



## PHILLIP E. CUSHING

PARTNER

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 MES Fire.** Represented Platte River Equity in its acquisition of MES Fire, a premier equipment supplier and service provider to first responders throughout the United States.

- **General Corporate and M&A Counsel to Foxhole Group.** Serves as primary outside counsel to the Foxhole Group in M&A and other strategic transactions, including its acquisition of CCK Automations, a designer and manufacturer of printed circuit board assemblies.
- **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 Tincum.
- **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 domestic and cross-border strategic transactions, including its acquisitions of Atlantic Braids, Fred Marvin, Sterling Rope, Bishop Supply, rescueDIRECT and Groundskeeper.
- **General Corporate and M&A Counsel to Profile Products.** Serves as outside general counsel to Profile Products in a variety of domestic and cross-border 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 domestic and cross-border strategic transactions, including its acquisitions of Gearcor, Custom Tool Supply, TEAM-1 Academy and SafetyLMS.
- **M&A Counsel to In-Place Machining Company.** Serves as M&A counsel to In-Place Machining Company in domestic and cross-border transactions, including its acquisitions of OASIS Alignment Services and Exact Metrology.

## **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**

Co-author, *Chambers USA Private Equity Guide* (2021)

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 Announces Elevation of Six New Partners

01.03.2023

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