



→ Elliot Hinds

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Elliot Hinds is a partner in the Corporate Practice Group in the firm's Century City office.

Areas of Practice

Elliot focuses his practice on corporate and energy matters. While he is deeply engaged in energy transactions, he also works with clients in a variety of other capital-intensive industries, including manufacturing, health care, and technology.

Elliot works extensively on mergers and acquisitions, debt financings, project development and finance, and joint ventures. The projects he has worked on include renewable energy (including wind, geothermal, solar, and biomass), natural gas, cogeneration and coal-fired electric power, liquefied natural gas (LNG), and bioethanol facilities. He has handled many billions of dollars of energy project finance transactions and worked on some of the first merchant facilities to be developed and/or owned in a fully deregulated environment. He represents several wind and solar energy project developers, technology companies (some of whom bridge the energy and technology sectors), manufacturers of equipment, lubricants, and other products and companies in the health care space.

Honors

Top 100 Lawyers, *Daily Journal*, 2021

Recommended Lawyer, Renewable & Alternative Energy, *Legal 500 US*, 2021-2022

Most Influential Minority Lawyers in Los Angeles, *Los Angeles Business Journal*, 2016

Corporate Lawyer of the Year, *Century City Bar Association*, 2015

Top 25 Clean Tech Lawyers in California, *Daily Journal*

Mid-career minority attorneys excelling in the legal profession, *Lawyers of Color's* Second Annual Hot List for the Western Region of the United States

Experience

Energy/Project Finance

- A major wind turbine manufacturer in a senior secured loan to finance the PTC safe harbor wind turbine components to enable the construction of up to 500 MW of wind projects in the US.

- A major renewables project developer in acquiring PTC safe harbored wind turbines and obtaining a senior secured credit facility to finance the acquisition.
- Pacific Solar Energy in the development and financing of the 60 MW Nacaome solar project in Honduras.
- Represented wind developer in approximately 2.4GW of master turbine purchase arrangements with multiple wind turbine manufacturers.
- Represented a private wind project developer in the sale of a 1.6GW pipeline of solar projects located in the U.S. & Mexico. The 18 projects range in size from 13MWs to 336MWs and included assets that have been shortlisted for PPAs.
- Assisted the development and sale of the 580MW Antelope Valley photovoltaic solar project (AVSP) to affiliates of MidAmerican Energy Holdings Company. The project will utilize proprietary photovoltaic modules and tracking technology and its electricity will be sold under long-term power purchase agreements. Construction of the project has commenced, and commercial operation is expected in 2015. When completed, AVSP will be the largest solar energy project in the world.
- Represented a wind turbine manufacturer in multiple turbine sales, including a joint venture to develop a 70MW wind project in Chile.
- Represented a wind turbine manufacturer in the turbine sale and equity financing for a 33MW wind project in Chile.
- Represented a private renewable project developer in connection with a joint venture to develop utility scale solar projects in Japan.
- Represented a private wind project developer in the development and sale of a 150MW–170MW wind project in Texas.
- Represented a private solar project developer in the PPA negotiation, other development, and sale of a 50MW solar project in New Mexico.
- Represented a private solar project developer in the development, EPC, and sale of a 25MW project in California.
- Represented a private solar project developer in power purchase agreement and financing negotiations for solar power projects on various K-12 school campuses.
- Assisted an iron ore mining company in the \$45 million project financing and \$20 million equity financing to expand its mine in Utah.
- Represented a wind project developer in the acquisition of a 20MW wind project under development in Montana.
- Represented a private wind developer in multiple complex and coordinated letter of credit and mezzanine debt financings totaling \$240 million.
- Represented the Los Angeles Community College District in connection with development and more than \$65 million financing of a multi-campus solar energy facility installation program using tax-efficient financing strategies.
- Assisted a private geothermal electric power developer in the completion of a \$108 million second-round private equity financing.
- Assisted a private wind developer in more than \$1 billion omnibus debt and equity restructuring of existing corporate and turbine acquisition secured loans.

- Assisted a major energy developer in connection with an acquisition and joint venture for the development of a \$2 billion mine-mouth, coal-fired, electric generation facility.
- Assisted a private owner in connection with development, joint-venture negotiations and subsequent project financing of the \$760 million LNG facility in Canada that was named North American Mid-Stream Oil and Gas "Deal of the Year 2006."
- Assisted a publicly traded company in connection with an approximately \$300 million divestiture of an energy management services business, which was motivated by the need to reduce or eliminate bonding and capital support obligations.
- Represented a private developer in connection with acquisition of project assets for planned development of a 20MW wind farm in California.
- Worked with an acquirer of joint venture interests (in a limited liability company) in an existing 20MW wind farm on a brownfield site and of project assets for planned development of a 15MW wind farm in New York.
- Counseled a private wind project developer in the simultaneous closing of two debt financings totaling \$125 million: a \$50 million secured corporate letter of credit facility and a \$75 million secured mezzanine term loan provided by separate mezzanine lenders. These financings were layered among existing corporate debt, turbine debt, project debt, and another layer of mezzanine debt and as such, had a complex and layered springing lien collateral structure involving multiple operating and developing projects.
- Represented a private wind project developer in connection with obtaining a \$115 million mezzanine term loan facility, which is layered between project-level financings and the parent-level corporate and turbine loan facilities and the restructuring of approximately \$300 million existing corporate and wind turbine acquisition secured loans and letter of credit facilities.

