



Sydney A. Kert

Partner

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Sydney Kert's practice focuses on mergers and acquisitions and corporate finance transactions in a broad range of industries, including technology, cannabis, cleantech, financial services, healthcare and telecommunications.

Sydney represents a wide variety of public and private companies as well as investment dealers in connection with various securities, corporate and commercial matters. Sydney has extensive experience advising on complex domestic and cross-border transactions, including business combination transactions, go-public transactions, M&A transactions, take-over bids and corporate reorganizations. As part of her corporate finance practice, Sydney assists start-up clients as well as established companies in connection with private placements, public offerings and secondary offerings.

Sydney is also a trusted advisor to many clients on matters related their day-to-day securities compliance, continuous disclosure and corporate governance matters.

- Corporate
- Securities and Corporate Finance
- Mergers and Acquisitions
- Public Company and Corporate Governance
- Capital Markets

English

LANGUAGES SPOKEN

- English

- Acted for Ascend Wellness Holdings (CSE: AAWH.U) in its US\$92 million cross-border initial public offering.
- Represented a syndicate of underwriters co-led by Canaccord Genuity Corp. and ATB Capital Markets Inc. in the \$149.5 million bought deal public offering of common shares of Columbia Care Inc. (NEO: CCHW) (CSE: CCHW) (OTCQX: CCHWF) (FSE: 3LP).
- Represented Protech Home Medical Corp. (TSXV:PTQ) in connection with its \$31.8 million short form prospectus bought deal offering and concurrent private placement of units.
- Advised Canadian independent bandwidth infrastructure provider Beanfield Technologies in its acquisition by Digital Colony Capital, Inc.
- Represented Acreage Holdings, Inc. (CSE: ACRG.U) in its USD\$3.4 billion arrangement with Canopy Growth.
- Represented High Street Capital Partners, LLC in connection with its USD\$314.2 million subscription receipt financing, reverse

take-over of Applied Inventions Management Corp. and the listing of the resulting issuer, Acreage Holdings, Inc. (CSE: ACRG.U), on the Canadian Securities Exchange.

- Represented a syndicate of agents, co-led by Canaccord Genuity Corp. and GMP Securities L.P. in connection with Maricann Group Inc.'s \$37.4 million special warrant offering.
- Represented a syndicate of dealers co-led by Cormark Securities and Canaccord Genuity in connection with Growforce Holdings' \$38 million subscription receipt offering.
- Represented Sarment Holding Limited (TSX-V:SAIS) in connection with its \$19 million initial public offering and TSX Venture Exchange listing.
- Represented Newstrike Brands Ltd. (TSXV:HIP) in connection with its \$45 million bought deal offering of units.
- Representing a syndicate of underwriters, led by Canaccord Genuity Corp., in connection with Aurora Cannabis Inc.'s (TSX: ACB) \$230 million bought deal offering of convertible debentures.
- Represented KES 7 Capital Inc. in connection with a US\$20 million financing for MJar Holdings, LLC.
- Represented Canaccord Genuity Corp. in connection with Aurora Cannabis Inc.'s (TSX: ACB) \$115 million special warrant offering.
- Represented a syndicate of underwriters, led by Canaccord Genuity Corp. and including GMP Securities L.P., PI Financial Corp., Eight Capital, Industrial Alliance Securities Inc., Beacon Securities and Mackie Research Capital Corporation, in connection with Aurora Cannabis Inc.'s (TSX: ACB) \$75 million bought deal and concurrent private placement.
- Represented a syndicate of agents, led by Canaccord Genuity Corp. and including Industrial Alliance Securities Inc., Mackie Research Capital Corp. and Sprott Capital Partners, in connection with Maricann Group Inc. (CSE: MARI) \$31 million secured convertible debenture offering.

CREDENTIALS

Admissions

- Ontario, 2012

Recognitions

- David Sabbath Prize in Corporate Finance - Queen's University, Faculty of Law (2011)

Education

- J.D., Queen's University, 2011
- B.Sc. (Marine Biology and Psychology), Dalhousie University, 2007
- Canadian Securities Course, 2012

Memberships

- Member, Canadian Bar Association
- Member, Ontario Bar Association
- Member, Law Society of Ontario

INSIGHTS

Publications

CSA introduces temporary exemptions for well-known seasoned issuers (WKSIs) from certain base shelf prospectus requirements

21 December 2021

On December 6, 2021, pursuant to CSA Staff Notice 44-306 *Blanket Orders Exempting Well-known Seasoned Issuers from Certain Prospectus Requirements*, the Canadian Securities Administrators announced a pilot project which introduces temporary exemptions from certain base shelf prospectus requirements for qualifying well-known seasoned non-investment fund reporting issuers.

