



Timothy R. Lavender

Partner

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About

Timothy Lavender serves as chair of the firm's Corporate practice. With three decades of global transactional experience, Tim is a deal maker and is regarded as a trusted advisor in mergers and acquisitions, equity and debt financings, general corporate and tax law matters, internal investigations and litigation avoidance. His clients include private individuals and entrepreneurs, small and fast-growth companies, large middle market businesses and multinational corporations. Tim is known not only for his practical and effective advice, but also for his easy-going and optimistic nature. He also holds a CPA designation which enables him to view transactions from a multi-focal perspective. Tim consistently establishes good will and credibility not only with his clients, but also with their constituents. He prides himself on the ability to integrate solid business principles into pragmatic and actionable legal advice.

Tim frequently serves as the outside general counsel to many of his middle-market and emerging company clients. By utilizing his truly diverse skills, Tim is able to handle myriad projects with effective staffing models and delivery of legal advice. Tim is highly-regarded for his ability to problem-solve through diplomatic negotiation, while remaining focused on obtaining immediate results and building productive relationships that have a reverberating impact on his client's bottom line. Tim began his career in tax and accounting, so his understanding of the financial and accounting impact on operational issues allows him to more ably assume the variety of roles his clients need.

Tim's M&A experience ranges from small asset acquisitions and dispositions, to hundred million dollar transactions, including providing strategic counsel and conducting primary negotiations. He has advised numerous manufacturing clients on strategic alliances, carefully balancing the protection of their intellectual property, management control and economic expectations with their ROI potential. Tim also represents sellers, financial and strategic buyers and private equity firms. He has many years of hands-on experience representing issuers and investors, among other clients, in debt and equity financings. Such transactions range from early-stage venture financing, to more traditional private equity funding, including the representation of private investment funds in their formation and operation.

In addition, Tim assists clients in preparation for financings, including private placement memorandums. His financing experience extends to the securities area, where he has familiarity with both the private and public issuance of equity and debt. Furthermore, Tim counsels both real

estate private equity fund sponsors and institutional investors investing in real estate funds. He is skilled in the formation of real estate investment trusts and debt and hedge funds that invest in real estate securities. As a result of his multi-disciplinary tax, corporate and securities capabilities, Tim is well versed in the often paramount issues, which arise out of negotiating these fund's organizational agreements, side letters and market offering terms.

Notably, Tim offers deep energy industry experience, which comes from working with energy companies, entrepreneurs and investors. His knowledge includes important work on energy-related projects, such as refineries, Liquefied Natural Gas (LNG) supply contracts, crude oil and refined product purchases, sales and supply contracts, petrochemical manufacturing plants, oil, natural gas and products pipelines, high-pressure hydraulic fracturing, solar panels, alternative fuels and related commodities purchasing.

Experience

Mergers and Acquisitions

Represented Cooke Inc. in its acquisition by merger of Omega Protein Corporation.

Represented the shareholders of a Texas-based oil and gas measurement products company in the sale of capital stock to a multinational energy company.

Negotiated, structured and implemented LNG contracts in the U.S. and other countries.

Served as outside general counsel for a venture firm in connection with its capital investments in various energy-related companies.

Represented a Texas-based crude and refined products trading, transportation and commodities company in various purchases and sales of each product (crude, LNG and other middle distillates). Also represented the company in a termed purchase of 300,000 barrels of middle distillates from a global petroleum company.

Represented a skin and hair care consumer products company in a \$43 million sale of the company to a consortium of private equity firms.

Represented an Ohio-based energy services firm and a Chicago-based technology firm in Alternative Public Offering transactions (reverse merger into a public shell).

Represented a Chicago-based private equity fund in various acquisitions ranging from \$5 to \$20 million for high-tech, manufacturing, distribution, telecommunications and publishing companies in various stages of development.

Represented a publicly traded company in the acquisition of a dairy products manufacturer.

Represented management in a \$60 million private equity buyout of a direct marketing company.

Represented a publicly traded company in a \$28 million acquisition of a telecommunications service firm.

Represented a registered investment advisor in the \$160 million sale of the company to a Canadian based public company.

Equity and Debt Financing

Represented an oilfield services provider specializing in premium hydraulic fracturing, coiled tubing and other pressure pumping services in connection with a \$115 million high yield 144A senior note financing, a \$50 million tack on financing, and a \$20 million preferred equity offering.

Served as outside general counsel for an energy company in the registration statement for its initial public offering and exchange offer for outstanding notes.

Represented an oilfield service provider specializing in premium hydraulic fracturing in connection with an \$85 million high yield 144A Senior Note financing and a \$30 million preferred equity offering.

Represented an Ohio-based energy services firm and a Chicago-based technology firm in alternative public offering transactions, which resulted in a reverse merger into a public shell.

Represents a major Chicago-based second lien financing fund, a division of a large U.S.-based bank. Tim has represented this fund in several financings ranging from \$7.5 million to \$20 million.

Represented various commercial lenders loans ranging from \$10 million to \$50 million in various industries.

Represented various registered investment advisors regarding their general corporate needs. Specifically, assisted one of these advisors in a leveraged ESOP transaction of \$10 million (subsequently sold, see above).

Represented an issuer in two 144A financings totaling \$78 million for the acquisition of real estate.

Represented a Midwest-based client in various venture capital fundings in over \$100 million of equity investments in high tech companies.

Represented the issuer in a \$128 million debt equity offering for the development of a hotel and leisure property.

Represented a large life insurance company in the formation of a \$300 million mezzanine debt fund and the formation of a \$200 million affiliate fund.

Represented a \$1 billion hedge fund in its formation and annual securities filings.

Honors

Ranked as a leading practitioner by *Chambers USA* in the Corporate/M&A area, 2008-2011, 2014-2019 and in the Private Equity area, 2008-2011.

Recommended in *US Legal 500* for his work in the M&A: Middle Market area, 2010-2023.

Related Services

Corporate and Tax

Mergers and Acquisitions

Private Equity and Venture Capital

Securities and Capital Markets

Blockchain and Cryptocurrency

Energy

Environmental, Social and Governance (ESG)

Manufacturing

Waterways

Education

University of Louisville Louis D. Brandeis School of Law, J.D., 1987

University of Notre Dame, B.B.A., 1982

Admissions

Illinois, 1988