

I Manufacturing & Industrial

Our cross-disciplinary legal team advises some of the largest manufacturers in the world. We team with our clients on everything from day-to-day operational matters to sophisticated transactions and litigation. We handle mergers and acquisitions, governance and compliance, insurance recovery, reorganization and bankruptcy, environmental litigation, and mass torts. To this end, we leverage our extensive knowledge and strength to help our clients achieve their most ambitious business goals.

EXPERIENCE

- > Represented Indorama Ventures Corpus Christi Holdings LLC (subsidiary of Indorama Ventures Public Company Limited) in a joint venture between Indorama Ventures Corpus Christi Holdings LLC, DAK Americas, LLC (a subsidiary of the chemicals manufacturer Alpek S.A.B. de C.V. (BMV: ALFAA)), and APG Polytech USA Holdings, Inc. (a subsidiary of Far Eastern New Century Corporation (TT: 1402)), in the acquisition, through a bankruptcy auction, of a Corpus Christi, Texas-based PTA-PET plant from M&G USA Corp. (a subsidiary of M&G Chemicals), for a purchase price and capital contributions in the sum of \$1.125 billion.
- > Represented Indorama Ventures Public Company Limited (BKK:IVL) as co-counsel with Mattos Filho in its acquisition of M&G Polimeros Brazil S.A., owner of Brazil's largest PET (polyethylene terephthalate) facility.
- > Represented Indorama Ventures Public Company Limited in its acquisition from BP Amoco Chemical Company of a 1,000-acre manufacturing facility located in Decatur, Alabama which produces 1 million metric tons of annual purified terephthalic acid (PTA) capacity and 732,000 metric tons of paraxylene (PX) capacity.
- > Defended numerous product manufacturers against putative class action claims under the New Jersey Consumer Fraud Act, including the manufacturers/sellers of the allergy drug Claritin and Coppertone sunscreen.
- > Represented BASF Corporation, a multi-national chemical producer, in its acquisition of ZedX, Inc.
- > Represented an air cargo carrier in international antitrust cartel investigations and related civil litigation.
- > Represented Liberator Medical Holdings, Inc., a leading national medical device manufacturer, in its \$181 million acquisition by C. R. Bard, Inc.
- > Representations involving bankruptcy, restructuring, financial reorganization and creditors' rights issues include: Gulf Chemical & Metallurgical (UCC), Archer Daniels Midland (creditors' rights counsel), Hanjin Shipping (counsel to several container companies, terminal operators, railway carrier), Exide Technologies (UCC) and Noranda Aluminum (UCC)
- > Defeated certification of a class of ratepayers suing a Massachusetts electric utility for damages caused by widespread and lengthy blackouts following a major winter storm. Successfully defended that result on appeal to the Massachusetts Supreme Judicial Court, which resulted in one of the key Supreme Judicial Court opinions addressing the standards for class certification in Massachusetts.
- > Represented Blue Bird Corporation, an American bus manufacturer and portfolio company of Cerberus Capital Management, as securities counsel in Blue Bird's business combination with Hennessy Capital Acquisition Corp. and the launch of Blue Bird as a public company.
- > Represented a company that manufactures, sells, and rents equipment for construction projects against allegations by five current and former unionized employees that they are or were subjected to a hostile work environment and discrimination on the basis of their respective national origins.
- > Represented Guilford Mills, an American manufacturer and supplier of high-tech performance fabrics and portfolio company of Cerberus Capital Management, in its sale to Lear Corporation.
- > Represented a manufacturing entity in a class action toxic tort suit alleging property damage and injury from groundwater plume and vapor intrusion.
- > Represented Ames Rubber Corporation, a U.S. developer and manufacturer of elastomeric materials, in its sale to Grafoid, Inc.
- > Represented equipment manufacturer in obtaining summary judgments for tens of millions of dollars for defense costs relating to asbestos cases; successfully argued appeal upholding award of coverage.
- > Represented American Achievement Corporation, a portfolio company of Fenway Partners, in its acquisition of Gaspard LP and its subsidiaries, a manufacturer of academic regalia, clergy vestments, choir robes, and legal and judicial attire in the United States, Canada, and Puerto Rico.
- > Represented a chemical supply company in connection with insurance coverage for nationwide toxic tort litigation. Secured summary judgment and declaratory relief that resulted in 100% defense and indemnity coverage for claims.
- > Represented a heavy-road contractor in the first challenge to the "pay to play" law to reach the Supreme Court of New Jersey.
- > Represented System One Holdings, LLC's management team, a leading professional staffing company focused on the nuclear wind and solar industries, in connection with Thomas H. Lee Partners L.P.'s investment in System One.