

Charlotte J. Kim

PARTNER

Corporate
Boston

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FOCUS AREAS

Aviation
Biotech
Clean Energy
Corporate
Finance and Structured
Finance
Medical Devices
Private Equity

HIGHLIGHTS

- Expertise**
Charlotte's practice focuses on global corporate finance with emphasis on energy, healthcare, life sciences and biotech, software, retail, manufacturing, aviation, materials science, foodtech, agtech, and technology industries.
- Extensive Transactional Experience**
Charlotte has structured, negotiated, and closed more than 180 transactions, including cross-border transactions involving the U.S., Europe, Asia, and Latin America, with a total value exceeding \$20 billion.
- Language Fluency**
Charlotte is fluent in French and has working knowledge of Korean and Spanish.

EXPERIENCE

Charlotte Kim is a partner in the Boston office of Wilson Sonsini Goodrich & Rosati, where her practice focuses on global corporate finance with particular expertise in the energy, healthcare, life sciences and biotech, software, retail, manufacturing, aviation, materials science, foodtech, agtech, and technology sectors. Charlotte has structured, negotiated, and closed more than 180 transactions with a total value exceeding \$20 billion.

Charlotte specializes in corporate finance, energy efficiency finance, project finance, acquisition finance, healthcare finance, and related merger and acquisition transactions. She has extensive experience advising public and private companies, private equity investors, growth capital investors, venture capital funds, family offices, financial institutions, institutional investors, and multilateral agencies on debt capital structures and financing needs throughout the life cycle of the enterprise, from start-up through operations, acquisitions, joint ventures, restructurings, and investments. She also works with companies, financial institutions and equity investors on all aspects of cash-flow and asset-based financings. Charlotte's transactional experience includes senior, mezzanine, subordinated, and other junior financings; buyout and acquisition finance; private placements and debt securities offerings; venture debt; project finance; energy efficiency finance; securitizations; lease financings; related derivative transactions; joint ventures and other equity investments; and restructuring transactions, both in and out of bankruptcy. In addition, she has completed numerous cross-border transactions and investments involving the U.S., Europe, Asia, and Latin America.

Prior to joining the firm, Charlotte was a partner at Choate Hall & Stewart in Boston. Earlier in her career, she practiced at both Chadbourne & Parke and Milbank, Tweed, Hadley & McCloy in New York. Before attending law school, Charlotte was a Fulbright Scholar at the Centre for European Policy Studies in Brussels, Belgium.

Charlotte is fluent in French and has knowledge of Korean and Spanish.

CREDENTIALS

Education

- J.D., Harvard Law School, 1995
- A.B., Social Studies, Harvard University, 1991
Magna Cum Laude; Recipient, Harvard Scholarship for Academic Achievement; Senior Staff Writer, Harvard International Review; Recipient of a Thomas T. Hoopes Prize, given for outstanding theses

Associations and Memberships

- Member, Working Group, Innovations in CHP Contract Terms and Conditions Program (New York)
- Member, National Advisory Committee for the 2015 ACEEE (American Council for an Energy-Efficient Economy) National Energy Efficiency Finance Forum, "A Critical Moment"
- Co-chair, Legal Peer Review Committee, truSolar
- Co-chair, National Committee on Energy, Environment, and Sustainability, National Asian Pacific American Bar Association (NAPABA)
- Board Director, Energy Infotech (New York)
- Board Director and Past Chairperson, Asia-America Chamber of Commerce
- Fellow, American Bar Foundation (2008-2009)
- Founding Director, New England Women in Energy & the Environment, 2009-2012
- President, Asian American Lawyers Association of Massachusetts (2008-2010)
- Member, International Law Committee (2000-2003) and Council on International Affairs (2004-2007), New York City Bar Association

Honors

- Recognized in the 2008, 2009, and 2010 editions of *Chambers USA: American's Leading Lawyers for Business* in the Banking and Finance category
- Named a "Best Lawyer Under 40" by the National Asian Pacific American Bar Association in 2009

Admissions

- State Bar of Massachusetts
- State Bar of New York

MATTERS

Select Transactions

- Representation of several early-stage technology and life science companies
- Representation of a middle market, growth equity investor
- Representation of CHP (combined heat and power or cogeneration) and energy efficiency developers and companies
- Representation of a fund in connection with energy efficiency investments
- Representation of a regional bank and financial institution
- Represented a foreign private equity investor in a middle-market acquisition financing with senior-secured, first lien, second lien, and senior subordinated tranches of debt
- Representation of a private equity sponsor in the acquisition and financing of landfill gas projects
- Representation of a global financial institution in the project financing of multiple landfill gas projects
- Representation of lenders and initial institutional investors in a project financing to extend a natural-gas pipeline in North Carolina
- Representation of a global financial institution in the complex restructuring of a single-investor lease financing of a Florida power plant
- Representation of a public company and its domestic and foreign subsidiaries in a senior secured, multicurrency, and multiborrower syndicated credit facility
- Representation of a '34 Act reporting company in a complex securitization of future flow receivables
- Representation of a Brazilian issuer under a U.S. commercial paper program backed by letters of credit
- Represented bidding purchasers in a wide variety of competitive bids to acquire portfolios of power project assets in the United States and abroad, including in distressed sales following the bankruptcy of Enron and other energy companies
- Represented lead arranger and agent in an \$800 million syndicated revolving credit facility to a major satellite company to finance a tender offer for certain outstanding bonds

