

Bradley

Bradley Arant Boult Cummings LLP

INTERNATIONAL & CROSS BORDER



INTERNATIONAL & CROSS BORDER CAPABILITIES

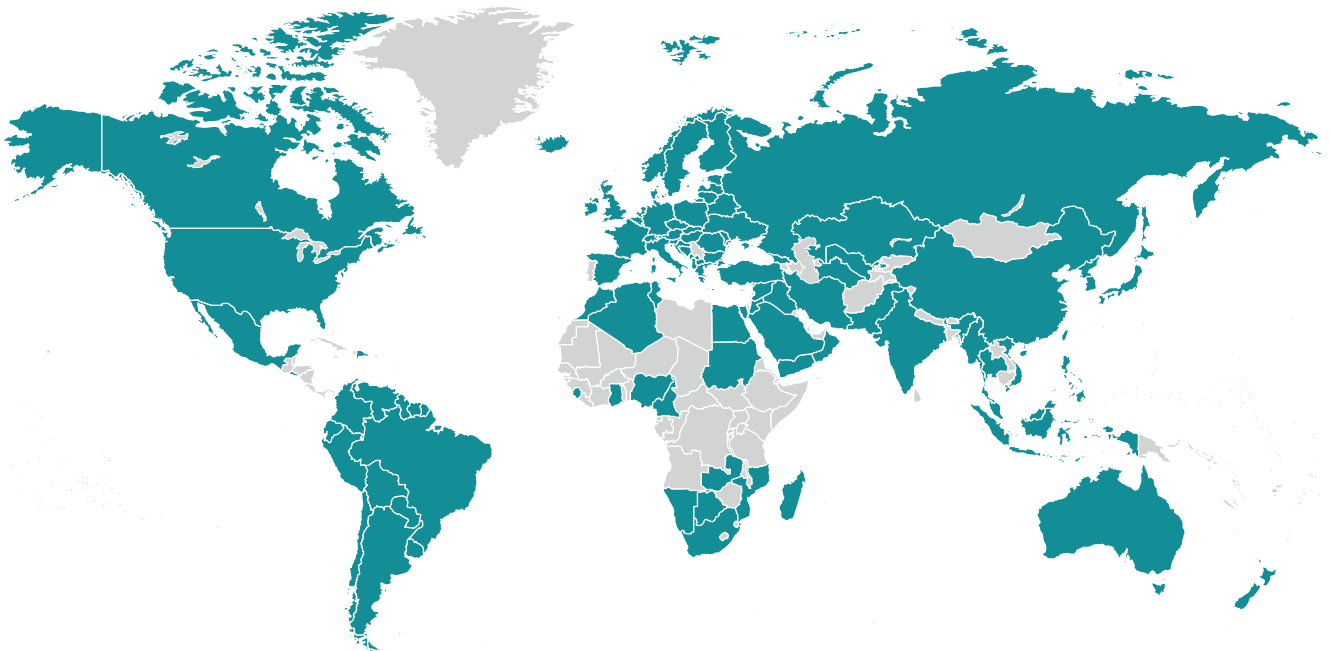
Bradley's International and Cross Border team features a deep bench of seasoned attorneys who counsel clients on a variety of cross-border matters. We work with domestic clients with international business and non-U.S. clients with operations in the United States or who work with U.S. agencies abroad.

Our legal team draws from vast experience in a wide range of industries to help clients harmonize international legal considerations in order to broaden their business opportunities while protecting their operations. Our team provides numerous services for the U.S. and abroad, including advising on:

- Corporate structures, qualification and operations
- Economic development incentives
- Foreign Direct Investment regulations
- Committee on Foreign Investment in the U.S. (CFIUS)
- Export control and sanctions
- Labor and employment, including immigration
- Cybersecurity and privacy
- Intellectual property registration and protection
- Import tariffs and duties
- Foreign Corrupt Practices Act & Anti-Corruption
- International litigation and arbitrations
- Regulatory compliance and investigations

Bradley's attorneys have deep experience in the acquisition of U.S. companies by non-U.S. investors and vice versa, major international arbitration, staffing issues at home and abroad, import/export issues, and foreign companies seeking business with the U.S. government, including classified work involving various U.S. agencies.

