nestlé S.A.**, the Swiss transnational food and drink company, in its strategic alliance with Starbucks to market Starbucks' consumer and foodservice products globally

### Corporate Finance

- **Rhône Capital** in its US\$500 million equity investment in Hudson's Bay Company

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- **Stelco Holdings Inc.** in its initial public offering and listing on the TSX and in respect of various follow on secondary offerings
- **Bruce Power** in respect of over \$1.2 billion worth of private placement offerings of senior notes
- **RBC Dominion Securities Inc.** and the bondholders in the issuance of \$1.08 billion senior secured bonds by Northwestern Hydro Acquisition Co II and III LP
- **The bondholders** in the issuance of \$345 million senior secured bonds by TransAlta OCP LP
- **TD securities and RBC Capital Markets** in respect of Toyota Credit Canada Inc.'s various senior note offerings
- **Various syndicates** of dealers in respect of Canadian Western Bank's senior note offerings

Scott received his BSc (with distinction) in Mathematics from the University of Calgary in 2008 and his JD from the University of Victoria in 2011.

Scott is a member of the Law Society of Ontario, the Law Society of Alberta and the Canadian Bar Association.

## Recent Experience

- **Brookfield Infrastructure and GIC to acquire Genesee & Wyoming Inc. for US\$8.4B**  
December 30, 2019
- **Acuity Brands Lighting, Inc. acquires The Luminaires Group**  
September 17, 2019
- **Brookfield Infrastructure acquires Enercare Inc. for C\$4.3B**  
October 16, 2018
- **EllisDon Capital enters into a long-term partnership with Fiera Infrastructure Inc.**  
October 12, 2018

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## Recent Insights

- **On Target: 2019 Private Equity Outlook - Learn more about trends to watch**  
February 20, 2019
- **Climate Change Disclosure Litigation is Real and could significantly impact Issuers, Acquirers, Underwriters and Lenders**  
November 02, 2018
- **McCarthy Tétrault Releases 3rd Edition of Canadian Power- Key Developments and Trends to Watch**  
January 19, 2018