

ENVIRONMENTAL AND ENERGY

Transactional

Our clients trust Glaser Weil's collective experience, legal acumen and deep market understanding to steer them through the full range of transactions that can present environmental issues and are encountered in the energy industries. The Environmental and Energy Department maintains an acclaimed deal practice that encompasses major transactions of national significance. Buyers, sellers, lenders, investors and others turn to our lawyers for counsel regarding the transfer of properties and corporate interests, as well as for more specialized projects, including the development of alternative energy projects and innovative energy endeavors.

We facilitate deals for our clients in a number of different, inventive ways. Businesses need to understand how transferring real properties and corporate interests will impact their environmental liability exposure. Consequently, the Glaser Weil Environmental and Energy Transaction team performs due diligence, drafts agreements and negotiates matters to help proffer solutions with respect to the allocation of these liabilities.

Our lawyers were recently retained to conduct all the deal work, including the allocation of responsibility for environmental issues, for a major client in the leasing of more than 200 service stations. We have also advised a private equity company regarding the acquisition of several contaminated paper mill sites, and we found creative solutions for a bank that foreclosed on a number of significantly impacted Brownfield properties. Also of note, our attorneys played a lead role in the environmental due diligence associated with the 2008 Republic Services, Inc. and Allied Waste Industries merger, and handled the acquisition of a national portfolio of electrical generating facilities.

The list of the Department's transactions in cutting edge areas of both the law and commerce is long and impressive. Indeed, much of the Department's transactional work has focused on the transfer of clean energy companies and properties or the

construction and development of alternative energy facilities—including solar, wind and geothermal projects. Such efforts have ranged from coordinating the pre-transaction environmental due diligence to crafting the environmental indemnification obligations that will outlive the transaction. We recently advised clients on the development of a landfill gas-to-energy project, a large-scale geothermal project, and the nation's largest biofuel facility. Not long ago, our attorneys helped a major client generate a product that allows interested parties to obtain reliable LEED project information.

In order to make this happen, the Department established a positive working relationship with the U.S. Green Building Council (USGBC) and the Green Building Certification Institute (GBCI)— which will no doubt benefit our clients in the future, as they seek to establish new ventures and opportunities in the energy conservation field. Glaser Weil has also assisted an insurance client with the development of a product to insure the validity of instruments used to comply with climate change regulations, including carbon credits and offsets. That the Department is well versed in similar transferable energy products — including renewable energy certificates and emissions allowances — can give our clients a distinct competitive edge.