



## Eric Rothenberg

Of Counsel

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Eric B. Rothenberg leads the Firm's Environmental, Safety and Health Practices. He represents business and financial institutions in a broad range of adversarial matters, including superfund proceedings, toxic tort claims, private cost recovery actions and administrative proceedings. Drawing upon his experience as a graduate-degree environmental engineer, Eric also directs diligence and documentation of transactions, financings and restructurings/reorganizations involving industrial and commercial properties. He also serves as lead counsel and court-appointed allocation counsel at National Priorities List superfund sites. Eric also Co-leads the Firm's, ESG task force group.

He is a frequent speaker and author of numerous publications including current U.S. and International Environmental Law summaries for the PLI Corporate Legal Counsel series and LexisNexis compliance guides. He is recognized by *Chambers USA*, *Best Lawyers in America*, *Super Lawyers*, and *International Who's Who* as a leading US environmental lawyer.

### Experience

- O'Melveny provided environmental and regulatory due diligence and documentation for **Apollo Management LP** in its acquisition of ABC Technologies, an automotive plastics firm with facilities across the US and Mexico
- **Tegra** with respect to the diligence and documentation for the roll up acquisition of a sportswear manufacturer

### Admissions

#### *Bar Admissions*

New York  
Missouri

#### *Court Admissions*

US Supreme Court

### Education

Northeastern University, J.D., 1981  
Harvard University School of Public Health, M.S., 1976  
Harvard University, A.B., 1975:  
*magna cum laude*

- **Apollo Global Management** in its acquisition of **Taminco Corp. (Taminco)**, the world's largest producer of alkylamines and alkylamine derivatives, and the US\$2.8 billion sale of Taminco to Eastman Chemical Company, a global producer of specialty chemicals
- **Verso Paper** in its US\$1.4 billion acquisition of NewPage, a privately held producer of specialty paper products and subsequent restructuring proceedings
- **Apollo Global Management** in its US\$7.15 billion acquisition of El Paso Corporation's oil and gas exploration units
- **The Carlyle Group** in its acquisition, along with other investors, in a majority stake in Luxembourg-based metals trader, the Traxys Group
- **CI Capital Partners** in its acquisition and later sale of building products distributor, FBM, to Lone Star for US\$560 million
- **CI Capital Partners** in its acquisition and later sale of chemicals firm KIK Custom Products to Centerbridge Partners for US\$780 million
- **Apollo Global Management** in its acquisition of Houston-based oilfield services company, Express Energy Services
- **Apollo Global Management** in its acquisition of Paris-based portfolio company, **Constellium NV**, a global aluminum fabricator, as well as the US\$1.4 billion tuck in acquisition of privately held Wise Metals Group LLC, a leading producer of aluminum can stock for the beverage and food industries
- **Apollo Global Management** and its portfolio company, **Talos Energy Offshore LLC**, in the US\$200 million acquisition of certain Gulf of Mexico off-shore, shallow zone oil and gas properties from Stone Energy Corp.
- **Apollo Global Management** in its US\$1.8 billion acquisition of the Bighorn oil and gas assets of Encana Corp. in Canada's Alberta Deep Basin
- **Apollo Global Management** in partnering with Caelus Energy Alaska LLC in its US\$300 million acquisition of the Alaskan oil and gas business of Pioneer Natural Resources
- **Apollo Global Management** in its acquisition of certain assets of Hostess Brands, Inc.'s baked snack foods business for US\$410 million in cash
- **Apollo Global Management** in its US\$190 million acquisition of the formic acid business of Kemira Oyj
- **Apollo Global Management** in its US\$400 million acquisition of Pitney Bowes Management Services
- **Apollo Global Management** in its US\$2.5 billion purchase of McGraw-Hill's education unit
- **Apollo Global Management** in its acquisition of worldwide operations of Tenneco, an after market auto parts manufacturer
- **Apollo Global Management** in its US\$2.5 billion acquisition of Direct ChassisLink Inc, a rail and truck container chassis provider
- **Apollo Global Management** in its US\$703 million acquisition of Wisconsin water park property owner and manager Great Wolf Resorts Inc.
- **Apollo Global Management** in its US\$1 billion investment in Norwegian Cruise Lines Corporation Ltd. and subsequent US\$3 billion merger with Prestige Cruises International
- **Apollo Global Management** in its US\$1.15 billion acquisition of Xstrata Aluminum (now Noranda)

