

## **POLLY SWARTZFAGER**

PARTNER

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Polly Swartzfager advises clients on debt and equity financing transactions, mergers and acquisitions, and joint ventures. She also counsels clients on a variety of corporate governance, SEC compliance, and general corporate matters. Polly's practice covers a broad range of industries, including industrial products, and services, construction and energy services, natural resources and metals, technology, cybersecurity, and healthcare services. Clients appreciate that she brings an MBA's point of view to her corporate practice.

Polly began her career at Skadden Arps in New York and joined Bartlit Beck as a partner in 1998.

### **EDUCATION & HONORS**

Stanford Law School/Stanford Graduate School of Business, J.D./M.B.A.

*Stanford Journal of International Law*

The Colorado College, B.A., *magna cum laude*

*Phi Beta Kappa*

*Boettcher Scholar*

London School of Economics, General Course Diploma

### **GOVERNMENT SERVICE**

Executive Staff Intern, SEC Commissioner Joseph A. Grundfest

Congressional Assistant, U.S. Rep. Timothy Wirth

### **ADMISSIONS**

Colorado

New York

### **NOTABLE EXPERIENCE**

### **DEBT FINANCINGS**

**Senior secured credit facilities.** Senior secured revolving and term loan facilities for Platte River Equity portfolio companies (including Global X-Ray & Testing, Hetsco, PRV Metals, PRV Aerospace, The Wellmark Company, MFG Chemical, and Tiger-Sul Products); Doosan Turbomachinery Services; Alpha Natural Resources (\$525m)

**Mezzanine debt investments.** Investments by Caltius Partners in UHY Advisors, Bulk Handling Systems, Griplock Systems, Kids Care Dental and ChemDry, and by St Cloud Capital Partners in Life Spine

**144A debt offerings.** Company counsel for Trico Shipping (\$400m), Alpha Natural Resources (\$175m)

## EQUITY FINANCINGS

**Public offerings.** Company counsel for Gaia, Real Goods Solar, Alpha Natural Resources, Foundation Coal Holdings, Consolidated Cigar

**Startups and venture capital.** Company counsel for DarkOwl (Cybersecurity), TransZap (Oildex) and OpenPeak

## MERGERS, ACQUISITIONS and JOINT VENTURES

- **Healthcare Services.** Sale of Trumpet Behavioral Health to WindRose Health Investors
- **Construction Services.** USI's tuck-in acquisitions of Cardalls Insulation, Silver State Specialties, Southern Foam, Glasshouse, Diamond Mirror & Glass, and IDS Specialty Building Products
- **Software.** Sale of TransZap (Oildex) to Accel-KKR
- **Energy Services.** Sales of Vision Oil Tools and Piceance Fishing & Rental to OFS Energy; and sales of Dynaflo Artificial Lift and Five Star Equipment to White Deer Energy.
- **Satellite Communication.** EchoStar's acquisition of the US direct broadcast satellite business of The News Corporation and MCI WorldCom.
- **Consumer Products.** Sale of Dover Saddlery to Webster Capital.
- **Natural Resources.** Crow Tribe of Indians' strategic alliance with Australian-American Energy Company, and Alpha Natural Resources' lime processing joint venture

## PROFESSIONAL ACTIVITIES AND COMMUNITY SERVICE

Board and Executive Committee Member, Mental Health Partners

Women's Leadership Foundation Boardbound

Former Board Member, Genesee Foundation

## PUBLICATIONS

*The Antitrust Boundaries of Nonsolicitation Agreements*  
*Business Law Today*, 2017