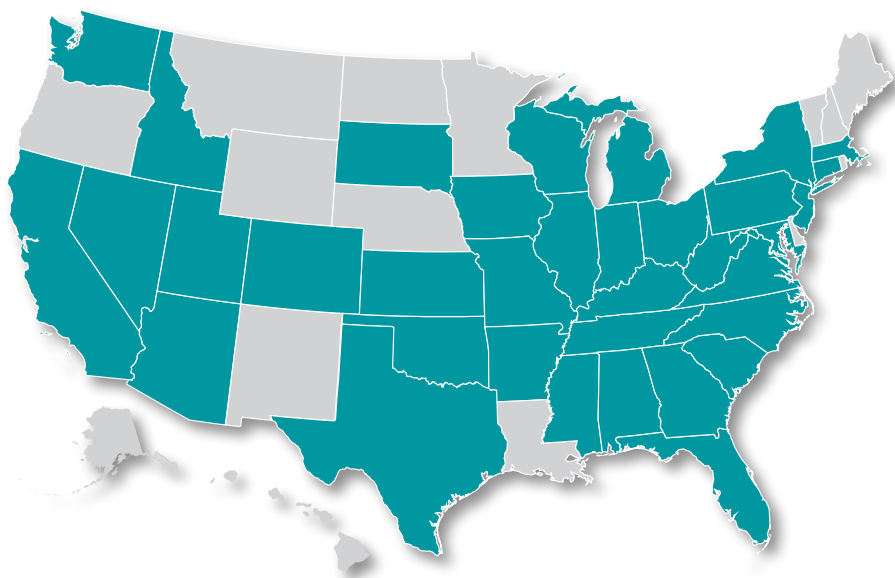
Our international legal team includes 68 attorneys licensed in over 20 jurisdictions, and we represent clients across the globe.



Economic Development Incentives

Our attorneys regularly provide advice on economic development incentives to international companies locating operations in the United States. We help clients secure incentives for job creation and capital investment, and assist with federal, state, and local tax matters. Bradley's work helps clients with large land assemblies; mega-site programs; structuring payment in lieu of tax (PILOT) agreements and tax increment financing arrangements; and all aspects of permitting, entitlements, and land use. To achieve these results, we frequently work with local industrial development agencies and various state agencies throughout the United States, including departments of economic and community development, revenue, transportation, environment, and conservation.

The Scope of Our Work



Bradley's Economic Development team has worked on projects in 35 states.

The projects resulted in the investment of over \$35 billion and created over 50,000 jobs.

Our Economic Development team handled the Tesla Gigafactory and Volkswagen expansion (Chattanooga, Tennessee) projects, which were recognized as two of the "Top 10 Business Deals in North America During 2015" by *Site Selection* magazine.

Advice on Foreign Legal Considerations

Bradley provides advice, due diligence, and representation on a variety of foreign legal considerations, including the U.S. Foreign Corrupt Practices Act (FCPA) and U.K. Bribery Act, as well as on the anti-boycott and similar discriminatory laws.

Our services include compliance with U.S. export regulations such as export control regulations. We also counsel clients on customs, duties, and anti-dumping matters such as customs and tariffs, import/export agents, and agency contracts related to the harmonized tariff system. We work on countervailing duties, including anti-dumping actions and orders, and the applicability, benefits, and documentation requirements for various trade agreements.



Committee on Foreign Investment in the U.S. (CFIUS)

The United States regulates certain foreign direct investment in the U.S. by non-U.S. governments, companies and individuals. U.S. regulation of foreign direct investment (FDI) is spearheaded by the Committee on Foreign Investment in the U.S. (CFIUS). Historically, CFIUS was limited to technology, industries and infrastructure directly involving national security. It was also a voluntary filing. In 2018, the U.S. enacted a CFIUS reform act titled the Foreign Investment Risk Review Modernization Act (FIRRMA). FIRRMA greatly expanded the scope, authority, remedies and requirements of CFIUS. It is also no longer voluntary or limited to traditional investments or acquisitions. Significantly, most U.S. trading partners have adopted similar FDI laws. Anyone engaged in strategic international transactions should conduct FDI diligence when assessing a prospective deal.

Bradley Results for Our Clients

Acquisitions

Assessment and regulatory submissions for the acquisition of a U.S. aerospace business by a Korean manufacturing company. Approval from U.S. export control agencies and CFIUS was obtained in less than half the average approval time.

Acquisitions

Identification and use of regulatory exceptions to permit the acquisition of a U.S. energy producer by U.K. investors.

Acquisitions

CFIUS assessment and advice for the acquisition of U.S. agricultural business by a Belgian group, as well as compliance with reporting requirements to the U.S. Departments of Commerce and Agriculture.

Government Contracts

FOCI mitigation advice to a Turkish firm seeking to do business with the U.S. government.

International Trade

Representation of a consumer lighting supplier/importer on customs and tariffs applicable to Chinese imports.

International Arbitrations & Disputes

Representation of an international engineering and construction firm in a complex arbitration claim in excess of \$200 million against the owner of a chemical facility located in the U.S.