Manufacturing, Health Care, and Other Industries

- Worked with a lubricant manufacturing company in connection with an aggregate of \$53 million in first and second lien loans.
- Represented a health maintenance organization in connection with multiple acquisitions, dispositions, and financing transactions involving hundreds of millions of dollars.
- Assisted a Canadian acquirer in more than \$1.8 billion senior and subordinated acquisition financing in connection with the acquisition of a major retail pharmacy operation.
- Counseled a communications company in a \$820 million acquisition debt financing transaction.
- Represented a private company in connection with a joint venture to develop a new lubricant manufacturing facility in California.
- Represented a health maintenance organization in connection with the acquisition of a New Mexico-based HMO.
- Represented a healthcare group purchasing organization in connection with the asset purchase and stock redemption from one of its members.
- Represented a manufacturer of thermal management products for defense, aerospace, supercomputer, and semiconductor industries in the sale of its business.
- Represented an Arizona medical clinic in the sale of all of its stock via merger for cash and debt assumption.
- Represented a hardware and equipment sales chain in connection with \$50 million purchaser financing in connection with an acquisition and \$1 billion secured credit facility and \$600 million variable interest

unsecured subordinated note offering.

- Represented banks in connection with multiple multi-million senior and subordinated secured loan transactions to private equity backed companies operating in the retail industry.

Articles

- Key Renewable M&A Transaction Issues
State Bar of Texas Section Report of the Oil, Gas & Energy Resources Law, 09.03.2020
- "Community Solar Needs Clear, Flexible State Regulations," *Law360*, July 17, 2019
- "Energy – Rapid Tech Changes Creating Winners and Losers," *Electric Light & Power*, February 2, 2016
- "The Emergence of an Electric Energy Storage Market," *Electricity Journal*, March 2014
- "Creating Financeable Power Purchase Agreements for Military Renewable Energy Projects," *American Council on Renewable Energy (ACORE) 2014 Industry Review*, February 2014
- "Effective Feedstock Management is Essential to a Successful Biomass Conversion Facility," *Project Perspectives*, Spring 2013
- "Feed in Tariffs Emerge As Key Driver for Solar Development," *Solar Industry Magazine*, 2012
- "End of An Era: Keys to Project Finance In A Post-1603 Environment," *Solar Industry Magazine*, March 2012
- "Financing For Renewable Energy Projects – How one community college system overcame financing challenges to build a greener campus," *Community College Journal*, October/November 2011

Energy Law Blog Posts

- "Sheppard Mullin Launches California Green Hydrogen Readiness Assessment – How Prepared Are You and the State?," January 12, 2023
- "Six key items to be aware of today in US Renewable Energy M&A Transactions," May 24, 2021
- "NYISO Battery Storage Rules," October 14, 2020

Finance & Bankruptcy Law Blog

- "Funds Available to Businesses Under the Coronavirus Economic Stabilization Act (CARES ACT Title IV)," March 31, 2020

Corporate & Securities Law Blog

- "Some Strings Attached: Main Street Lending Program And Private Company M&A," July 13, 2020
- "Interplay of Main Street Lending Program Documents (the Rights and Role of the Main Street SPV)," July 7, 2020
- "Fed Provides Further Updates to Main Street Lending Program, Expanding Availability in Advance of Program Launch," June 10, 2020
- "Fed Updates Main Street Loan Program," May 2, 2020
- "CARES Act Loans Available for National Security Businesses," April 28, 2020
- "Sheppard Submits Comments to Main Street Loan Program," April 17, 2020

- "Main Street Lending Program Summary," April 10, 2020

Speaking Engagements

Presenter, "It's a Trap: Tools and Tips to Avoid Mistakes in Commercial Contracts," Deal or No Deal 2019: The Rise of the Deal, Santa Clara, CA (November 7, 2019)

Panelist, "Renewable Energy Storage Projects: Financing Options, Deal Structures, Tax Issues, and Regulatory Challenges," Strafford Webinar (May 21, 2019)

Panelist, "Financing & Tax Challenges with Solar + Storage Projects," SEIA Finance & Tax Seminar, New York, NY (March 1, 2018)

Presenter, "Alphabet Soup: Bonds & Tax Credits," Solar Power International, Las Vegas, NV (September 12, 2017)

Presenter, "Financing and Tax Challenges With Solar+Storage Projects" SEIA Finance & Tax Seminar, New York, NY (June 1, 2017)

Presenter, "Storage A to Z: Project Lifecycle and Development," 27th Annual Energy Storage Conference and Expo, Denver, CO (April 20, 2017)