TSX Venture Exchange adopts amendments to modernize and clarify framework for security based compensation arrangements

17 December 2021

On November 24, 2021, the TSX Venture Exchange announced in its bulletin *Security Based Compensation* certain amendments to its policies regarding security based compensation which took effect immediately. In accordance with the Security Based Compensation Changes, the TSXV amended its *Policy 4.4 – Incentive Stock Options* and renamed it *Policy 4.4 - Security Based Compensation*. The Amended Policy provides for a more comprehensive framework than the Former Policy, which only addressed stock options. These changes immediately impact all issuers with securities listed on the TSXV and provide Issuers with enhanced flexibility to structure share compensation arrangements.

TSX Venture Exchange rewrites Capital Pool Company program

3 December 2020

On December 1, 2020, the TSX Venture Exchange announced significant changes to its Capital Pool Company program, which we expect to be well-received by participants in the CPC program. Subject to the receipt of all requisite regulatory approvals, the amendments to the TSXV's Corporate Finance Manual will become effective on January 1, 2021. This article provides an overview of the amendments, with a focus on certain of the key changes in the Amended CPC Policies.

NEWS

DLA Piper Canada advised PODA on multiparty sale of intellectual property assets for US \$100.5 million

17 May 2022

On May 13, 2022, PODA Holdings, Inc. announced that it had agreed to sell all of its intellectual property assets to tobacco conglomerate Altria Group for US\$100.5 million.

DLA Piper announces partnership promotions for 2022

28 April 2022

DLA Piper is proud to announce that 74 lawyers have been promoted to its partnership. The promotions are effective as of April 1 2022 in the United States and May 1 2022 for EMEA and Asia Pacific. Promotions have been made across all of the firm's practice areas, spanning 38 offices in 21 countries.

DLA Piper Canada advised female-founded wellness company The Well Told Company with private placement

April 4, 2022

On March 29, 2022, The Well Told Company Inc., an emerging plant-based wellness company, announced the closing of a private placement of unsecured convertible debenture units.

DLA Piper (Canada) LLP welcomes five new partners

4 January 2021

DLA Piper (Canada) LLP welcomes five additions to the partnership, effective January 1, 2022

DLA Piper Canada advises Ascend Wellness Holdings in its US\$92 million initial public offering

7 May 2021

DLA Piper Canada represented Ascend Wellness Holdings, Inc. in its recent cross-border initial public offering of 11,500,000 shares of its Class A common stock at a price per share of US\$8.00 for total gross proceeds of US\$92,000,000, including the exercise, in full, of the over-allotment option. The shares commenced trading on May 4, 2021 on the Canadian Securities Exchange under the ticker symbol "AAWH.U".

DLA Piper Canada's Capital Markets group has fast-paced start to 2021

3 March 2021

Assisting on close to \$1 billion in deals in key growth sectors since the beginning of the year, our Capital Markets team has had a fast-paced start to 2021.

DLA Piper Canada advised Revive Therapeutics on \$23 million short form prospectus offering

17 February 2021

On February 12, 2021, Revive Therapeutics Ltd., a specialty life sciences company, announced that it had closed a bought deal prospectus offering for \$23 million. DLA Piper Canada acted for Revive in this transaction.

DLA Piper Canada represented the underwriters in \$149.5 million offering of Columbia Care shares

18 January 2021

On January 13, 2021, Columbia Care Inc. (NEO: CCHW) (CSE: CCHW) (OTCQX: CCHWF) (FSE: 3LP) announced the closing of a bought deal public offering of common shares for gross proceeds of \$149.5 million. DLA Piper Canada acted as Canadian counsel to the underwriters in connection with the offering.

DLA Piper represented Acreage Holdings in implementation of amended arrangement with Canopy Growth

6 October 2020

On September 23, 2020, Canopy Growth Corporation and Acreage Holdings, Inc. announced the implementation of Acreage's previously-announced amended arrangement under section 288 of the *Business Corporations Act*.
