

PHILLIP E. CUSHING

ASSOCIATE

1801 Wewatta Street, Suite 1200, Denver, CO 80202 | 303.592.3198 | phillip.cushing@bartlitbeck.com

Phil is a member of the corporate practice group of Bartlit Beck, where he focuses his practice on M&A and related financing transactions. Phil also advises private equity funds, their portfolio companies, and other public and private companies on a variety of transactional and general corporate matters. Prior to joining Bartlit Beck, Phil practiced in the corporate department of Cravath, Swaine & Moore LLP in New York City, where he advised financial institutions, private equity and hedge funds, and Fortune 500 companies in a wide range of transactional matters, including mergers and acquisitions, joint ventures, fund formations, credit facilities, securities offerings, and securities laws compliance.

EDUCATION & HONORS

Columbia Law School, 2015, J.D.

James Kent Scholar

Harlan Fiske Stone Scholar

Finalist, Harlan Fiske Stone Moot Court Competition

Executive Editor, *Columbia Business Law Review*

Boston College, 2012, B.A., *magna cum laude*

Henry J. McMahon Award (awarded to one senior for scholarship and service to BC)

ADMISSIONS

Colorado

New York

NOTABLE EXPERIENCE

- **Acquisition of GME Supply.** Represented Platte River Equity in its acquisition of GME Supply, a premier retailer and distributor of fall protection and safety equipment for at-height workers in the telecommunications, wind, solar, industrial, and construction markets.
- **Sale of PRV Metals.** Represented Platte River Equity in the sale of its portfolio company, PRV Metals, a provider of forged titanium and steel products, to Tinicum.

- **Acquisition of Sherrill.** Represented Platte River Equity in its acquisition of Sherrill, a leading direct retailer and distributor of arborist tools and equipment.
- **Sale of Profile Products.** Represented Platte River Equity in the sale of its portfolio company, Profile Products, a leading manufacturer of erosion control, vegetative establishment, mulch, and soil amendment products, to Incline Equity Partners.
- **Acquisition of Dealers Transmission Exchange.** Represented Platte River Equity in its acquisition of Dealers Transmission Exchange, a leading provider of powertrain services to the mining, oil and gas, metals, and wind generation industries.
- **General Corporate and M&A Counsel to Vertical Supply Group.** Serves as outside general counsel to VSG and represents VSG in strategic transactions, including its acquisitions of Fred Marvin, Sterling Rope and Bishop Supply.
- **General Corporate and M&A Counsel to Profile Products.** Serves as outside general counsel to Profile Products in a variety of strategic transactions, including its acquisitions of Sunterra Horticulture and HydroStraw, and general corporate matters.
- **General Corporate and M&A Counsel to GME Supply.** Serves as outside general counsel to GME Supply and represents it in strategic transactions, including its acquisitions of SafetyLMS and Custom Tool Supply.

NOTABLE ENGAGEMENTS PRIOR TO JOINING BARTLIT BECK

- Represented a private equity firm in its sale of minority stakes in seven U.S. hotels to a foreign sovereign wealth fund.
- Represented a publicly traded insurance company in its sale of a majority stake in a direct-to-consumer insurance sales company.
- Represented a publicly traded Fortune 50 U.S. technology company in its acquisitions of U.S. and India software development companies.
- Represented a strategic buyer in its acquisition of a majority stake in a leading international marketing company.
- Represented a private equity firm in the formations of, and fund raising for, various new funds ranging from \$700 million to \$3 billion.
- Represented a business process outsourcing company in its initial public debt offering of senior notes under Rule 144A and Regulation S.
- Represented the underwriters in a Fortune 100 U.S. food and beverage company's record-setting public offering of floating rate notes.
- Represented the initial purchasers in a private offering of senior secured notes under Rule 144A and Regulation S to finance the acquisition of a chemical company.
- Represented the underwriters in a \$2 billion foreign sovereign debt offering.

ACKNOWLEDGEMENTS, PRESENTATIONS, AND PUBLICATIONS

Author, *Effectively Defining Material Adverse Change Amid COVID-19*, Law360 (2021)

Co-author, *Chambers USA Private Equity Guide* (2020)

Co-author, *Chambers USA Private Equity Guide* (2019)

Co-author, *Top 10 Practice Tips by Experts: Investment Grade Debt Offerings*, Lexis Practice Advisor (2017)

NEWS

Bartlit Beck's corporate team authors Chambers USA Private Equity Practice Guide
10.28.2019

PUBLICATIONS

2020 Chambers USA Private Equity Practice
10.08.2020

2019 Chambers USA Private Equity Practice Guide
2019