Power

Contract negotiations on behalf of an international Chinese construction contractor for the construction of a power transmission grid in the U.S. valued at \$700 million.

Renewable Energy

Representation of an international renewable developer on the project documents for development of a wind facility off the coast of Delaware expected to produce 500 MW at a cost of over \$2.5 billion.

Oil & Gas/Chemical

Representation of a Kuwait Oil Company in the awarding and project development of a production facility in Kuwait valued in excess of \$1.5 billion.

Operations & Maintenance Agreements

Representation on the development, negotiation and finalization of Operating and Maintenance Agreements for a South African project company for two solar facilities.

Procurement Agreements

Negotiation and preparation of an equipment supply contract with a Mexican government agency for the design and installation of petrochemical equipment.

Commercial Projects

Negotiation and drafting of Supply Agreements and long-term Service Agreements for an international medical provider for the supply of medical equipment in Turkey and the UAE.

Offshore

Bradley advised an international oil and gas exploration company with the development and drafting of a full-wrap EPC and installation contract to provide design, engineering, procurement, construction, installation, load-out, sail-away, start-up and commissioning for an offshore production and development platform located in Malaysia.

Infrastructure

Bradley advised national port authority in Oman in contract strategies and drafting of agreements for the development and construction of railways through the Port of Oman.

Joint Ventures/Consortiums

Bradley prepared and negotiated Consortium Agreement with a Peruvian company for technical assistance in connection with a large upstream gas facility in Brazil.



Bradley Arant Boult Cummings LLP

WHO WE ARE

FIRM OVERVIEW

Bradley is a national law firm with a global perspective. Our firm has almost 600 attorneys serving established regional, national and international companies, emerging businesses and individuals. Our offices – strategically located in Alabama, Florida, Mississippi, North Carolina, Tennessee, Texas, and the District of Columbia – provide an extensive geographic base from which to best accommodate our clients. Recognized across the country, our attorneys serve as national, regional, and statewide counsel for clients across many industries. Clients rely on us for innovative legal services that reflect a deep understanding of their business objectives.



CHAMBERS USA: AMERICA'S LEADING LAWYERS FOR BUSINESS

- Highly ranked by *Chambers USA*, the prestigious, independent legal referral directory that annually ranks the leading U.S. firms and attorneys based on in-depth research and client and peer interviews.

THE BEST LAWYERS IN AMERICA®

- More than 300 attorneys listed in *The Best Lawyers in America*®, one of the most highly regarded attorney referral publications in the U.S. Attorneys are selected for *Best Lawyers* through extensive surveys of leading lawyers who assess the legal abilities of their peers.



U.S. NEWS & WORLD REPORT "BEST LAW FIRMS"

- Top ranked since 2010 in *U.S. News & World Report* "Best Law Firms," which ranks law firm practice areas nationally and across more than 180 metropolitan areas based on client evaluations and peer reviews from leading attorneys



SUPER LAWYERS

- Attorneys from across all offices are listed as Super Lawyers or Rising Stars, which is a rating service published by Thomson Reuters of outstanding lawyers from more than 70 practice areas.

BENCHMARK LITIGATION

- Highly ranked in *Benchmark Litigation*, the definitive guide to America's leading litigation firms and attorneys based on examination of recent casework and extensive interviews with litigators and clients.



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David Vance Lucas | Partner, Huntsville, AL

David Lucas provides legal strategy for technology and business, applying technological and operational experience to craft strategic advice on a variety of intellectual property, international trade and complex litigation matters – to both U.S. business abroad and non-U.S. businesses in the U.S.

For almost three decades, David has utilized his experience and legal acumen to advise corporate executives and boards of directors (public and private) on an array of legal, compliance and operational issues. His experience includes serving as general counsel to an international technology company and a clinical laboratory software company. David has extensive experience in a variety of U.S. and foreign compliance environments, including export control, privacy, and special security requirements. He regularly advises on the harmonization of U.S., U.K. and European laws. David has also represented companies in various legal proceedings in the U.S. and abroad. He has held U.S. secret clearances, essential for certain specialized matters, including mitigation of Foreign Ownership Control and Influence (FOCI) and Committee on Foreign Investment in the United States (CFIUS).

David is a frequent author and speaker on intellectual property, national security and foreign direct investment issues.

Based upon his multijurisdictional experience, David has developed associations with renowned legal counsel worldwide – critical to providing real time multijurisdictional advice and protection. David is North America Leader for the World Services Group (WSG) Trade and Investment Practice Group, and leads Bradley's International and Cross Border team.