- **Apollo Global Management** in its acquisitions of Diamond International and Hilton Grand inveral ownership resorts
- **Apollo Global Management** in its US\$1.825 billion acquisition of Rexnord plumbing and machine products and US\$1.25 billion acquisition of Jacuzzi Brands, Inc.
- **Apollo Global Management** in its US\$3.8 billion acquisition of the plastics, resins, silicones and quartz (Advanced Materials) division of General Electric Co.
- **Apollo Global Management** in its US\$1.48 billion acquisition of the business and assets of the logistics division of TNT N.V., the Dutch parent company of TNT Logistics North America (now CEVA)
- **Apollo Global Management** in its acquisition of, and US\$1.85 billion secured load and high yield note and bridge financing in connection with its acquisition, of Berry Plastics
- **Apollo Global Management** and portfolio companies **Borden Chemical, Inc. Resolution Performance Products LLC** and **Resolution Specialty Materials LLC** in the formation of Hexion Specialty Chemicals, Inc. and subsequent tuck-in acquisitions of specialty chemical businesses of Akzo, Eastman, Orica, Rhodia, and Reutgers
- **Apollo Global Management** and the **Texas Pacific Group LLC** in their \$15.1 billion acquisition of Caesar's/Harrah's Entertainment Inc.
- **Apollo Global Management** in its acquisitions of Claire's Stores and The Michaels Companies Inc.
- **Apollo Global Management** in its US\$4.3 billion acquisition of Rackspace data hosting systems
- **CI Capital Partners** in its acquisition of specialty packaging company IntraPac
- **CI Capital Partners** in its acquisition of Valley National Gases Incorporated
- **Elementis** in its acquisition of Deuchem
- **Francisco Partners** in its investment in Data Connection Limited
- **International Game Technology** in its acquisition of Cyberview Technology, Inc.
- **KIK Custom Products, Inc.**, a portfolio company of **CI Capital Partners**, in its US\$300 million acquisition of the BioLab pool care additives business of Chemtura Corporation
- **Kohlberg & Company, LLC** in its acquisition of SM&P Utility Resources, Inc. and Central Locating Service, Ltd.
- **Palladium Equity Partners** in its acquisition of American Gilsonite Co.
- **QSA Holdings Ltd.**, a portfolio company of Colter Capital Ltd., in the sale of its wholly-owned subsidiary, QSA Global Inc., to an undisclosed purchaser
- **TCW Global Project Fund II, Ltd.** in its investment in a hydroelectric power plant in Puebla, Mexico
- **TCW Group** in the merger of GSC Acquisition Company with Complete Energy

## Professional Activities

### Member

- American Bar Association
- The Bar of the City of New York
- American Industrial Hygiene Association

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### Author

- "SEC Sues Mining Company Based on ESG Disclosures," *Insights: The Corporate & Securities Law Advisor* (July 2022)
- "Companies Face Demand for Third-Party CSR Certifications," *CFO.com* (November 26, 2019)
- "Hydraulic Fracturing Developments," *Pratt's Energy Law Report* (Quarterly 2015-2017)
- "International Environmental Law," *International Corporate Practice: A Practitioner's Guide To Global Success*, PLI, 4th ed. (Annual updates 2014-2018)
- "Specific Corporate Compliance Challenges By Practice Area: Environment," *Corporate Compliance Practice Guide: The Next Generation* (LexisNexis, August 2009-2018)
- "Latest Developments in International Maritime Environmental Regulation," *The Tulane Maritime Law Journal* (winter ed., 2008)
- "The Greening of Older Buildings," *New York Law Journal* (September 29, 2008)
- "Successfully Minimizing Risk" in *Environmental Law Deal Strategies* (Aspatore Books 2008)
- "Exploring the Carbon Trading Landscape," *New York Law Journal* (July 16, 2007)
- "USEPA and State Brownfield Programs," RTM/BNA Contaminated Property Transaction Symposium, Washington DC (April 11-12, 2007)
- "Overview of Environmental Law," *Corporate Legal Departments*, PLI, 6th ed. (2006)
- "Overview of Environmental Law," Westchester/Fairfield County ACCA Mergers and Acquisitions Conference (Sept. 22, 2005)
- "Federal and State Superfund Laws Affecting Business and Financial Transaction," New York State Bar Association Annual Environmental Conference (July 2005)

### Speaking Engagements

- Panelist, "ESG: The Role of Lawyers Today and in the Future", International Bar Association, NY (March 1, 2023)
- Tackling Business and Environmental Risk Challenges in the Covid-19 World (June 11, 2020)

### Featured

- "Turbulent Times," Aviation Industry Review, *Euroasia Industry* magazine (May 2012)

### Editor

- "Environmental Risk Management: A Desk Reference," *Risk Management Technologies, Inc.*, 2d ed. (1998)

### Teaching

- Instructor, Fordham Law School Corporate Counsel Program: Superfund and Brownfield Development Law (2015-2020)
- Instructor, Cornell Law/Johnson Business School Combined Degree Program – Environmental Law Litigation/Insurance (2008-12)
- Research Assistant Professor, Harvard University School of Public Health (1976)

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## Honors & Awards

- Recognized by *Best Lawyers*® for Environmental Law in New York, NY (2022-2023); Eric has been listed in *Best Lawyers* since 2008
- *Chambers USA* - Leading Lawyer in Environment: Mainly Transactional (2012-2022)
- Recognized by *The Legal 500 US* as a Leading Lawyer for Environment: Transactional (2019-2022)
- Recognized by *Super Lawyers* in the Environmental Litigation section (2007, 2009-2012)
- Recognized by *Who's Who Legal: Environment* (2009-2012)
- Recognized by *AmLaw* as a Top Rated Lawyer in Energy/Environmental (2013-2015)
- Recognized as one of the New York Area's Top Lawyers by *New York Magazine* (2009, 2011)
- *PLC Cross-border Environmental Handbook* - Recommended in Environment: Corporate Section in NY (2011/2012, 2009/2010 and 2008/2009)