



Kelleher Lynch

Associate

Toronto

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t. +1 416-601-8177

Bar Admission

British Columbia 2017
New York, USA 2012
Ontario 2014

Practices

Pensions, Benefits, & Executive
Compensation

Industries

Pension Funds Group

Kelleher is an Associate in McCarthy Tétrault's National Pension, Benefits and Executive Compensation Practice in Toronto and a member of the Firm's Pension Funds Investment Group. Kelleher provides strategic legal advice to public pension funds, nonprofits, and corporate entities across all industries on legal issues relating to the planning, establishment, administration, governance, funding and winding-up of pension plans, profit sharing plans, retirement savings plans, welfare benefits plans, retirement compensation arrangements, equity compensation plans and other forms of executive compensation. Kelleher is also actively engaged in advising clients on pension and benefit issues in commercial transactions and secured lending arrangements. By way of example, Kelleher acted for Brookfield Infrastructure on the "2019 Private Equity Deal of the Year", as awarded by the International Financial Law Review, and for Brookfield Infrastructure on a "Top 10 Deal of 2018" in Canada, as awarded by Lexpert.

Kelleher serves in a leadership role within the Firm, having recently served on the Toronto Associates Committee from 2018-2020, as well as in the broader pensions and benefits industry, acting as Secretary of the 2019-2020 Executive of the Pension & Benefits Section of the Ontario Bar Association, and as a member of the Ontario Regional Council of the Canadian Pension and Benefits Institute since 2018.

Prior to joining McCarthy Tétrault, Kelleher worked on pension compliance issues with Ontario's Ministry of the Attorney General and separately drafting pension policy with Ontario's Ministry of Finance. He also served as counsel with Canada's Department of Justice on a range of business and regulatory matters, and previously clerked for the Honourable Justice Glennys L. McVeigh and the Honourable Justice Simon Fothergill at the Federal Court of Canada.

Kelleher has recently acted for:

- Brookfield Infrastructure and GIC in the acquisition of Genesee & Wyoming Inc.'s railroad operations for US\$8.4 billion
- Unilever Plc in the sale of its spreads business to KKR for US\$8 billion
- Nestlé S.A. in its US\$7.15 billion strategic alliance with Starbucks to market Starbucks' consumer and foodservice products globally
- Brookfield Infrastructure in the C\$4.3 billion acquisition of Enercare Inc.
- Nestlé S.A. in its US\$2.3 billion acquisition of Atrium Innovations Inc.
- Credit Suisse AG in the US\$1.48 billion financing to Searchlight Capital Partners, L.P. in connection with its acquisition of Mitel Networks Corporation

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- CCMP Capital Advisors in the approximate US\$1 billion acquisition of leading facilities management company BGIS from Brookfield Business Partners
- Jefferies Finance LLC, as the administrative and collateral agent, joint lead arranger and bookrunner, in the US\$908 million debt financing by Dentalcorp Health Services ULC
- Morningstar Inc. in the US\$669 million acquisition of credit rating agency DBRS
- Samsonite International S.A. in the refinancing of its senior secured credit facilities including revolving facility of US\$650 million and initial term loan facilities of US\$1.493 billion
- Evolution Mining in the US\$375 million cash acquisition of the Red Lake Gold Mine from Newmont Goldcorp
- Rayonier Advanced Material in the sale of the Matane Pulp Mill to Sappi Limited for US\$175 million.
- Olymel L.P. in the purchase of all the issued and outstanding shares of Pinty's Delicious Foods Inc.
- Mill Road Capital in the sale of PRT Growing Services Ltd. to TriWest Capital Partners
- CVC Capital Partners Asia Fund IV in its acquisition of OANDA Global Corporation
- Vista Equity Partners in the acquisition of Obero Technologies Inc. by Xactly Corp

Kelleher received his LL.B from Trinity College Dublin in 2009 and his LL.M from University College London in 2011, and was admitted to practise law in New York in 2012, Ontario in 2014 and British Columbia in 2017. He is a member of the Law Society of Upper Canada and the Law Society of British Columbia.

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Recent Experience

- **Rexel completes acquisition of WESCO's utility distribution business**
February 01, 2021
- **Wells Fargo & Company sells C\$1.5B Canadian Direct Equipment Finance business to TD Bank**
January 14, 2021
- **Centrica plc completes agreement to sell Direct Energy to NRG Energy for US\$3.625B**
January 05, 2021
- **General Atlantic completes an equity investment in pet food company Open Farm**
December 31, 2020

Recent Insights

- **Ontario Introduces More "Good News" Legislation for Employers**
December 10, 2018

Events

- **10th Annual Pension & Benefits Seminar: The Accelerated Normal**
November 18, 2020
- **Canadian Pensions and Benefits Law for U.S. Lawyers**
October 29, 2020
- **9th Annual Pension and Benefits Seminar: Cooking with Gas – Tips to Help You with Plan Management**
February 12, 2020
- **Annual Pension and Benefits Client Seminar: Cooking with Gas – Tips to Help You with Plan Management**
February 13, 2020