

## **TRANSACTIONAL WORK, INCLUDING SEC DISCLOSURES**

### **OVERVIEW**

The identification and evaluation of environmental liabilities in connection with corporate and commercial transactions is crucial to a client's assessment of the viability of a business deal and the ultimate allocation of risks and liabilities between the parties. BCLP lawyers have considerable experience in advising clients, including industrial and other companies, real estate developers, individuals and lending institutions, on the environmental aspects of domestic and international corporate and real estate transactions, including acquisitions, mergers, and financings, restructurings, public offerings and leasing. We facilitate environmental due diligence investigations to identify, quantify and allocate environmental liabilities among the parties.

We also draft and negotiate environmental provisions in transaction documents and assist clients in complying with environmental laws triggered by transactions and in negotiating environmental insurance policies. We also provide counsel on other tools to facilitate transactions and mitigate environmental risk. In addition, we help our clients manage risks identified in the course of transactions through post-closing compliance counseling and remediation oversight.

## MEET THE TEAM



### **Lee Marshall**

Global Department Leader – Litigation  
& Investigations, San Francisco

[lee.marshall@bcplaw.com](mailto:lee.marshall@bcplaw.com)

[+1 415 675 3444](tel:+14156753444)



### **Mark Richards**

Partner and Regional Practice Group  
Leader - Energy, Environment and  
Infrastructure, London

[mark.richards@bcplaw.com](mailto:mark.richards@bcplaw.com)

[+44 \(0\) 20 3400 4603](tel:+442034004603)



### **Liz Blackwell**

Partner, St. Louis

[liz.blackwell@bcplaw.com](mailto:liz.blackwell@bcplaw.com)

[+1 314 259 2513](tel:+13142592513)



## **Paul J. Lopach**

Partner, Denver

[paul.lopach@bcplaw.com](mailto:paul.lopach@bcplaw.com)

[+1 303 866 0207](tel:+13038660207)



## **Bryan E. Keyt**

Partner and Global Practice Group  
Leader - Energy, Environment and  
Infrastructure, Chicago

[bryan.keyt@bcplaw.com](mailto:bryan.keyt@bcplaw.com)

[+1 312 602 5036](tel:+13126025036)

## **RELATED PRACTICE AREAS**

- Energy & Natural Resources

## **EXPERIENCE**

- Advising clients on FERC regulatory due diligence in MEMC acquisition of a solar PV company;

- Drafting, negotiating, and finalizing acquisition agreements for the purchase or sale of water and wastewater utility facilities across the Midwest. This experience includes ensuring that our client conducts proper due diligence into all environmental conditions on the properties and also takes all requisite steps to transfer any permits or licenses.
- Advising clients on large high profile brownfields such as an Army arsenal with a \$2B capital inventory to the largest private conservation bank in CA.
- Representing a global provider of agricultural products and technology based solutions on its acquisition of a \$400+ million campus in Chesterfield, MO.
- Representing a metropolitan transportation authority in environmental reviews required for numerous major projects including: (i) the sale of the Columbus Circle Coliseum Site in Manhattan and its redevelopment as a 2.1 million square feet office, hotel, retail, residential and performing arts complex; (ii) the Second Avenue Subway in Manhattan; (iii) the East Side Access Project, allowing Long Island Railroad to use Grand Central Terminal; and (iv) the construction of a new train station for the Long Island Railroad at the site of the present Farley Post Office Building in Manhattan.
- Representing a client in its acquisition of \$1.2 billion business venture.
- Representing a trust in a \$700M National Nuclear Security Agency CNT acquisition project involving a myriad of environmental, construction design and litigation matters including a citizen/public interest challenge to the project pursuant to the National Environmental Policy Act, the design of wide-ranging green and sustainability performance requirements for the forthcoming construction project, as well as the negotiation and procurement of several environmental insurance programs to manage potential environmental liabilities to the benefit of the public and private members of the P3.
- Representing global provider of agricultural products and technology based solutions for farming and food products in its \$300 million sale of its brand dairy product and related business to a global animal health company.