



PATRICK S.
CLEARY*
PARTNER

* Professional Law Corporation

BIOGRAPHY

Patrick Cleary is a member of the Banking + Lending, Real Estate, Corporate/Commercial, Construction + Engineering, Mergers + Acquisitions and Corporate Finance + Securities Practice Groups. He is also a member of the firm's Executive team.

To this end, Patrick has developed widespread experience in all areas of corporate commercial law. In particular, he has acted for real estate development clients in the acquisition, disposition, development, leasing and financing of commercial, industrial and residential developments.

Patrick further applies his corporate knowledge with a focus on banking. He represents both lenders and borrowers, assisting them in routine and complex debt financing and secured and unsecured lending transactions. In addition, Patrick has been extensively involved in mergers and acquisitions, corporate reorganizations, corporate governance issues, joint ventures and negotiating and drafting commercial agreements.

Notably, Patrick has a keen interest in resolving disputes amicably and negotiating mutually satisfying solutions for clients in all corporate/commercial activities. He has acted as counsel in both domestic and international contract negotiations and completed the prestigious Harvard Negotiation Certificate in 2007.

Further, Patrick has extensive advisory experience in procurement projects. Specifically, Patrick has prepared and counselled on requests for proposals, invitations to tender, licensing, outsourcing, telecommunications projects, service level agreements and information technology contracts.

EMAIL pcleary@ahbl.ca
TEL 604 484 1741
FAX 604 484 9741

EDUCATION

- 2007 Program of Negotiation Certificate [Harvard University](#)
 - 2003 LL.B. [University of Calgary](#)
 - 1998 B.Comm. [University of Calgary](#)
-

BAR ADMISSIONS

- 2005 Admitted to the British Columbia Bar
 - 2004 Admitted to the Alberta Bar
-

PRACTICE AREAS

BUSINESS

- Banking + Lending
- Corporate / Commercial
- Real Estate
- Corporate Finance + Securities
- Mergers + Acquisitions

Prior to joining Alexander Holburn, Patrick gained international business experience with PricewaterhouseCoopers LLP Management Consultants.

ON A PERSONAL NOTE

Away from the office, Patrick spends most of his time enjoying Vancouver's parks, beaches and ski hills with his wife and two young children.

REPRESENTATIVE EXPERIENCE

Acts for financial institutions, borrowers and private lenders in a broad range of secured financing transactions, including syndicated loans, leveraged buyout transactions and asset-based lending. Recent transactions include:

- Acting for a Canadian lender in connection with a \$90,000,000 senior debt financing
- Acting for a Canadian borrower in connection with a \$100,000,000 credit facility agreement (and ancillary security)
- Acting for a Canadian lender in connection with a \$68,000,000 construction loan takeout financing
- Acting for a Canadian lender in connection with a \$20,000,000 senior debt financing
- Acting as Canadian counsel for an industrial sector company in connection with a \$30,000,000 senior debt financing
- Acting as Canadian counsel for a building supplies company in connection with a \$10,000,000 subordinate financing

Counsel for commercial and industrial development projects. Recent transactions include:

- Acting for Pacific Northwest forestry company in major mill upgrade
- Acting for General Contractor in a \$300 million project consisting of a 377 room hotel and luxury condominium development in downtown Vancouver
- Acting for developer in an award winning golf, marine, equestrian resort development

Counsel for procurement projects and technology contracts. Examples of recent transactions include:

- Construction + Engineering

INSURANCE

- Construction + Engineering
-

INDUSTRIES

- Accounting
 - Banking + Finance
 - Construction
 - Real Estate
 - Technology
-



PATRICK S.
CLEARY
PARTNER

- Counsel to a public safety organization in the preparation of request for proposals, negotiation of equipment and technology procurement agreements, negotiation of a support services agreements, and negotiation of multiple master standing offers in relation to a multi-year next-generation radio replacement procurement project
- Counsel to an agency of a British Columbia Health Authority in the preparation of a request for proposal, negotiation of a purchase agreement, negotiation of acceptance testing terms and conditions, and negotiation of a support services agreement, related to the acquisition, delivery and installation of certain equipment, accessories, and software
- Counsel to a BC ski resort regarding the negotiation and execution of a supply, installation and license agreement with a telecommunications supplier for radio masts and cellular radio communications towers
- Development of supply chain policies for a British Columbia Health Authority
- Development of corporate procurement policies and procedures for various clients, including a public safety organization, and one of the Pacific Northwest's largest producers of wood products

Counsel for companies on corporate and financial structuring and restructuring, mergers, acquisitions, divestitures, joint ventures, complex and international contractual matters. Recent transactions include:

- Sale of a \$15,000,000 energy company
- Purchase of \$25,000,000 industrial and mechanical contractor
- Acquisition of a \$20,000,000 software developer and technology products and services supplier
- Reorganization of a multi-national manufacturing company
- Drafting distribution and service agreements, consulting agreements, offer to lease and lease agreements, non-disturbance agreements, limited partnership agreements, asset and share purchase agreements

PUBLICATIONS

- January 2023, "[Rising Interest, Rising Tensions: The Bank of Canada's response to Canada's Inflation Problem](#)", *Lexpert Legal Insights Canada*, Author
- 2014, "DIP Financing Basics and Recent Case Law", *Commercial Insolvency Reporter*, Co-author



PATRICK S.
CLEARY
PARTNER

- 2013, “Law of Contract”, *Buildex Vancouver*, Speaker
- “Buying and Selling a Business”, *Law Society of British Columbia Professional Legal Training Course*, Ongoing Speaker
- April 2011, “Construction Contract Issues”, *AHBL Client Seminar Series*, Speaker
- January 2012, “Tendering and RFP Law”, *AHBL Client Seminar Series*, Speaker
- March 2012, “Banking Law and Debt Financing”, *AHBL Client Seminar Series*, Speaker
- April 2012, “Construction Management and General Contractors”, *AHBL Client Seminar Series*, Speaker
- “Introduction to Corporate Law”, *AHBL Ascend Business Class Seminar*, Speaker
- October 2011, “Real Estate Subdivisions”, *AHBL Client Seminar Series*, Speaker
- September/October 2011, “Negotiating a Subcontract”, *Construction Business Magazine*, Volume 8 No. 6, Author

PROFESSIONAL & COMMUNITY AFFILIATIONS

- [Law Society of British Columbia](#), Member
- [Canadian Bar Association](#), Member
- [Canadian Bar Association](#) (British Columbia Business Section), Past Vice-Chair
- [Vancouver Bar Association](#), Member and Past President
- [Vancouver Lawn Tennis & Badminton Club](#), Member
- [Vancouver-Centre Conservative Association](#), Past Vice-President
- Professional Legal Training Course for British Columbia Articling Students, Guest Instructor
- C.S.I.A., Ski Instructor
- [Institute of Corporate Directors](#), Member
- [University of Calgary Students’ Union](#), Past President
- [University of Calgary Board of Governors](#), Past Governor



PATRICK S.
CLEARY
PARTNER

- [University of Calgary Senate](#), Past Senator
- [Alberta Law Review \(Petroleum Law Edition\)](#), Past Senior Editor



PATRICK S.
CLEARY
PARTNER

