

# Snell & Wilmer

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## **Brad W. Merrill, P.C.**

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## **Main Bio**

Brad Merrill's practice is concentrated in corporate and securities, with extensive experience with corporate governance, mergers and acquisitions and all aspects of debt and equity financing. As part of his corporate practice, Brad has also developed extensive expertise in renewable energy transactions, bank regulatory matters and aircraft transactions.

## **Representative Transactions**

- Advised state and national banks in navigating compliance with and expansion opportunities under Gramm-Leach-Bliley Act (GLBA), including acting as general counsel for two banks during the passage and implementation of GLBA
- Counsel for multi-national seller in several M&A transactions including \$90 million asset acquisition and \$85 million international sale of holding in Caribbean Public Utility Company, both in 2011
- Counsel to various businesses with respect to capital and debt raising including several equity capital raises for charter school development company, energy companies and community banks
- Counsel to national bank and affiliated industrial bank in numerous assets sales, acquisitions and business combination transactions
- Counsel to large regional auto finance company for several capital raising transactions
- Counsel to bank investors and directors in regulatory compliance and related matters
- Counsel to local bank in acquisition of neighboring state bank charter and branch
- Advised banks and corporate clients on impacts of Dodd-Frank Wall Street Reform and Consumer Protection Act
- Counsel to large national bank on multi-state Community Reinvestment Act practices and related credit facilities
- Advised regional Federal Thrift on establishing multi-state internet banking operations
- Counsel to large national bank to establish SBA 504 loan program pooled loan facility
- Counsel to numerous companies in connection with general corporate governance, general contracting and compliance
- Counsel to large diversified holding company for sell of international telecommunications operations
- Counsel to Caribbean based telecommunications operator in its sell to a large international telecommunications provider

- Counsel to a pre-paid phone card company in connection with several acquisitions of phone card companies and divisions
- Counsel to joint venture in acquisition of 12 automobile dealerships in four different states
- Counsel to various financial services companies in connection with asset acquisitions, financings and regulatory matters
- Counsel to corporate and individual buyers of private aircraft and related structuring and aircraft leasing agreements

## Education

- University of Utah College of Law (J.D.)
  - William H. Leary Scholar
- University of Utah David Eccles School of Business (B.S., Business Finance, *cum laude*)
  - First Security Bank Scholarship
  - President's Scholastic Achievement Certificate
  - Phi Kappa Phi
  - Golden Key National Honor Society
  - Beta Gamma Sigma business Honor Society

## Professional Memberships & Activities

- National Aircraft Finance Association (2023-Present)
- National Business Aviation Association (2023-Present)

## Representative Presentations & Publications

- "[Broker-Dealer: Never Make Registration Decisions Based on Assumptions](#)," Contributor, VC Experts (October 24, 2013)
- "Dealing With Internal Investigations," Presenter, ACC – Mountain West Chapter Last Chance CLE (June 28, 2012)
- Regular speaker on banking regulatory and related matters
- Speaker to several industry and banking groups on impacts and analysis of Dodd-Frank Act

## Professional Recognition & Awards

- The Best Lawyers in America®: Business Organizations (including LLCs and Partnerships) (2019-2021, 2023-2024); Corporate Law (2019-2024); Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law (2022); Real Estate Law (2023-2024); Securities/Capital Markets Law (2024)
- Chambers USA: America's Leading Lawyers for Business®, Corporate/Mergers & Acquisitions (2014-2016, 2019-2023)
- Utah's Legal Elite: Corporate Law and Transactions (2004-2010, 2015-2017), Mergers and Acquisitions (2018-2020), Business and Corporate Law (2022), Utah Business Magazine
- Mountain States Super Lawyers®, Banking (2019-2021), Mergers & Acquisitions (2022-2023)

## Community Involvement

- Utah Symphony/Utah Opera Board of Trustees (2011-present)

## **Previous Professional Experience**

- Leucadia National Corporation, Asset Management Group (1999-2008)
- American Investment Bank, N.A., and American Investment Financial, a Utah Industrial Bank, Executive Vice President and General Counsel (1999-2003)
- LeBoeuf, Lamb, Greene & MacRae, L.L.P. (now Dewey LeBoeuf) (1996-1999)

## **Bar Admissions**

- Utah

## **Court Admissions**

- Supreme Court of Utah
- United States District Court, District of Utah