

Transport

Our Canadian Transport Group provides clients with advice on various passenger and cargo transportation matters. Our expertise encompasses all transport sectors, including aviation/aerospace, rail, shipping/admiralty and trucking.

The lawyers in our Transport Team are regarded as top practitioners for the following reasons:

- **Exceptional industry coverage** – Our lawyers advise and act for many leading companies with dealings in the transportation industry, including banks, insurers, P&I Club, shipping lines, ship operators, shipyards, terminal operators, railways, airlines and aircraft manufacturers, airports, trucking companies, customs brokers, freight forwarders and logistics providers.
- **Multidisciplinary team** – We believe teamwork plays a key role in the success of our clients. Our lawyers have specialized knowledge of particular transport sectors, and work closely with colleagues practising in related areas, including tax, financing, labour relations and corporate and commercial law. Our expertise covers customs and international trade, equipment leasing, acquisition and financing, insurance, labour and employment contracts, litigation, logistics/transportation contracts, safety and security, ship building and acquisition and strategic alliances.
- **Large scope of services** – We provide advice on sale and purchase or financing of assets and operations. We help clients obtain regulatory approvals and permits and draft and enforce contracts. We also represent them before administrative tribunals and civil courts, and support them with crisis management.
- **Global expertise** – Our transport expertise in Canada is supplemented by an unrivalled transport expertise across the world including in the **United States, Europe, Australia, Latin America, Asia Africa and the Middle East**. With around 300 transport lawyers worldwide, Norton Rose Fulbright is a worldwide leader in the transport sector.

Rankings and Accolades

- *Chambers Global* (2015): Band 1 – Transportation
- *Best Lawyers* (2015) – *Maritime Law*
- *Canadian Legal Lexpert Directory*:
 - 2014 – *Consistently Recommended for Shipping & Maritime Law – Calgary*
 - 2014 – *Repeatedly Recommended for Transportation (Road & Rail) - Montreal*
 - 2013 – *Consistently Recommended for Shipping & Maritime Law – Calgary*
- *Who's Who Legal* (2014): *Shipping & Maritime Law*

Select Client Work

- **Aéroports de Montréal** (ADM), in the private placement of C\$200m 3.918% Revenue Bonds, Series M due June 12, 2045 (the Bonds). The Bonds were offered through an agency syndicate consisting of CIBC World Markets Inc. and RBC Dominion Securities Inc., as joint lead dealers and joint bookrunners and including Desjardins Securities Inc., National Bank Financial Inc., Casgrain & Company Limited and HSBC Securities (Canada) Inc.
- **Air Transat**. In various subleasing of Boeing 737 aircraft.
- **CAE**. We advise CAE on an ongoing basis with respect to labour and employment matters as well as corporate and securities matters. Our work for CAE also involved regulatory and investigation matters

- Bombardier Inc.** We advised Bombardier on an agreement with Delta Air Lines, Inc. for the sale and purchase of 75 CS100 aircraft with options for an additional 50 CS100 aircraft. Deliveries are scheduled to commence in Spring 2018. The transaction is notable because with this order, the largest in Bombardier Commercial Aircraft history, Delta becomes the C Series aircraft's largest customer.
- Bombardier Inc.** In the agreement with Caisse de dépôt et placement du Québec (CDPQ) for a US\$1.5 billion convertible share investment in Bombardier Transportation's newly-created holding company, Bombardier Transportation (Investment) UK Ltd. (BT Holdco). Under the terms of the agreement, CDPQ will acquire shares of BT Holdco convertible into a 30% common equity stake of BT Holdco, subject to annual adjustments related to performance. The transaction will be executed through a private placement and values Bombardier Transportation at US\$5 billion. The transaction concludes the review of financing options previously announced for Bombardier Transportation.
- Bombardier Inc.** We represent the Defendant Bombardier Inc. in proceedings commenced in December 2014 by Alenia Aermacchi S.p.a. Alenia and Bombardier are linked by a contract of service by which Alenia designs and manufactures the empennages (tails) of Bombardier's C-Series aircrafts. Alenia alleges that the contract between the parties, signed in 2008, does not allow Alenia to make a reasonable profit and requests the judicial termination of the contract. Moreover, Alenia alleges that Bombardier committed to renegotiate the contract price but did not follow through with this promise, in breach of the obligation of good faith incumbent upon a party to a contract. Additionally, Alenia seeks damages in the amount of \$121,247,124, representing the loss of profits associated with its claim and resulting from judicial termination of the contract.
- Pratt & Whitney** We represent PWC, drafting patent applications, advising on portfolio strategy and prosecuting patent applications to grant in multiple jurisdictions. In 2015, we filed 137 new patent applications for PWC. We also handle all the Canadian patent prosecution work for nine United Technologies Corporation (PWC mother company) entities.
- Porter Airlines** in various M&A, corporate finance, and litigation matters, including in (i) the successful dismissal, with costs of two judicial review applications brought by Air Canada against Porter Airlines and Toronto Port Authority alleging wrongdoing related to slot allocation and other commercial arrangements at Billy Bishop Toronto City Airport, (ii) its acquisition of a hosted airline reservation system and related support services from a leading US airline reservation technology supplier, (iii) its \$125 million equity financing.
- Successful appellants **Vancouver Airport Authority, Edmonton Airport Authority, Calgary Airport Authority, Winnipeg Airport Authority, Ottawa Airport Authority, Montreal Airport Authority, Halifax Airport Authority, St. Johns Airport Authority** in the appeal from the Ontario Court of Appeal, and **Ottawa Airport Authority, Charlottetown Airport Authority and St. Johns Airport Authority** on the appeal from the Quebec Court of Appeal regarding their right to seize and detain aircraft operated by airlines that had incurred airport navigation charges until the authorities and Nav Canada were paid or suitable security posted, notwithstanding the identity of the legal owner of the aircraft.

Key Contacts

<p>Montreal Alain Ricard Tel +1 514 847 4872 alain.ricard@nortonrosefulbright.com</p>	<p>Calgary Bradley Hayden Tel +1 403 267 8360 brad.hayden@nortonrosefulbright.com</p>	<p>Montreal Paul Raymond Tel +1 514 847 4479 paul.raymond@nortonrosefulbright.com</p>
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