



Partner

New York | Three Bryant Park, 1095 Avenue of the Americas, New York, NY, United States of America
10036-6797

T +1 212 698 3804 | F +1 212 698 3599

mark.thierfelder@dechert.com

Services

Corporate > Mergers and Acquisitions > Private Equity > Corporate Governance >
Corporate Finance and Capital Markets > Leveraged Finance >
Financial Services and Investment Management > Energy and Natural Resources >
Health Care > FinTech > Permanent Capital > Digital Health >

Mark E. Thierfelder is chair of the firm's corporate and securities group, chair of the global private equity practice and member of the firm's Policy Committee. He concentrates his practice on private equity transactions and domestic and international mergers and acquisitions throughout North America, Europe and Asia. In particular, Mr. Thierfelder represents leading private equity funds and their portfolio companies in a full range of corporate transactions, including mergers and acquisitions, recapitalizations, leveraged financings, restructurings, and reorganizations. In addition, he negotiates, structures, and executes corporate transactions on behalf of strategic buyers and sellers, and has significant experience representing banks and other institutional lenders in leveraged financings and restructurings.

Over the course of his 25+ year career, Mr. Thierfelder has acted on some of the most significant transactions in the market. In fact, he played a lead role advising on the two largest private equity-backed acquisitions globally in the past three years, according to *Thomson Reuters*, including his representation of GIC in the acquisition by a Blackstone-led consortium of a majority stake in

Thomson Reuters' Financial & Risk business at an overall valuation of US\$20 billion, and his representation of SK hynix as part of a consortium in the US\$18 billion acquisition of Toshiba Corporation's NAND flash memory and solid-state drive business.

Mr. Thierfelder is consistently recommended by legal directory *Chambers USA*, where he is listed as a leading lawyer for Corporate/M&A in New York and Nationwide Private Equity Buyouts. In recent editions of *Chambers*, he has been described as "a businessperson's attorney," who "has a great sense of deal dynamics and what's really going on," is "very knowledgeable and understands the nuances involved in everything he handles" and "gets the best deal possible." Clients have noted he is a "go-to for high-level advice on complex M&A matters" and is "a trusted partner to help navigate not only legal issues, but also business issues that arise during every negotiation." Clients have also commended him as "a fantastic leader" and "one of the most sophisticated lawyers" who "possesses a command of the entire deal process, has great commercial awareness and a good temperament for negotiating with the other side." He has also been listed as a top private equity and mergers and acquisitions lawyer for the past eleven years by *The Legal 500* (U.S.), which singled him out as an "outstanding business lawyer," "exceptional strategist" and a "recognized expert in private equity transactions." *The Legal 500* (U.S.) has also stated that he does a "stellar job" with "very good commercial sense" and that clients "value his advice and his commitment greatly." In addition, Mr. Thierfelder is recognized by the *IFLR1000*, where he is one of only 36 lawyers in the United States named a Market Leader for Private Equity and M&A.

He is also a frequent speaker and author on mergers and acquisitions and other corporate and securities topics. He has been published or featured by **CNBC** and **Bloomberg Markets** as well as in ***The Deal Pipeline***, ***New York Law Journal***, ***Mergers & Acquisitions*** magazine, ***Investment Dealers' Digest***, ***Law360***, ***Private Equity Online*** and other prominent media outlets. In addition, Mr. Thierfelder was recently selected to attend the Harvard Law School Leadership in Law Firms conference, a six-day intensive program for senior law firm leaders around the world to develop perspectives and skills necessary to be effective law firm leaders.

Mr. Thierfelder has extensive industry experience representing clients in sectors including technology, consumer products, defense, energy, infrastructure, retail, media and communications, healthcare, restaurants, life sciences, fishing, semiconductors, software, manufacturing, financial services and food and beverage. As a result, he can anticipate and address industry-unique issues that often arise in the transaction process and structure the transactions efficiently.

EXPERIENCE

- **Bregal Partners L.P.** in connection with its investment in American Seafoods Group, LLC and its affiliates, the largest harvester of wild-caught fish for human consumption in the United States, as part of a broader deleveraging recapitalization.
- **Bregal Partners L.P.** in the acquisition of US Community Behavioral LLC as a platform to create a national provider in community-based behavioral health followed by the acquisition of ReMed Recovery Care Centers LLC, a provider of brain injury rehabilitation services.

