fogler rubinoff

Gary F. Kissack

Partner and Indigenous Practice Department Co-Chair

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P Services provided through a professional corporation

Gary has extensive experience working as a lawyer and advisor in various industries. He practices in a number of areas of business law, including mergers and acquisitions, private equity and venture capital, capital markets and securities, corporate finance, energy and technology.

He regularly advises Canadian and international companies, underwriters, investors and professional advisors on a range of transactions, including IPO's, private placements, RTO's, mergers, acquisitions and divestitures, corporate governance, compensation programs, private equity, venture capital, partnerships, joint ventures and reorganization transactions. He has managed many legal teams on significant, complex transactions.

Gary also represents a number of Indigenous Communities, and their institutions across Canada on business transactions, the formation of economic development groups and other matters focused principally on governance and wealth creation. Gary often works as co-counsel to leading national law firms specializing in Aboriginal law who focus on land claims negotiations, aboriginal and treaty rights advocacy, and consultations with government and industry. Gary provides advice on major commercial and industrial developments and impact benefit agreements throughout Canada, including in respect of infrastructure, energy transmission, renewable energy generation, logistics and transportation projects.

Gary is a repeatedly recommended lawyer in the **Canadian Legal LEXPERT™ Directory** in Indigenous Law, as well as a leading lawyer in the ***2027 Best Lawyers™ in Canada*** publication in the area of Aboriginal Law / Indigenous Practice.

Gary has been a member of the Board of Directors of a number of publicly traded and private corporations in various industries. Currently, he is a director of a publicly-traded wireless technology company, a private utility company providing clean energy solutions, a private managed equipment services company providing turn-key and fully financed equipment solutions in the health care sector, and a private project management and service delivery platform company providing wealth generation systems for First Nations and their service providers. He has sat on various committees of these Boards, including the Audit and Risk Management Committee, Corporate Governance Committee (Chair) and Compensation and Human Resources Committee. As a result of his legal training and past involvement in various private businesses as an investor, owner and operator, he is actively sought out as a sounding board by his clients on both legal and business matters.

Education & Memberships

EDUCATION

Osgoode Hall Law School, LL.B. 1994

University of Manitoba, Faculty of Arts

MEMBERSHIPS

ACG Toronto - Association for Corporate Growth

Canadian Venture Capital Association

Ontario Bar Association

Law Society of Ontario

Canadian Bar Association

Awards & Recognition

Best Lawyers™ in Canada
Aboriginal Law / Indigenous Practice

The Canadian Legal LEXPERT® Directory, 2026
Aboriginal Law

Ronald D. Manes Alumni Award (Academic Excellence and Leadership)

Legal and Literary Society Award (Service to the Law School Community)

PRACTICE AREAS

Indigenous

Capital Markets and Securities

Corporate Commercial

Corporate Governance

Mergers and Acquisitions

Private Equity

INDUSTRY GROUPS

Technology

Mining and Minerals

Energy

Representative Work

Represented a First Nation in the negotiation of a partnership with a private sector utility to co-own a $250 million solar project.

Represented a consortium of First Nations in the negotiations of a partnership with a private sector utility to build, own and operate over $1 billion in energy transmission lines.

Represented a consortium of First Nations in the negotiations of a partnership with a private engineering, procurement and construction firm to build a $500 million energy transmission line.

Represented many First Nations in the negotiation of various contracting and investment opportunities, including pursuant to rights under impact benefit and similar agreements.

Represented a private developer of roof-top and ground-mounted solar projects in a strategic partnership with an investment group and a First Nation.

Represented a private investment group in the $9 million acquisition of a crushing and grinding plant, mineral deposits and intellectual property.

Represented a public wind farm developer in the $30 million strategic investment by an international private equity firm

Represented a private distributor of power generation systems for the CHP, biogas, syngas and other markets in the strategic investment by an international co-generation equipment designer and manufacturer.

Represented a public media and entertainment company in a $1 billion merger.

Speaking Engagements & Publications

First Nations Investment Forum
Executing the Deal: Financing, Governance & the Discipline to Close, November 2026

Indigenous Relations and the Construction Industry
OBA Construction and Infrastructure Law Section, September 2023

Economic Development Corporations, Strategic Partnerships & Joint Ventures: Structuring, Governance, Taxation, and Sovereign Wealth Planning
Cando 29th Annual National Conference & AGM, June 2023

Balance for Employees: Right to Disconnect, Electronic Monitoring, and Managing Relationships
WP Pensions + Benefits 2022 Virtual Conference

Economic Reconciliation: Innovations in Participation in the Economy by Indigenous Peoples and Where Do Indigenous Groups Find Capital to Invest in Infrastructure and Other Projects?
The Essentials of Aboriginal Economic Development Deals by the Ontario Bar Association (OBA), May 12 2020

Workshop for the Board of Directors and Management of a First Nation's Economic Development Corporation
Part One: Economic Development Groups – Legal Structures and Tax Immunity;
Part Two: Board of Director Roles and Responsibilities, Duties and Governance; and
Part Three: Enabling a Dynamic Board Governance Principals and Checklists) – January 2 and 3, 2018

Transmission 101, Construction Joint Ventures and Infrastructure Investing by First Nations
Ontario First Nations Economic Development Workshop: January 18, 2017

Ontario First Nation Economic Forum Workshop: Legal and Tax Immunity
October 13, 2016

The EDIP Platform: Supporting First Nations Sovereignty and Financial Independence
***3rd Annual Indigenous Trust and Investment Conference and Annual General Meeting* by NATOA (National Aboriginal Trust Officers Association), June 1, 2016**

Challenges in Building Wealth for First Nations
***Society of Trust and Estate Professionals*, Winnipeg, March 15, 2016**

Represented a public forest products company in a $400 million strategic acquisition.

