



# Shawn M. Kavanagh

PARTNER

## ST. JOHN'S

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## LEGAL ASSISTANT

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## PRACTICE AREAS

Corporate & Commercial • Banking & Finance • Energy & Natural Resources  
• Securities & Corporate Finance

## BIOGRAPHY

### Energy:

Shawn has extensive experience in royalty agreement negotiations and oil and gas regulatory related matters, including counsel work with the legal framework governing the East Coast of NL, specifically in relation to frontier operating agreements, unitization matters, project financing, and security arrangements.

Shawn has acted as counsel in the negotiation of royalty, transportation, transshipment, lifting, tax and related agreements in the Terra Nova Offshore Oil Project.

### Banking/Financial Services:

Financing of Projects & Acquisitions: For several decades Shawn has been lead counsel in NL to banks and other financial institutions, and routinely acts on complex financial transactions, including secured lending and credit restructuring transactions. With respect to large and complex financing projects, Shawn has acted for the Province of NL in negotiating fiscal and royalty arrangements for the Terra Nova Oil Field Project; on two occasions for the Province of NL on the multi-billion dollar proposed developments of the Lower Churchill Hydro Development Project, including with respect to the power purchase and project financing arrangements for the project; for Emera Inc. in NL with respect to financing aspects of the Muskrat Falls Maritime Energy Link Project; and as counsel for the senior lender in the acquisition financing of one of the world's largest integrated seafood processors, Fisheries Products International Limited.

Insolvency & Restructuring: For several decades Shawn has been lead counsel to numerous financial institutions in NL with respect to security enforcement and debt restructuring matters. Shawn has acted as legal counsel for financial institutions liquidators, trustees, receivers, and other stakeholders in many of the largest receiverships and CCAA proceedings in NL, including on behalf of the senior lender in receivership proceedings of a major Atlantic Canadian seafood processor; on behalf of stakeholder groups in CCAA proceedings of an international vacation resort; on behalf of multiple financial institutions in CCAA/receivership proceedings of a major property developer; and as counsel to the regulator in the winding-up of two insurance companies, one of which carried on extensive business in the United States and Canada. Shawn has also acted for many years on all aspects of debt recovery and security realization for a lender to the agricultural sector.

General Banking & Financial Services Sector Advice: Shawn provides guidance to financial institution clients on general banking and compliance matters and with respect to loan and security document development and legal-

related credit policy matters.

General Commercial: Shawn is active in the acquisition and divestiture of various size companies, including those in the mining, fishery and construction sectors and acts as an agent on a regular basis for law firms throughout Canada in banking, acquisition, and general commercial matters.

## INDUSTRY RECOGNITION & AWARDS

- Consistently recognized in the Canadian Legal Lexpert Directory as a leading practitioner in Property Development, Banking & Financial Institutions, Insolvency & Financial Restructuring, and Asset Equipment Finance/Leasing.
- Listed as a leading practitioner since 2013 by the publication *Best Lawyers in Canada* for his practice in the areas of Banking & Finance, Corporate Law, and Insolvency & Financial Restructuring.
- *Best Lawyers'* 2018 St. John's Banking and Finance Lawyer of the Year

## LANGUAGES

- English

## LAW SOCIETY MEMBERSHIPS

- Canadian Bar Association
- Law Society of Newfoundland & Labrador

## BAR ADMISSION

- Newfoundland and Labrador (1986)

## LAW SCHOOL

- Dalhousie University

## EDUCATION

- Memorial University of Newfoundland (B.Comm. Hons. 1982)
- Dalhousie University (LL.B. 1985)

## PROFESSIONAL ACTIVITIES & AFFILIATIONS

- Member – International Bar Association
- Member – Canadian Petroleum Law Foundation
- Director – Scotia Mortgage Investment Corporation
- Member – International Insolvency Association
- National Editor – Canadian Banking Litigation Journal
- Past Member – Department of Justice of Newfoundland and Labrador Committee on the creation of Judgment Enforcement Act (Nfld.)
- Past Chair of the Bankruptcy and Insolvency Section of the Newfoundland and Labrador Branch of the Canadian Bar Association
- Provincial and Regional Management Committee Cox & Palmer and Predecessor Firms (1995-2006)

## COMMUNITY AND VOLUNTEER ACTIVITIES

Past member of Board of Directors of numerous local non-profit associations including:

- St. John's Boys and Girls Club
- Rotary Club
- Kinsmen Club
- Canadian National Institute of the Blind