



## Peter Birkness

Partner

Calgary

[pbirkness@mccarthy.ca](mailto:pbirkness@mccarthy.ca)

t. +1 403-260-3748

### Bar Admission

Alberta 2013  
Ontario 1991

### Law School

University of Toronto

### Practices

Bankruptcy & Restructuring  
Secured Lending & Project Finance  
Financial Institutions Regulatory  
Matters

### Industries

Banking & Financial Services  
Energy & Infrastructure  
Structured Finance & Securitization

### US and International Markets

US Markets

Peter Birkness is a partner and the head of the firm's Financial Services Group in Calgary. With a practice focused on corporate lending and restructuring, he regularly represents lenders and borrowers in sophisticated domestic and international debt financing transactions, including bank credit facilities, public debt transactions, reorganizations and M&A financings. He also has extensive experience representing lenders and other stakeholders in significant Canadian restructuring matters.

Peter's recent experience includes acting:

- for a Canadian bank on C\$150 million credit facilities for an intermediate oil and gas developer;
- for a Canadian bank on a senior secured U.S.\$28,000,000 non-revolving term facility, C\$15,000,000 operating facility and C\$10,000,000 WIP facility to a private equity firm to facilitate the acquisition of an emissions management business;
- for a leading chemical oilfield solutions company in connection with C\$175 million and U.S.\$25 million credit facilities from a syndicate of lenders;
- for a conventional oil producer in connection with a C\$6,000,000 secured revolving demand loan from a Canadian bank;
- for a western Canadian oil and gas producer in connection with C\$40,000,000 secured credit facilities from two Canadian banks;
- for an owner of a portfolio of Canadian liquids transportation and storage businesses in connection with C\$1,500,000,000 revolving term credit facilities from a syndicate of Canadian and foreign bank lenders;
- for an Alberta-based technology services provider in connection with a \$3,000,000 non-revolving term loan from a Canadian bank;
- for a gas and liquids pipelines operator in connection with a C\$3,000,000,000 364-day revolving term credit facility from a syndicate of Canadian and foreign banks;
- for a private oil and gas producer in connection with C\$120 million credit facilities from a syndicate of Canadian lenders;
- for an oil-focused E&P company in connection with C\$425 million credit facilities from a syndicate of Canadian lenders;
- for the owner and operator of a major crude oil and liquids transportation system across Canada and the U.S. in connection with credit facilities totalling C\$6,278,890,000 made available by multiple syndicates of Canadian and foreign lenders;
- for a private investment vehicle in connection with the repayment of U.S.\$63,157,895 senior secured notes due June 4, 2016 issued by a Canadian oil sands company;

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- as Canadian counsel to an independent, privately-owned oilfield services company in connection with U.S.\$238,800,000 senior secured credit facilities from a syndicate of lenders;
- for a Chinese engineering and investment company in connection with a C\$20,000,000 subordinated secured term credit facility in favour of a Canadian mining company;
- for a pharmacy benefits consulting company in connection with a senior secured loan of C\$5,500,000 from a private capital provider;
- for a pure-play SAGD oil sands company in connection with an offering of US\$200,000,000 principal amount 10% senior secured notes;
- for a leading natural gas distribution company in connection with a C\$1,000,000,000 revolving term credit facility from a syndicate of lenders;
- for a mid-sized oil and gas company in connection with C\$250,000,000 senior secured credit facilities from a syndicate of lenders;
- for a private Calgary-based junior oil company in connection with C\$100,000,000 senior secured credit facilities from a syndicate of lenders;
- for a Canadian-based junior exploration and development company in connection with C\$90,000,000 senior secured credit facilities from a syndicate of lenders;
- for an operator of an international oil and gas fields in connection with a U.S.\$25,000,000 non-revolving term loan from a private energy lender;
- for a Canadian bank in connection with U.S.\$22 million secured credit facilities for the new U.S. subsidiary of a leading remote access, environmental and infrastructure service provider; and
- on a New York investment firm's purchase of U.S.\$63 million secured notes issued by an oil sands development company to fund a joint venture with a major oil company to develop an oil sands block.

Peter received his BA from the University of Western Ontario and his LLB from the University of Toronto.

## Awards & Rankings

### Canadian Legal Lexpert Directory

Leading Lawyer: Asset Equipment Finance/Leasing; Asset-Based Lending; Banking & Financial Institutions

### Lexpert Special Edition: Energy

Leading Lawyer

### Best Lawyers in Canada

Leading Lawyer: Banking and Finance Law

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## Recent Experience

- **Surge Energy Inc. completes C\$106M asset sale with positive credit facility re-determination**  
March 25, 2021
- **Antarctica Capital LLC acquires certain assets and subsidiaries of Urthecast following its CCAA filing**  
February 26, 2021