Presenter, "Energy Storage Project Development" and "BESSs: Lessons Learned and Future Solutions," 7th Annual Next-Generation Energy Storage 2017, San Francisco, CA (February 14, 2017)

Moderator, "Guaranteed Performance: Storage Project Financing & Warranties," 26th Annual Energy Storage Association Conference, Charlotte, NC (April 27, 2016)

Presenter, "A Market Making Moment for Large-Scale Energy Storage?" 6th Annual Knowledge Foundation Next-Generation 2016 Energy Storage, San Diego, CA (April 18, 2016)

Presenter, "Pushing the Envelope: How California Policy Has Driven an Electric Grid Revolution," AEHS 26th Annual International Conference on Soil, Water, Energy, and Air, San Diego, CA (March 23, 2016)

Speaker, "Commercializing Energy Storage Technologies and Financing Renewables," The Knowledge Foundation Next-Generation 2016 Energy Storage Podcast (February 18, 2016)

Presenter, "Dealing with Contingency Terms – Asset Risk Management in Energy Storage Projects," Infocast's 9th Annual Storage Week, San Diego, CA (January 25, 2016)

Panelist, "How Utilities Make Decisions About Storage," Energy Storage Association Annual Conference, Dallas, TX (May 2015)

Presenter, "Standards for Dollars: Embracing Performance Standards That Enable Large Scale Financeability," Energy Storage Association 25th Annual Conference and Expo, Dallas, TX (May 27-29, 2015)

Panelist, "Solar + Storage," Solar Power Generation 2015, San Diego, CA (February 4, 2015)

Panelist and Moderator, "Solar + Storage hybrid systems," Webinar (December 18, 2014)

Speaker, "Pricing Energy Storage + Solar," Solar Power International 2014, Las Vegas, NV (October 22, 2014)

Speaker, "Market Drivers Realizing the Value of Energy Storage," PV America 2014, Boston, MA (June 24, 2014)

Speaker, "Energy Storage Mandate in California - A Progress Report on Procurements," California Energy Summit, San Francisco, CA (May 28, 2014)

Speaker, "Assessing Storage Roles, Requirements and Procurements," 7th Annual Storage Week, Santa Clara, CA (February 12, 2014)

Moderator, "The Evolution of Debt Financing" Panel, Infocast Wind Power Finance & Investment Summit 2014, San Diego, CA (February 5, 2014)

Speaker, "The Future Of The Industry: How Will The Dust Settle?" Opening Keynote Plenary, 6th Annual Solar Power Generation (SPG USA 14), San Diego, CA (February 4, 2014)

Speaker, "Market Trends in Renewable Energy Project M&A," Renewable Energy Law Conference, San Diego, CA (January 23, 2014)

Speaker, "Trends in Solar M&A," Webinar (November 19, 2013)

Speaker, "Financing Energy Storage Projects - Making a Market to Attract Investment," Power-Gen International, Orlando, FL (November 12-14, 2013)

Speaker, "Strategic Alliances," Solar Power International Conference, Chicago, IL (October 23, 2013)

Speaker, "Energy Storage & Financing: New Market Opportunity," Solar Power International, Chicago, IL (October 2013)

Speaker, "Financing Vehicles for Tribal Energy & Telecommunication Projects," NAFOA's 2013 Fall Finance & Tribal Economies Conference, Seattle, WA (September 9, 2013)

Speaker, "Renewable Energy Investment, IRS Investment, Tax Credit and the Solar Opportunity," (National Center for American Indian Enterprise Development), RES, CA, Temecula, CA (June 18, 2013)

Moderator, "Obstacles to Scaling Storage Solutions: Cost and Corporate Strength of Solution Providers," Infocast 6th Annual Storage Week 2013, Austin, TX (April 4, 2013)

Speaker, "Deal Structuring: Current Options and New Directions – Panel Discussion, Finance," Solar Power-Gen 2013 Conference, San Diego, CA (February 13-15, 2013)

Speaker, "Penetrating Niche Markets: Sports Teams, Nonprofits, Schools & Military," PV America East Conference, Philadelphia, PA (February 5-7, 2013)

Speaker, "CEO Panel," Solar Power Generation USA, Newport Beach, CA (January 15-16, 2013)

Speaker, "Tribal Renewable Energy Solutions and Partnerships: Collaborating through the Headwinds of Change Workshop," RETECH Conference, Washington, D.C. (October 14-16, 2012)

Speaker, "2012 Fall Finance and Tribal Economies Conference," San Diego, CA (September 10-11, 2012)

Speaker, "Tribal Economic Development Conference," Native Nation Events, San Francisco, CA (May 30-June 1, 2012)

Speaker, "Tribal Energy Panel," NAFOA Conference, New Orleans, LA (March 19-21, 2012)

Memberships

Board of Directors, Los Angeles Urban League

Board Treasurer, The Climate Center

Practices

Corporate

ESG and Sustainability

Industries

ESG and Sustainability

Education

J.D., Georgetown University, 1996

B.A., University of California, Berkeley, 1992

Admissions

California