

Ian D. SHEWAN

Co-Operative Corporations Law

PARTNER



"I take great pride in knowing that my efforts as counsel contribute to my client's success in a very real way."

Direct Phone: 519.640.6334 / 416.867.1137
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Email: ishewan@lerners.ca
Website: www.lerners.ca

PROFESSIONAL HISTORY

- Practice Group Leader, Business Law Group (2012 to present)
- Partner, Lerners LLP (1992 to present)
- Member of Lerners LLP Executive Committee (2000-2002)
- Associate lawyer, Lerners LLP (1987-1992)

REPRESENTATIVE CLIENTS

- Clients include co-operatives in the renewable energy, telecommunications, transportation, retail, housing, buying group, worker and agricultural sectors

REPRESENTATIVE WORK

- Offering Statements – representation of numerous co-operatives in preparing and filing receipted Offering Statements, including what is believed to be the first receipted Offering Statement for a renewable energy co-operative in Ontario in 2010
- Securities Exemption for Co-operatives – devised what is believed to be the first ever exemption order from Canadian Securities regulators for a Canadian co-operative
- Business Agreements – experience in drafting a wide array of agreements for co-operatives including energy transfer agreements, rooftop and ground mount solar leases, bio gas agreements, joint venture, partnership and limited partnership agreements, operations and maintenance agreements, escrow agreements, trust agreements, supply agreements, subscription agreements and purchase and sale agreements
- Regulatory Matters – relevant experience includes assisting renewable energy co-operatives with processing FIT 2.0, 3.0 and 4.0 Applications
- Financing – acted for numerous co-operatives in negotiating and finalizing term sheets, loan agreements and contribution agreements
- Incorporation and Organization of Co-operatives – preparing and filing Articles of Incorporation for co-operatives in many sectors including renewable energy, telecommunications, retail and agricultural
- Governance – review and revision of co-operatives' by-laws and responding to questions relating to the interpretation of the Co-operative Corporations Act (Ontario)
- Corporate Restructuring – relevant experience includes the amendment of co-operative's Articles and by-laws, the amalgamation of co-operatives and the continuance of co-operatives in jurisdictions outside the Province of Ontario
- Transactional Experience – relevant experience includes acting for a renewable energy co-operative in the sale of its assets to another renewable energy co-operative, the purchase and sale of renewable energy projects and acting for a telecommunications co-operative in the purchase of a cable television and internet business

TESTIMONIALS

- "Thank you for your leadership and creativity in dealing with the Town. Thank you for orchestrating an extra 2 months for Whitchurch-Stouffville Community Energy Co-operative. I am very happy that you are in our camp!"
T. S., Whitchurch-Stouffville Community Energy Co-operative

LERNERS
LAWYERS

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- "...email is cheap and two dimensional but I just wanted to say thanks very much... I appreciated your diligence and your "there's a problem but here's how I plan to address it" approach to the various obstacles we encountered."
J.H., Ontario Telecommunications Association, Toronto
- "We knew what we wanted to do and we also knew it had never been done before. ... Ian came up with the idea of trying to get an exemption from the Canadian Securities Administrators ... Ian helped us create something totally new and different for the industry that has nothing but upside for Canadian agricultural producers."
T. A., Canadian Lamb Producers Co-operative Inc.

ACHIEVEMENTS

- Selected by his peers for inclusion in The Best Lawyers in Canada (2021)

SELECTED PRESENTATIONS/PUBLICATIONS

- Presenter on unusual points in the *Co-Operative Corporations Act* at the April 25, 2018 "Best Practices for Co-operative Businesses" program sponsored by the Ontario Co-operative Association
- Presenter on proposed changes to the *Co-Operative Corporations Act* at the January 15, 2014 "Open for Business" session sponsored by the Ontario Co-operative Association
- Co-presenter with the Manager of Licensing Approvals, Financial Services Commission of Ontario on "Offering Statements", at May 1, 2013 "Getting Ready for Your FIT Contract Offer" program sponsored by the Ontario Sustainable Energy Association
- Presenter and facilitator for "So You Think You Know Your Co-operatives?" at October 30th, 2012 regional meeting of the Ontario Co-operative Association
- Presenter and facilitator, March 21, 2011 meeting of the Ontario Co-operative Association regarding the 50% Rule and Par Value Shares
- Article "May the 50% Rule Rest in Peace" in March 5, 2011 newsletter of the Ontario Co-operative Association
- An editor of the Guide to the Ontario *Co-operative Corporations Act* published by the Ontario Co-operative Association

AWARDS

- Recipient of the 2015 Spirit Award from the Ontario Co-operative Association. The award is given annually to one recipient for advocacy and government relations on behalf of Ontario co-operatives.

MEMBERSHIPS

- Chair of the Regulatory Affairs Committee of the Ontario Co-operative Association. The Regulatory Affairs Committee meets quarterly with the Financial Services Commission of Ontario to discuss regulatory and policy issues affecting Ontario co-operatives
- Member, Ontario Co-operative Association
- Board Member and Chair of Audit Committee, Public Accountants Council for the Province of Ontario. The Council governs the licensing of public accounting in the Province of Ontario
- Former Board Member, London Health Sciences Centre
- Former Board Chair of Hutton House Foundation
- Member, Middlesex Law Association
- Member, Canadian Bar Association
- Former Board Member, Thames Valley Children's Centre
- Former Board Member, Matthews Hall independent school
- Former Senior Inter-County League Baseball Player



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EDUCATION

- Admitted to Ontario Bar (1987)
- Bachelor of Laws, The University of Western Ontario (1985)
- Bachelor of Arts, Carleton University (1982)



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