



Ben Kiernan-Green

Senior Associate

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OVERVIEW

Ben is a senior associate in the Corporate/M&A team in Perth. He has experience advising clients across a broad range of industries in relation to mergers and acquisitions, distressed asset acquisitions, foreign investment, insolvency and restructuring, private equity, capital markets (debt and equity) and debt financing.

His experience includes advising clients in the energy and resources sector in relation to tenement acquisitions and disposals, farm-in and joint venture arrangements as well as royalties and commodity streaming transactions.

Ben also regularly provides governance and structuring advice to sporting bodies and associations – ranging from the grass-roots community level to peak bodies in Western Australia. He also serves as a tribunal member for a number of sporting organisations.

Ben is also a strong contributor to the firm's pro bono practice and plays an active role in ensuring access to justice is available for those less fortunate in the Australian community.

EDUCATION

- Graduate Diploma in Legal Practice, College of Law, 2018
- B.Com, University of Western Australia, 2017
- LL.B., University of Western Australia, 2017

ADMISSIONS

- High Court of Australia
- Supreme Court of Western Australia

THOUGHT LEADERSHIP *POWERED BY HUB*

- 1 April 2022, Russia-Ukraine Sanctions in Australia

- 3 May 2017, K&L Gates hosts FinTech event in Perth

NEWS & EVENTS

- 22 December 2022, K&L Gates Advises Leading ESG Tracking Platform Provider on Series A Capital Raising
- 03 December 2020, K&L Gates Acts for Duratec on Western Australia's Largest IPO in 2020

MEDIA MENTIONS

- FairSupply completes Series A cap raise, *LawyersWeekly.com.au*, 18 January 2023
- Mentioned, "K&L Gates helps ESG tracking and reporting platform secure financing," *Australasian Lawyer*, 11 January 2023

AREAS OF FOCUS

- Mergers and Acquisitions
- Capital Markets
- Corporate and Acquisition Finance
- Corporate Governance
- Debt Capital Markets
- Mining and Metals
- Public Companies

INDUSTRIES

- Consumer Products
- Sports

REPRESENTATIVE EXPERIENCE

- Advising a mining corporation in relation to its financing, gold swap and hedging arrangements with an independent energy and commodity group comprising two tranches: AU\$21 million Prepayment Agreement; and US\$42 million Facility Agreement.
- Advising a provider of electrical engineering and communications technology solutions in relation to its acquisition of a group of distribution service companies for an enterprise value of up to AU\$53.5 million.

- Advising an engineering services company in relation to its AU\$52.9 million initial public offering of shares and admission to the Official List of the ASX.
- Advising a global producer of high-value diamonds on the acquisition of a diamond project in the Northern Territory of Australia from the liquidators of a diamond project exploration and development company.
- Advising Fair Supply Analytics on all aspects of its Series A capital raising led by AirTree Ventures, with participation from Tidal, the Minderoo Foundation and Queensland Investment Corporation.
- Advising Hexagon AB on its acquisition of iConstruct Pty Ltd (a provider of building information modelling software).
- Advising Collins Street Asset Management as financier in connection with a number of secured convertible note transactions, including: secured convertible note financing of an engineering services company; and secured convertible note financing of GBM Resources Limited (ASX: GBZ).
- Advising CoinFlip Enterprises LLC on its entry into the Australian market and the acquisition of an Australian cryptocurrency ATM business.
- Advising Ionic Rare Earths Limited (ASX: IXR) in connection with its acquisition of U.K.-based rare earths separation technology company Seren Technologies Limited.
- Advising Azure Minerals Limited (ASX: AZS) in connection with its divestment of mining assets in Mexico to Canada-based Bendito Resources for consideration of up to AU\$20 million.
- Advising an Austria based manufacturer and mining company on the acquisition of an industrial mineral project comprising multiple mining tenements and pieces of agricultural land in Western Australia and associated approval from the Foreign Investment Review Board.
- Advising a Canada-based gold & silver royalty company as secured creditor in connection with the administration and sale of a base and precious metal deposits exploration and development company (and subsidiaries) to a resource exploration company under a DOCA for upfront consideration of CAD\$30 million.
- Advising a provider of community legal services in support of the fundamental human right to safe, secure and affordable housing on a fully pro-bono basis in relation to its merger under the *Associations Incorporation Act 2015* (WA) with a community legal centre and a community-focused legal services group for people new to Australia to form an independent, not-for-profit community legal centre.
- Advising a private client in relation to the acquisition of two solar projects in Victoria.
- Advising a mining corporation in all aspects of a mineral exploration and development company farm-in to the mining corporation's Cobalt Nickel Project.
- Advising a mining corporation in relation to its split commodity arrangements with a company focused on the exploration and development of resource projects in Australia.
- Advising a copper ores company on Australian law aspects of its acquisition of a 100% interest in a Canadian gold project from a fully integrated mining company.

- Acted as Australian legal adviser to a Canada-based company in connection with its acquisition of silver stream and lead-marketing assets located in NSW, Australia.
- Advising DRA Global Limited on the sale of assets and business of G&S Engineering to KAEFER.
- Advising a provider of process engineering, electrical and instrumentation engineering, mechanical engineering, civil and structural engineering, infrastructure engineering, and materials handling services on its acquisition of a construction engineering company.
- Advising a San Francisco-based investment advisory firm in relation to its precious metal streaming investments in Australia, including: gold and silver streaming financing of an Australian mining company's acquisition of a gold mine in Tasmania; and gold streaming financing of a private Australian company's acquisition and development of mineral properties and a treatment plant in Queensland.
- Advising the Western Australian Cricket Association in relation to its negotiations for the entry into the Perth Stadium Hire Agreement.
- Advising Port to Pub Pty Ltd in relation to the hosting of the Hotel Rottnest Port to Pub open water swim.
- Advising a large managed investment fund in its dealings with an insolvent tenant and the subsequent negotiations and asset and business purchase from Administrators.