Represented a private investment group in a $380 million acquisition of a retail clothing chain.

Represented a private investment dealer in a merger with a Canadian financial institution.

Represented many private and public vendors, purchasers and investors in connection with asset and share purchase transactions, subscriptions, shareholder and other agreements in the retail, technology, manufacturing, media and entertainment, resource and other sectors.

Represented a private financial services company in various private placements of convertible debt and equity.

Represented a private distributor of pre-paid gift cards and credit cards in various private placements of convertible debt and equity.

Represented a U.S.-based financial institution on the mezzanine and senior debt financings in connection with the approx. $1 billion bid for a Canadian discount goods retailer.

Represented a U.S.-based financial institution on the mezzanine and senior debt financings in connection with the approx. $2 billion bid for a Canadian telecommunications company.

Represented a public manufacturer, distributor and retailer of office furniture in its $140 million initial public and secondary offering and listing on the TSX.

Represented the underwriters in a $68 million initial public and secondary offering of subordinate voting shares and listing on the TSX by a Canadian clothing retailer.

Represented the underwriters in a $50 million initial public offering of common shares and listing on the TSX by a Canadian on-line retailer of books and other products.

Represented a public REIT in over $1 billion in equity and debt financings, including its initial public offering and listing on the TSX.

Represented many issuers and underwriters in over $2 billion in equity private placements and prospectus offerings for companies in the retail, technology, manufacturing, media and entertainment, resource and other sectors.

Represented sponsors and investors on the formation of various private equity funds and the investment by those funds in portfolio companies.

The EDIP Platform: Supporting First Nations Sovereignty and Financial Independence
2016 Aboriginal Financial Officers' Association Canada National Conference, February 18, 2016

The EDIP Platform: Bringing Innovation & Best Practices to Establish and Grow Your Economic Development and Investment Portfolio
***CANDO'S (Council for the Advancement of Native Development Officers) 22nd Annual National Conference and AGM*, October 28, 2015**

Trust Workshop: Economic Development Groups
2014 Aboriginal Financial Officers' Association Ontario Annual Conference, November 20, 2014

Equity Partnerships: Select Legal and Business Issues
2014 Aboriginal Financial Officers' Association Canada National Conference, February 25-27, 2014

From Consultation to Partnerships: Select Legal and Business Issues
Insight Conference, 7th Annual Aboriginal Energy Forum, December 2013

Understanding Impact and Benefit Agreements and Industry and First Nation Relationships
2013 Ontario WaterPower Association Conference, July 29-30, 2013

Aboriginal Ownership of Renewable Energy Generation and Transmission Assets
Fogler Rubinoff LLP Client Seminar, March 2013

Logistics Opportunities with First Nations: Select Legal and Business Considerations
October 2012 *Transportation Conference*

Leveraging the Duty to Consult and Accommodate into Tangible Business Opportunities on Major Projects
***Maurice Law Conference, First Nations' Specific Claims: Guiding Principles and Keys to Success*, December 2010**

Legal Issues for First Nations in Green Energy
***Pacific and Business Law Institute*, Canadian Aboriginal Law Forum, November 2010**

First Nations and Metis Participation in Ontario Energy Projects
Insight Conference, 4th Annual Aboriginal Law Forum, October 2010

Professional & Community

Recent Insights

Fifty-one Lawyers Recognized in Best Lawyers in Canada and Best Lawyers: Ones to Watch – 2027 Edition
Recognition

INDIGENOUS
Shifting High-Speed Rail Corridor Plans and Key Indigenous Concerns Addressed in Alto's "What We Heard Report"
Article

12 Partners recognized as Leaders in their field in the 2026 edition of the Canadian Legal LEXPERT Directory
Recognition

41 Lawyers Profiled Across 24 Areas of Law in The Best Lawyers in Canada, 2024
Recognition

INDIGENOUS
Economic Development Corporations, Strategic Partnerships & Joint Ventures: Structuring, Governance, Taxation, and Sovereign Wealth Planning
Speaking Engagement

COMMERCIAL LEASING
Eight Partners Ranked as Leading Practitioners in Canadian Legal Lexpert® Directory, 2021
Recognition

INDIGENOUS
Connecting Indigenous Communities To High Speed Internet
Article

INDIGENOUS
Celebrating National Indigenous Peoples Day
Diversity & Inclusion

INDIGENOUS
Building Future Wealth for First Nations
Interview

7 Partners Recognized in the 2020 Canadian Legal Lexpert Directory
Recognition

Involvement

01 Communique Laboratory Inc.
Director

Envest Corp. EDIP
Director

Sovereign Wealth Solutions Inc.
Director