Austin Elder

Counsel

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Austin Elder represents private equity sponsors, their portfolio companies, public and private companies, institutional investors, and other clients in complex business transactions.

Austin's practice encompasses mergers and acquisitions, divestitures, carve-outs, joint ventures, investments (controlling and minority), corporate restructurings, governance matters, and general corporate counseling.

Experience

M&A, Joint Ventures and Equity Investments

- DECA Dental CEO and Founder Dr. Sulman Ahmed in a strategic investment in DECA Dental from funds managed by Blackstone Tactical Opportunities
- Formulife in an investment from Satori Capital
- Amplifi in its acquisition of Comma Group
- Point of Rental in its investment by Susquehanna Growth Equity
- Private equity firm Evolve Capital, LLC in the sale of Doctor's Choice Holdings, LLC
- Independent oil and natural gas company in its divestiture of water midstream assets
- Macquarie Infrastructure and Real Assets in its purchase of Wheelabrator Technologies, a leading owner and operator of waste-to-energy facilities, from ECP
- Multiple clients in the formation of real estate (including retail, residential development and hotel) joint ventures

Admissions

Bar Admissions

Texas

Court Admissions

US District Court for the Northern, Eastern, and Southern Districts of Texas

Education

Washington University School of Law, J.D.: *magna cum laude*; Order of the Coif; Notes Editor, *Washington University Law Review*

Vanderbilt University, B.S., Human & Organizational Development and Political Science: *magna cum laude*

- TPG in its preferred equity investment of up to $140 million to fund capital contributions to Double E Pipeline LLC, a joint venture between Summit Midstream Partners LP and Exxon Mobil Corporation, to construct a FERC-regulated interstate natural gas pipeline in the Delaware Basin
- Trive Capital Partners in the formation of NuBridge Commercial Lending, a real estate platform focused on making first-lien, short-term bridge loans for commercial and multifamily properties across the United States
- Discovery Midstream II in its $1+ billion partnership with Stonepeak Infrastructure Partners to pursue midstream opportunities.
- WPX Energy, Inc. (NYSE: WPX) in its up to $300 million joint venture with an undisclosed private equity sponsor to fund drilling and completion-related capital expenditures with respect to non-operated properties in the Permian Basin
- WPX Energy, Inc. (NYSE: WPX) in its $500 million joint venture with an undisclosed private equity sponsor to acquire minerals in the Permian Basin
- LM Energy, a portfolio company of Old Ironsides Energy, in its producer partnership joint venture to construct and develop a crude oil and gas gathering system in the Delaware Basin, together with related commercial agreements and dedications
- LM Energy in its partnership with Old Ironsides Energy to pursue midstream development and acquisition opportunities
- Norwegian Cruise Line in its $2.4 billion transaction involving four different capital markets products, the first-ever four-tranched marketed financing
- Verdad Oil & Gas Corporation in its formation of Verdad Resources Holdings LLC in partnership with funds managed by Ares Management, L.P
- Clearlake Capital Group, L.P., in the formation of Gravity Oilfield Services Inc., f/k/a GlobeLTR Energy Inc., with the merger of two established oilfield services providers in the Permian Basin, Globe Energy Services, LLC and Light Tower Rentals, Inc.
- TPG Growth in the $1.2 billion sale of Discovery Midstream to KKR and Williams
- EQT Infrastructure in the sale of Tampnet AS to 3i Infrastructure plc, a listed long-term investor in infrastructure businesses and assets, and ATP, Denmark's largest pension provider
- Oncor Electric Delivery Company in its $2.2 billion acquisition of InfraREIT
- Oncor Electric Delivery Company in its exchange of approximately 258 miles of 345 kV CREZ power transmission lines with Sharyland Distribution & Transmission Services, L.L.C. and Sharyland Utilities, L.P. for Sharyland's South and West Texas power distribution network and retail delivery customers, and related transactions approved by the Public Utility Commission of Texas

Restructuring Matters

- Mission Coal Company, LLC and its affiliates in their restructuring, including a successful sale process for three of its metallurgical coal mines located in West Virginia and Alabama out of Chapter 11)
- HPS Investment Partners LLC in its $32.96 million acquisition of Echo Energy Partners I LLC's assets out of bankruptcy

- Azure Midstream Partners in the $189 million Section 363 sale of its East Texas and Northern Louisiana midstream business and assets to BTA Gathering and certain preferential right midstream assets to BP America Production Company

Capital Markets Transactions

- Daseke, Inc. in its $626 million merger with Hennessy Capital Acquisition Corp. II, a SPAC, in an all-stock transaction
- Daseke, Inc. in its combined $164 million public offerings of common stock
- Daseke, Inc. in its acquisition of Aveda Transportation and Energy Services, one of the largest oil rig moving companies in North America
- Mewbourne Energy Partners in its combined $500+ million private placements of partnership interests
- Discovery Americas LLC in its exit from its private equity investment in publicly-held ADSs in Volaris, the Mexican ultra low-cost airline, through secondary offerings and share distributions to limited partners, and in other private equity-related matters

Honors & Awards

- Recognized by *Best Lawyers in America®* in Corporate Law (2023)