

## JOHN R. GRIFFIN

PARTNER

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John is a general corporate and transactional attorney whose practice is focused in two areas: investment funds and leveraged acquisitions. John advises a variety of private equity and hedge funds as well as investors in and partners to such funds; his fund experience includes domestic and international funds and covers fund formations, SEC examinations and compliance matters. He has also represented several principals and/or portfolio managers with respect to workouts and disputes with fund managers. In addition to his fund related practice, John advises financial and strategic buyers and sellers with respect to acquisitions, dispositions and financings. He has extensive experience representing borrowers and lenders in leveraged buyouts, secured loans and other types of debt financings, and he represents both issuers and investors in preferred stock offerings. His experience spans a broad range of industries including technology (software and hardware), oil and gas, industrial services, chemicals, metals and natural resources, aerospace, tooling, consumer products, and shipping and other marine services. He has also advised several clients with respect to distressed situations.

John graduated from The University of Chicago Law School in 2004 and began his legal career at Munger, Tolles & Olson LLP in Los Angeles, before moving to Denver and joining Bartlit Beck in 2008. John has been a partner of the firm since 2012. He has lived and worked in Germany and is fluent in German.

### EDUCATION & HONORS

The University of Chicago Law School, 2004, J.D., with Honors

*The University of Chicago Law Review*

Massachusetts Institute of Technology, 1997, PhD

*German Chancellor Fellow, Alexander von Humboldt Foundation*

Harvard College, 1991, B.A., with High Honors

*Phi Beta Kappa*

### ADMISSIONS

California

Colorado

## LANGUAGES

German

## NOTABLE EXPERIENCE

### PRIVATE EQUITY AND HEDGE FUNDS

Platte River Equity

- Formation of \$400 million private equity fund and parallel funds.
- SEC examination and '40 Act compliance matters.
- Capital commitment based revolving and bridge loan facilities.

Taiyo Pacific Partners

- Formation of Taiyo India Fund, a hedge fund investing in India based in the Republic of Mauritius.
- Formation of Taiyo Pearl Fund and Taiyo Cypress Fund, hedge funds investing in Japan and Japanese businesses.
- '40 Act and Commodities Exchange Act compliance matters.

Millennium Bridge Capital

- Private equity co-investments in various portfolio companies.
- SEC examination and '40 Act compliance matters.

Gotham Capital

- Formation and restructuring of several US and offshore hedge funds investing in U.S. and European equity markets.
- '40 Act and Commodities Exchange Act compliance matters.

Sessa Capital

- Formation and restructuring of various hedge funds.
- Advise in '40 Act and Commodities Exchange Act compliance matters.

Caburn Capital

- Advise in '40 Act compliance matters.

Euclid Dairy Investments, LLC

- Advise in formation of formation of hedge fund trading in dairy related commodity interests

## University of San Diego / Gates Capital / Other Investors

- Review potential investments in private equity funds, hedge funds, and other alternative investment opportunities

## **DEBT FINANCINGS**

### GME Supply Company

- Senior secured revolving, term and delayed draw credit facilities in connection with acquisition of GMES, LLC, a distributor of fall protection, safety equipment and gear for at-height workers, industry and construction.

### Dealers Transmission Exchange

- Senior secured revolving, term and delayed draw credit facilities in connection with acquisition of Dealers Transmission Exchange, a leading provider of powertrain services to the mining, oil and gas, metals and wind generation industries.

### Sherrill

- Senior secured revolving, term and delayed draw credit facilities in connection with acquisition of Sherrill, Inc., a leading direct retailer and distributor of arborist tools and equipment.

### Precision Camera and Video

- Asset based credit facilities in connection with acquisition and build out of Precision Camera and Video, a camera and video retail business located in Austin, Texas.

### Trico Marine Services

- Rule 144A offering of \$400 million senior secured notes and \$33 million senior secured revolving credit facility for offshore oilfield services company.

### Mezzanine, DIP Financings and Workouts

- Represent various lenders in mezzanine debt and preferred stock investments in small and middle market companies in a variety of industries, including health care, waste disposal, and film and entertainment.
- Represented mezzanine lender in debtor-in-possession financing of a private company. Drafted super priority credit agreement and advised on credit bid for company's core assets.
- Represented prominent equity investor in workout of large private company requiring restructuring of senior debt facilities and stay of pending shareholder litigation.

### Strategic Lending Transactions

- Represented large public mining company in secured loan transaction to coal supplier and inter-creditor with existing senior and junior lenders.
- Represented Fortune 50 company in senior secured loan to a private jet leasing company.

## **OTHER NOTABLE EXPERIENCE**

Ambassadors Group, Inc.

- Divestiture of BookRags, Inc., a provider of online book summaries, study guides and other student and teacher resources.

Eleutian Technologies LLC

- Governance and investment related advice in connection with acquisition and disposition of Eleutian Technologies LLC, a provider of online language instruction.

TenFold Corporation

- PIPE and preferred stock offerings.
- Going private merger transaction with Versata Enterprises.

## **PROFESSIONAL ACTIVITIES AND COMMUNITY SERVICE**

Board of Trustees, Rocky Mountain Harvard University Club

## **ACKNOWLEDGEMENTS, PRESENTATIONS, AND PUBLICATIONS**

With Wendy Muchman (IARDC), Ellyn Rosen (ABA) and Randy Curato (ALAS), "Red Flags Are Waving: Anti-Money Laundering Issues and Solutions," webinar offered February 27, 2019 at the Illinois Attorney Registration and Disciplinary Commission.

With Matthew Rothman (Goldman Sachs), Paul Fishman (US District Attorney – New Jersey), and Linda Thomsen (Davis Polk), "Alternative Data: Exploring the Legal Landscape," panel presentation held May 10, 2018 at the Systematic Investing Conference at Goldman Sachs in New York City, NY.