- **Bregal Partners L.P.** in the acquisition of Shock Doctor, Inc., a provider of athletic performance and protective equipment. Subsequently advised Shock Doctor, Inc. in its merger with McDavid, Inc., a designer and manufacturer of performance and protective athletic equipment.
- **Bregal Partners L.P.** on the formation of Aqua Terra Water Management, L.P., an acquisition and organic growth platform providing water management and disposal services to onshore oilfield customers in North America, and numerous acquisitions of saltwater disposal facilities and related assets throughout the United States and Canada.
- **Centre Partners Management** in the sale of U.S. Retirement Partners, Inc. (USRP), a provider of K-12 employee benefits and retirement planning services, to Kohlberg & Company.
- **Centre Partners Management** in the sale of Monte Nido, a leading provider of treatment for eating disorders and exercise addiction to adults and adolescents, to Levine Leichtman Capital Partners.
- **Centre Partners Management** in the acquisition of Captain D's, a fast casual seafood restaurant chain, from Sun Capital Partners.
- **Cerberus Capital Management** and **PaxVax** in connection with the sale of PaxVax, a company focused on specialty vaccines that protect against existing and emerging infectious diseases, to Emergent BioSolutions Inc. for US\$270 million.
- **Cerberus Capital Management** in the sale of real estate interests of nine acute care hospitals operated by Steward Health Care System LLC to Medical Properties Trust, Inc. and a related equity investment for US\$1.25 billion.
- **Command Alkon**, a portfolio company of Quilvest, in its acquisition of FiveCubits Inc., a provider of software-as-a-service (SaaS) fleet management and mobile computing solutions.
- **GIC**, the sovereign wealth fund of Singapore, as part of a consortium led by Blackstone that includes GIC and Canada Pension Plan Investment Board in connection with a partnership agreement with Thomson Reuters for Refinitiv (f/k/a Thomson Reuters' Financial & Risk (F&R) business) at an overall valuation of US\$20 billion, which, according to *Thomson Reuters*, is the sixth largest private equity-backed M&A transaction since the financial crisis (at the time it announced).
- **GIC** in the proposed US\$27 billion sale of Refinitiv by a consortium (consisting of Blackstone, an affiliate of GIC, Canada Pension Plan Investment Board and Thomson Reuters) to London Stock Exchange Group plc.
- **GIC** in its acquisition of a substantial equity stake (along with Silver Lake) in Ancestry.com, a provider of online family history data and personal DNA testing.
- **GIC** in its US\$350 million investment in Kronos Inc., a company focused on delivering workforce management solutions in the cloud, as part of a broader US\$750 million recapitalization of Kronos.
- **NOVADAQ Technologies Inc.** in its US\$701 million acquisition by Stryker Corporation (NYSE:SYK), one of the world's leading medical technology companies.
- **Public Pension Capital (PPC)** on its acquisition of Viteos Fund Services, a leading provider of middle- and back-office technology and services for the investment management industry, which was recognized as one of *India Business Law Journal's* "Deal of the Year" in 2017.
- **Quilvest** in the acquisition of UK-based Phaidon International, a global micro-specialist recruitment firm.
- **Quilvest** in the acquisition of approximately 55% of the equity interests in American Franchise Capital, which operates as a significant and leading franchisee of Applebee's and YUM! Brands restaurants.

- **SK hynix**, Inc. as a member of the consortium, in the US\$18 billion acquisition of Japan-based Toshiba Corporation's NAND flash memory and solid-state drive business, which, according to *Thomson Reuters*, is the fourth largest private equity-backed M&A transaction since the financial crisis (at the time it was announced). The transaction was named "M&A Deal of the Year for North Asia" at [The Asian Lawyer's Asia Legal Awards 2018](#). It was also named "Japan Deal of the Year," "M&A Deal of the Year (Premium)," and "Technology, Media and Telecommunications Deal of the Year" at [Asian Legal Business's ALB Japan Law Awards 2018](#).
- **Affiliates of Versa Capital Management** in the acquisition of Silver Airways, a U.S.-based airline headquartered in Florida.

EDUCATION

- Rutgers School of Law - Newark, J.D., 1992, with Honors, Order of the Coif
- Duke University, B.A., 1986

ADMISSIONS

- New York

MEMBERSHIPS

- Member, Advisory Board, The Kenan Institute for Ethics at Duke University, Durham, North Carolina
- Trustee, Chair of Institutional Advancement, Executive Committee, National Humanities Center, Research Triangle Park, North Carolina
- Treasurer, Chair of Finance Committee, Executive Committee, Princeton Day School, Princeton, New Jersey
- Co-Chair, Lawrenceville Parents Fund, The Lawrenceville School, Lawrenceville, New Jersey
- Former Member, Advisory Committee, The Deal
- Former Member, Corporation Law Committee, New York City Bar Association
- Former Member, Private Equity Editorial Advisory Board, *Law360*

SPEAKING ENGAGEMENTS

2017

- **Large Cap PE: Creative Capital Deployment Practices in Today's Economically Uncertain Environment with High Valuations**, Private Equity & Venture Capital 2017 Conference - New York, NY (January 20, 2017)

2016

- **Working Capital Adjustments – Eliminating the Guesswork**, Practising Law Institute - New York, NY (February 3, 2016)
- **Middle Market Private Equity: Finding Value in a Seller's Market**, Private Equity & Venture Capital 2016 Conference - Philadelphia, PA (January 29, 2016)

2015

- **Success Strategies In The Expanding World Of Middle-Market Private Equity**, Wharton Private Equity & Venture Capital Conference 2015 - Philadelphia, PA (January 30, 2015)

2014

- **Succeeding in an Increasingly Crowded Environment: Strategies for Middle-Market Private Equity**, Wharton Private Equity & Venture Capital Conference 2014 - Philadelphia, PA (January 31, 2014)

2012

- **Value Creation: Strategies for Consistently Improving Portfolio Company Performance**, Wharton Private Equity & Venture Capital Conference 2012 - Philadelphia, PA (February 3, 2012)

2010

- **Issues in Risk Management: What's The Deal? Managing Merger and Acquisition Risk in Today's Business Climate**, Marsh Issues in Risk Management - Washington, D.C. (September 28, 2010)
- **Issues in Risk Management: What's the Deal? Managing Merger and Acquisition Risk in Today's Business Climate**, Marsh Issues in Risk Management - Malvern, PA (June 22, 2010)

2009

- **Tough Times, Tough Decisions**, Pro Bono Partnership - New London, CT; New Britain, CT (November 17, 2009)