



## Michael D. Cuda

### Managing Partner, Dallas Office

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## OVERVIEW

Michael Cuda is a partner in the firm's Dallas and Houston offices, where he is a member of the banking and asset finance and energy, infrastructure and resources practice groups. Michael has more than 25 years of experience in business and banking transactions. His practice focuses on domestic as well as international energy and oil and gas industry financing transactions, including upstream through downstream operations, offshore production, and equipment and oilfield services finance. Additionally, Michael represents clients as developers, investors and offtakers in the wind and solar energy arenas with respect to financing transactions, PPAs and VPPAs, tax equity issues, land development issues and local and state regulatory issues. Michael also negotiates a wide range of industry documents, and works in various capacities on financial derivatives transactions and Dodd-Frank issues.

In addition to energy transactions, Michael is involved in various types of syndicated lending transactions involving international currencies and collateral, asset based lending, commodity (non-energy) finance, film, media and telecom financings, medical and healthcare finance and middle market commercial business financings.

Michael is a former restructuring, loan review and regulatory compliance banker and as a result, he regularly assists clients in structuring credit transactions that involve public and private debt, multiple debt layers, multi-tranched loans and other related complex transactions. Michael also counsels clients in specialty lending transactions, loan work-outs and other debt restructurings, including through bankruptcy proceedings.

## PROFESSIONAL BACKGROUND

Prior to joining the firm, Michael was a partner in the Dallas and Houston offices of an international law firm where he concentrated his practice in financial services, infrastructure, debt finance, and energy & natural resources.

## ACHIEVEMENTS

- Who's Who in Energy, *Dallas Business Journal* (2011-2012)

## PROFESSIONAL / CIVIC ACTIVITIES

- Adam Energy Forum
- Adjunct Professor of Law, William & Mary, Texas Tech University, University of Oklahoma and Texas Wesleyan University
- Association of International Petroleum Negotiators
- City of Arlington, Texas, Economic Advisory Committee
- Commercial Finance Association
- Texas Association of Bank Counsel
- Turnaround Management Association

## SPEAKING ENGAGEMENTS

- From Term Sheet to Termination: The Evolution of an Oil and Gas Loan Package, Client Financial Institution In-house Presentation (July 2016)
- Panel Moderator and Speaker, “Navigating the Turmoil in the Oil and Gas Industry,” *Turnaround Management Association National Conference*, Scottsdale, Arizona (2015)
- Speaker, “New Opportunities in Energy and Water,” *Smith's High Yield Conference*, Greenwich, Connecticut (2015)
- *Before You Bid and Finance: The M&A Diligence and Things You Wish You Knew*, Presented at the Energy Leadership Series, The Dallas Petroleum Club, July 29, 2014
- Panel Moderator, “Status of Medical, Energy and Retail Industries,” *Turnaround Management Association Regional Conference*, Austin, Texas (2014)
- Author, “Oil and Gas Financing and Regulation in Texas,” In-house presentation (March 2013)
- Acquiring and Financing Companies in the Energy Sector: What the Frack? and Other Questions to get Us from Here to Renewables, In-house co-presenter (March 2012)
- “Oil and Gas Financing: Structures, Techniques and Recent Trends,” Presented to the *Advanced Oil, Gas and Energy Resources Law Conference*, Houston, TX (October 7, 2011)
- “Interest Rate Swaps: Expensive Lessons Learned at Harvard University,” Presented to the *Mortgage Lending Institute*, Austin, TX (September 15, 2011)
- “Interest Rate Swaps and Other Financial Derivatives: An Introduction.” Presented to the *Advanced Real Estate Law Course 2004*, San Antonio, TX (July 2004)

## EDUCATION

- J.D., Texas Tech University School of Law, 1991 (*magna cum laude*)
- M.B.A., St. Edward's University, 1986 (*summa cum laude*)
- B.A., University of Dallas, 1982

## ADMISSIONS

- Bar of Texas

## THOUGHT LEADERSHIP POWERED BY HUB

- June 2020, COVID-19: Perspectives on Navigating Uncertain Times, Opportunities, and Avoiding Pitfalls in the Energy Sector (*Research Surveys*)
- June 2020, COVID-19: Perspectives for the "Next New Normal" for Renewable and Utility Companies (*Research Surveys*)
- June 2020, COVID-19: Perspectives for the "Next New Normal" for Oil and Gas Companies (*Research Surveys*)
- 12 December 2019, Houston Bankruptcy Court Holds Midstream Gathering Agreements Cannot Be Rejected As Executory Contracts (*Alerts/Updates*)

## OTHER PUBLICATIONS

- Author, "An Analysis of the Uptick in US Oil and Gas Bankruptcies Resulting from the Declining Oil Price," *Journal of Corporate Rescue and Insolvency (UK)* (August 2015)
- Author, "An Embarrassment of Riches: Are We Producing Too Much Gas?" *American Gas Magazine* (October 2012)
- Author, *Oil and Gas Transactions, Cases and Materials on Oil & Gas Law, Sixth Edition, Thompson West Publishing* (2012)

## NEWS & EVENTS

- 22 February 2017, K&L Gates Expands Banking and Asset Finance Practice with Dallas Partner Addition (*Press Release*)

## AREAS OF FOCUS

- Oil and Gas

- Power

## INDUSTRIES

- Consumer Products
- Sports