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O'BRIEN'S DIVISION II CORPORATIONS by AIRD & BERLIS LLP Release No. 2, July 2025

What’s New in this Update:

This release features updates to Chapter 24, Closing of a Public or Private Offering, Appendix 1, Terms Contractually Defined, and Appendix 2, Terms Legislatively Defined.

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Updated sections include:

Chapter 24 Closing of a Public or Private Offering

§ 24:15 Closing Documents for Prospectus Offering – Closing Agenda

§ 24:16 Closing Documents for Prospectus Offering – Officer's Certificate Certifying Articles, By-laws, Resolutions and the Incumbency and Specimen Signatures of Certain Officers and Directors

§ 24:18 Closing Documents for Prospectus Offering – Confirmation of the Agent re Section 7.3(4)(d) of National Policy 11-202

§ 24:22 Closing Documents for Prospectus Offering – Rights Certificate

Appendix 1 – Terms Contractually Defined

Updated terms include:

- Alternative Transaction
- Best of Knowledge
- Compensation Option
- Material Adverse Effect
- Misrepresentation
- Outstanding
- Restricted Event
- Testamentary Transferee

Appendix 2 – Terms Legislatively Defined

Updated terms include:

- Authorized official
- Register of individuals with significant control
- Regulator
- Taxing authority

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