- Represented global fiscal agent under a \$6 billion Brady bond facility for a Latin American government in connection with the first default and first acceleration of Brady bonds in the world
- Represented lead arrangers and agents in five inter-related senior credit facilities aggregating approximately \$1 billion for a major producer of electricity in Chile
- Represented a Fortune 50 financial institution in multiple senior-secured, asset-based loan facilities in the retail sector
- Represented a leading developer in the negotiation of a turnkey lump-sum engineering procurement and construction contract for an approximately 1,100-MW power plant in California
- Represented lead arranger and lender in a \$140 million syndicated senior-secured term loan facility to a formerly state-owned Guatemalan telecommunications company, which was secured by shares with a put option to a major Mexican telecommunications company and by future U.S. dollar settlement receivables from international telecommunications carrier contracts
- Represented a private issuer in a \$1 billion leveraged buyout transaction
- Represented a dealer manager in a complex, \$265 million dual-registered exchange offer of two separate series of secured and unsecured senior and subordinated convertible bonds
- Representation of a leading venture capital fund
- Representation of a leading clean transportation-related company in connection with certain financings
- Representation of an early-stage company in the fuel-cell and advanced electric vehicle space
- Representation of an international creative design company
- Representation of an early-stage company in the solar PV space
- Representation of a Euro multibillion, global, privately held, Fortune 500 technology company
- Representation of a leading growth equity investor in connection with industrial biotech, agtech, and alternative energy related investments
- Representation of a public, Fortune 200 multinational technology and IT services company

INSIGHTS

Select Publications

- Co-author, "Innovations and Opportunities in Energy Efficiency Finance", Wilson Sonsini Goodrich & Rosati white paper, May 2012, May 2013, and May 2014
- Co-author, "The Changing Landscape for Credit Rating Agencies," *Law360*, February 3, 2010
- Co-author with A. Chayes, "China and the UN Framework Convention on Climate Change," *Energizing China*, Harvard University Press, 1998

Select Speaking Engagements

- Speaker, "Innovations in Sustainable Foodtech and Agtech: A Private Conversation," WSGR, New York, New York, April 2016
- Speaker, "Innovations in AgTech and Financing Food and Agriculture Tech," Wall Street Green Summit, New York, New York, March 2016
- Panelist, "Getting Investor Ready," USDA-Larta Institute Commercialization Assistance Program, Washington, D.C., December 2015
- Speaker, "Financing Growth," Larta Institute, Los Angeles, September 2015
- Moderator, "Innovations in Green Finance: Smart Money for Sustainable Cities," panel discussion on "Greening Municipal and Corporate Bonds; Greening Utilities; and Building Investor Confidence," organized by The Sallan Foundation, New York, New York, May 2015
- Speaker, "Dollars & Sense," Building Energy Exchange Women In Sustainability and Energy (WISE), New York, New York, March 2015
- Co-Speaker, "Third Party Investor Financing," Massachusetts Hospital Association and Healthier Hospitals Initiative Webinar, November 2014
- Speaker, "What's New? A Critical Moment in Energy Efficiency Finance," Energy Efficiency Community of Practice, The World Bank and International Finance Corporation, Washington, D.C., October 2014
- Moderator, "Innovations in Energy Efficiency and Distributed Generation Finance III," conference organized by Citigroup, Elevate Energy and EDF, New York, New York, March 2014
- Speaker, "Building Momentum: A Critical Moment in Energy Efficiency Finance," The Wall Street Green Summit, New York, New York, March 2014
- Panelist, "Entrepreneurship and Innovative Business Models," C3E Women in Clean Energy Symposium, a Clean Energy Ministerial initiative, sponsored by the U.S. Department of Energy in partnership with MIT, Cambridge, Massachusetts, September 2013
- Speaker, "Converting Opportunities into Investments: Emerging Innovations in Energy Efficiency Finance," Energy Efficiency Community of Practice, The World Bank and International Finance Corporation, Washington, D.C., July 2013

- Speaker, "On-Bill Financing and On-Bill Repayment in the United States," International ESCO Finance Conference, The International Finance Corporation, Johannesburg, South Africa, May 2013
- "Getting Energy Efficiency Out of Buildings: Innovations in Energy Efficiency Finance," The Wall Street Green Summit, New York, New York, March 2013
- Speaker, "Innovations in Energy Efficiency and Distributed Generation Finance II," conference organized by Citigroup and EDF, San Francisco, California, February 2013
- Moderator, "Putting It All Together and Assessing Outcomes: Financing Clean Energy Projects—2013 and Beyond," EUCI Renewable Energy Finance: 2013 Toolbox to Address the Uncertainty of Federal Incentives conference, San Francisco, California, December 2012
- "Scaling Up and Crossing the Second Valley of Death as Your Company Commercializes," MIT Clean Energy Prize/WSGR Energy and Clean Tech Entrepreneurs Bootcamp, Cambridge, Massachusetts, March 2012
- Program Chair and Moderator, "Sustainability, Scalability, Profitability: Primer on Renewable Energy Transactions," National NAPABA Convention, Atlanta, Georgia, November 2011
- "Legal Issues in Biotech," presentation to Chinese American Biomedical Association, Boston, Massachusetts, June 2010
- Moderator, "A Conversation with General Counsels – Best Practices on How to Attract and Retain Diverse Legal Talent," National Asian Pacific American Bar Association Convention, Boston, Massachusetts, November 2009
- Panelist, "Financing Energy and Brownfield Projects," New England Women in Energy and the Environment, Cambridge, Massachusetts, January 2009